

# CLIMATE CHANGE, PERENNIAL CRUDE OIL THEFT AND THE QUEST FOR SUSTAINABLE DEVELOPMENT IN NIGERIA

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**Abstract:** Nigeria is a country that is richly endowed with both human and natural resources. Chief among the natural resources is crude oil, which has been the mainstay of the country's economy for decades, yet an average Nigerian lives on less than the equivalent of one US Dollars a day. Clearly, there is a disconnect between the endowment and the standard of living of majority of the people. Considering the available resources, the country is not developing at the rate expected, so many things are responsible for this stunted growth, they include, but are not limited, to corruption, mismanagement, unbridled stealing of the country's crude oil and other criminal activities. The fulcrum of this paper is the negative effects of the stealing of Nigeria's crude oil on the climate and how it has clipped the growth of the economy.

In recent times climate change has taken the front seat in global discourse, there has been a growing concern about changes in the climate and the quest that no stone must be left unturned in addressing the issue. Good climate is *a sine qua non* to sustainable development. The acts of human beings had been fingered as the causes of adverse changes in the environment, such deviant behaviours includes those acts associated with crude oil theft such as oil spillages ; illegal oil pipeline breakages ; illegal bunkering of crude oil; environmental degradation ; deforestation ; etc. This egregious state of things was possible because of lack of good governance flowing from lack of respect for the rule of law.

The deleterious effects of such acts of man described above are manifest in a myriad of social and economic malaise such as scarcity of potable water translating into health hazards and thus lowering the standard of living of its masses. Further there has been huge and recurring loss of revenue that could be used to mitigate the effect of climate change and the setting up of processes to properly address adaptation to natural changes in the climate and also to delimit deforestation in Nigeria. Some other effects includes pollution of land for agriculture ; accumulation of

harmful substances in food webs; diminishing biodiversity and people resorting to less environmentally friendly means of generating electricity and power. These factors represent some of the challenges which have impeded the country's likelihood of achieving the much touted millennium development goals (MDGS) of the current government in Nigeria.

This work posits that there is a strong bond between good governance, sustainable development and climate change. The paper analyses these concepts as they relate to crude oil theft in Nigeria and its impact on climate change in Nigeria. It observes that sustainable development will naturally thrive in an environment of good governance and proper equitable utilization of the country's crude oil resources. The paper concludes that with the enthronement of necessary enforcement machineries for good governance in Nigeria, the currently booming international crude oil theft syndicate and its attendant ills would be stemmed thus ensuring sustainable development in Nigeria.

**Keywords:** Climate Change; Crude Oil Spillage; Environmental Degradation; Good Governance; Oil Theft; Sustainable Development.

## INTRODUCTION

Nigeria is a country that is richly endowed with both human and natural resources. Chief among the natural resources is crude oil, which has been the mainstay of the country's economy for decades, yet an average Nigerian lives on less than the equivalent of one US Dollars a day. Clearly, there is a disconnect between the endowment and the standard of living of majority of the people. Considering the available resources, the country is not developing at the rate expected, so many things are responsible for this stunted growth, they include, but are not limited, to corruption, mismanagement, unbridled stealing of the country's crude oil and other criminal activities. The fulcrum of this paper is

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## THE NIGERIAN OIL RESOURCES AND CRUDE OIL THEFT

Nigeria has a population of over 100 million people and an abundance of natural resources, especially hydrocarbons. The Nigerian economy is also largely dependent on its oil sector which supplies 95 % of its foreign exchange earnings...though oil and gas explorations has brought enormous wealth, it has also resulted in a myriad of problems for the country as it is central to ...adverse pollution and other environmental degradation. (Azinge, Book of Communiqués, 2010).

At a roundtable Conference on Towards International Best Practices in the Oil and Gas Sector in Nigeria, participants and experts came to the conclusion that:

Nigeria is the largest holder of oil reserves and the 10<sup>th</sup> largest producer of petroleum.. she is the 6<sup>th</sup> largest exporter among OPEC nations and the 3<sup>rd</sup> largest exporter of crude oil to the USA...but the revenue realized from oil and gas sector does not appear to reflect on the living standards of people especially people from the area where the exploration and exploitation activities take place.. corruption is the bedrock of the factors facing the industry... as a result of insufficient local refining capacity, over 80% of the fuel consumed in Nigeria locally is sourced through imports...the present legal and regulatory regime of the oil and gas sector is obsolete and not in alignment with international best practices..the provisions of existing laws on the sector are inadequate and lacking in several critical respects. There is a lot of secrecy in the industry which opens the door for corruption, lack of transparency and good governance practices....

Karl Maier (2000) in one of his treatise succinctly wrote that Nigeria remains one of the world's strategic nations. It is the fifth largest supplier of oil to the U.S. market, where its low sulfur Bonny Light crude is especially prized because it is easily refined into gasoline and the country is the pivot on which the continent turns. This underscores the importance of the country among the comity of nations.

Crude oil is one of the many natural resources for which Nigeria is well known. Oil exploration and mining activities goes on mainly in the Niger-Delta region of the nation. The country is the 13<sup>th</sup> largest producer of crude oil in the world. Revenue from this area has been the mainstay of the nation's economy for decades. The point must be made that while Nigeria prides herself as an exporter of crude oil, she is a major importer of refined end product of the crude oil which she exports to other countries. This large scale importation has to come about because all the refineries in the country are comatose; they are operating at less than their installed capacity. This is

a very sad development and it leaves a very sour taste in the mouth.

Not only are the nations refineries in a morbid state , but In recent times, a lot of the crude oil that was meant for legitimate export had been reported to be stolen and illegally bunkered out of Nigeria. This illegal activity is gradually becoming endemic in the run of things that the government is gradually becoming uncomfortable with the act; this development is generating caustic comments from various quarters. In Nigeria, both the print and electronic media are sustaining the lifting of the veil on this odious act. It is pertinent to consider some of the more recent comments on the matter as follows:

This is an endemic disease ravaging the nation's economy. Crude oil theft involves a convoluted and complex web of relationships, spanning all levels of the society - involving diverse relationships. These relationships are alleged to include highly connected people in and outside government, oil companies (including the Nigeria National Petroleum Corporation, NNPC) businessmen, retired and serving military officers, and militants among others (Felix Ayanruoh, Vanguard Newspaper 2013).

This Day Life quoted the report of the Chatham House on oil theft in Nigeria that : Some of what is stolen is exported. Proceeds are laundered through world financial centre and used to buy assets in and outside Nigeria, polluting markets and financial institutions overseas, and creating reputational, political and legal hazards. It could also compromise parts of the legitimate oil business.... On the countries in which Nigeria's stolen crude oil ends up, Chatham identified the United States of America, West Africa – some of Nigeria's neighbours in the Gulf of Guinea, Brazil, China, Singapore, Thailand, Indonesia, Ukraine, Kosovo, Bulgaria and Greece as possible recipients of Nigeria's stolen crude.... The theft, the report shows, is perpetrated by mainly Nigerians and is aided and abetted by foreigners from Russia, the Philippines, Ghana, Georgia, Romania, Greece, Ukraine and Cameroun.... However, oil theft seemed to be a relatively small phenomenon worldwide, and as such, the global picture did not strengthen the case for action in Nigeria... significant oil theft from pipelines has been seen in five other countries, of these, Russia seems to be the only one with problems of Nigeria's scale... stolen oil from Nigeria is washing up in the legal system and blurring the lines between licit and illicit business. Unless industry stakeholders and officials in their home governments see a need to take some action on the problem, it is likely to get worse...( Okechukwu Uwaezuoke , Omololu Ogunmade, This Day Life , 2013)

The Nigerian Minister for Petroleum Resources, Mrs. Alison Madueke was reported to have said “ I have had enough”, that the Nigerian government has had enough of her oil crude oil being stolen. She was reported to have made the comment on CNN's World Business Today on 15 November, 2013. ( Alison Madueke, Daily Times, 2013)

The most popular method for stealing the crude oil is to puncture the pipeline conveying the product from one point to the other and tap it at the point where it had been punctured or ruptured. The consequence of this rupture in most cases is to discharge some quantity of the product into the environment through spillage. It must be pointed out that crude oil is an environmentally hazardous product if it is spilled and it often does a lot of damage to the environment. The water in the area where the spillage occurred becomes contaminated and unsafe for drinking, cooking other home uses. The rivers and creeks are also polluted and this affects the quantity and quality of fishes and other aquatic animals. Once fishing is affected, the economy of the inhabitants too becomes negatively affected. The people inhabiting the areas where these spillages occur becomes poorer and consequently resorts to all sorts of coping strategies to survive. These strategies often includes felling of trees to be used as firewood for cooking and heating purposes, consuming polluted water and foods that are laden with toxic substances ingested from the crude oil. These poor people often lack the financial capacity to afford basic medical treatment for the least ailment. The quality of life is abysmally low and the standard of living is appalling to say the least.

Pollution from the spillages does not respect national boundaries. It has no terminal limits. Simply put, to the extent that environmental hazards may be caused by activities beyond national borders and their effects transcend such borders, they have to some extent become matters of international cooperation, ( Ogba U. Ndukwe, 2009). The earlier this particular problem is effectively nipped in the bud now, the better for humanity.

There are many perceived reasons for engaging in crude oil theft. The reasons vary from the mundane to the absurd. They include (a) poverty; (b) ignorance; (c) greed; (d) lack of respect for national economic survival; (e) get rich syndrome; (f) lack of gainful employment ; (g) exploiting the loopholes in the criminal justice system to circumvent the law ; (h) evolving culture of impunity from the wrong perception that some people are above the law; (i) weak institutional structure to checkmate criminals; (j) malice; and (k) bad governance (corruption, incompetency), just to mention a few.

The effect of oil theft in Nigeria is terrifying. The Chatham House recently reported that oil is being

stolen on an industrial scale and that an estimated average of 100,000 (one hundred thousand) barrels are stolen daily and that by a hypothetical per barrel price of \$100 would mean an annual loss of \$3.65 billion. (Felix Ayanruoh, Vanguard Newspaper 2013).

This loss is due to theft from the country's onshore and swamp operations alone. The 100,000 barrels per day was said to be about five percent of Nigeria's total production in the first quarter of year 2013 .

The Daily Times reported on the consequences of the theft that: The effects of this massive oil theft is already impacting on the federal government's finances, with government being forced to withdraw from its Excess Crude oil account to make up for the shortfalls in monthly revenue allocations to the three tiers of government for October.... According to the Nigerian National Petroleum Corporation (NNPC), about \$2.23 billion (N191 billion) revenue that should have accrued to the federal government from oil proceeds was lost to the activities of crude oil thieves in the first quarter (1Q) 2013, with an estimated \$6billion lost annually to the menace.

Some of the solutions proffered towards solving the perennial crude oil theft in Nigeria are 'putting in motion, a procedure that will require sellers of stolen crude to produce the certificate of the origin of their products', establishing and maintaining a standard pursuant to the American Petroleum Institute's (API) standards of relevance to pipeline integrity and management, and ensuring that operators of oil pipelines do not deviate from international best practices in the construction, management and repairs of their pipelines.

The Chief of Naval Staff in Nigeria was quoted as praising the government for providing the logistics to support the navy to fight illegal bunkering, he said the navy in collaboration with other security agencies had arrested and prosecuted many oil thieves, pipeline vandals and pirates who tried to sabotage the nation's economy and that to a large extent, crude oil theft and pipeline vandalism had been reduced to a large extent. This is cheering, but do these security agencies have the wherewithal to constantly match the evil ingenuity of the criminals and their ever ready propensity to treat the law and due process with disdain?

The crude oil is one of the best qualities in the world; there is a lot of income from that the country makes from oil sector, there are many drain pipes for siphoning income from the oil sector one of such is the stealing of Nigeria's crude oil. Our point is that the income from these leaking points will make an enormous impact on infrastructural development of

the country, provided the earnings are judiciously spent.

#### CLIMATE CHANGE

Climate change is today widely recognized as one of mankind's greatest challenges in the twenty first century. Left unchecked, its effects will seriously harm economies, societies and ecosystems all around the world, especially in developing countries. Changes in the climate can place different burdens on men and women because of existing gender influences, that is, socially and culturally construed roles, interest and division of labour. The vulnerability of women and men are different due to the differences in how they are affected by climate change and differences in their adaptive capacities. (Azinge, Book of Communiqués, 2010).

Tons of literatures exist on climate change. It has been and is still the subject of many academic gatherings. Several international instruments are in place to underscore the importance of the issue and to awaken humanity to the reality of changes in the climatic condition due to the activities of man. It has been described by Professor Perry Wallace (2009) as 'a monumental problem' Wallace quoted the United Nations Environment Programme's World Year Book 2009 that "climate change has long ceased to be a scientific curiosity" and that:

It is the major, overriding environmental issue of our time, and the single greatest challenge facing decision makers at many levels... so powerful and overarching is this global phenomenon that its destructive potential comprises economic, health and safety, food production, security, and other dimensions. This includes such problems as shifting weather patterns threatening food production: ice loss and thermal expansion creating rising sea levels that contaminate fresh water reserves and threaten catastrophic flooding; and warming atmospheres spreading pests to new terrain.

The environment is similar in many ways to a biological system. A change in any component of a biological system will cause a distortion in the entire system. The ecological system behaves in a similar way. Climate is a fundamental element of the environment and a change in climate will consequently cause a change in the entire environment, affecting other elements of the environment. (Etiosa Uyigue & Matthew Ago, 2007)

Climate change is real and people are already feeling its impact. 'The impact of climate change is discernible already: Australia has experienced major droughts, extreme water shortages, and faces widespread biodiversity loss. ( Jacqueline Peel & Lee Godden, 2009). No nation is immune from the effect of climate change. According to Meyer & Odeku

(2009) various scientific research has confirmed that climate change has started affecting the atmosphere and, in particular, the African continent. International concerns regarding climate change are now overwhelming as various governments of the world create policies and measures to reduce the carbon dioxide emissions that cause climate change. The African continent is likely to be severely affected by climate change if the warming continues because institutional capacities to combat the changing weather are not in place...any major catastrophe from climate change would affect the natural resources and economies of African nations...there has been scientific evidence that climate change is far more rapid and dangerous than thought earlier' Serious governments are discussing adaptation and mitigation measures to address climate change. In Nigeria just like most African countries the issue is not given the serious attention that it deserves.

Nigeria does not have a climate change policy and legislation. What exists in Nigeria is climate change measures pursued within the context of national policy on Environment. (Azinge, Book of Communiqués, 2010). There is a price to be paid for this inaction (Meyer & Odeku, 2009). The point must be made that The Republic of South Africa appears to have a head start ahead of other African countries in the area of taking firm positive actions and promulgation of laws to address the issue. Nigeria and other African nations are to wake up from their slumber and frontally attend to the issue of climate change by giving it the desired seriousness devoid of any political undertone and unnecessary bureaucratic bottlenecks. This is an important issue that affects humanity.

In the climate change debate, the words adaptation and mitigation are key. The Inter governmental Panel on Climate Change defined adaptation as adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderate harm or exploits beneficial opportunities. On the other hand, mitigation tackles the causes of climate change; adaptation tackles the effects of the phenomenon. The potential to adjust in order to minimize negative impact and maximize any benefits from changes in climate is known as adaptive capacity. A successful adaptation can reduce vulnerability by building on and strengthening existing coping strategies.

Climate change issues in Nigeria and her environs could be addressed through a serious overhaul and development of the oil and gas sector in Nigeria in such a way that crude oil theft in the country will abate. Knowing that oil spills are associated with oil production, the point being made is that those categories of oil spills arising from crude oil theft

will no longer pose a problem for mankind in terms of the cleanliness of the environment.

### **GOOD GOVERNANCE**

Good governance is more than just having a system of government in place where the military is kept in the barracks and not at the helm of affairs ruling through the barrels of the gun. Good governance is akin to prudent management of a country's resources on the one hand and equitable distribution of those resources amongst the relevant organs for the purposes of carrying out the act of proper governance on the other hand. Commenting on the concept of good governance, Alimi (2008) opined that it has no precise definition. Alimi stated further that 'it has been variously described as the manner in which power is exercised in the management of a country's economic and social resources for development. The concept of good governance has also been described as the use of political, economic and administrative powers at all levels of government to deal appropriately with the problem facing a country' McAuslan P. (1996). The statement of an Ugandan Prime Minister on the concept of good governance was labeled as working definition by Alimi and he quoted the definition thus:

Good governance is the exercise of politico-administrative and managerial authority and order which is legitimate, accountable, transparent, democratic, efficient and equitable in resource allocation and utilization; and responsive to the critical needs of promoting human welfare and positive transformation of society. It manifests itself through benchmarks which include a Constitution, pillars of the state derived from the Constitution, mechanisms for checks and balances on government, efficient mechanisms of delivery of services by government, security, good leadership, the rule of law, participation by the people, freedom of expression, transparency, accountability, legitimacy, devolution of power, informed citizenry, strong civil society, protection of basic human right, regular free and fair elections, good international relations, political stability, protection of property and life. (Government of Uganda).

Indeed, the above statement from the Prime Minister is a working definition in that it succinctly encapsulates the essential ingredients of good governance.

Azinge and Owasanoye (2009) posited that: The term "good governance" is a broad generic phraseology which is not open to single and exhaustive definition since it is used with great flexibility and its province not yet determined. Governance is a process of decision making and the process by which decisions are implemented. "Good

governance” therefore presupposes the art of ensuring that the process involved in governance are good enough to yield results that impacts positively on government, society and the citizenry... measuring government adherence to law is good barometer for gauging development. If government and its officials do not adhere to law they lose the moral and legal authority to govern. Once they lose that authority, governance becomes more onerous and progress is not guaranteed.

Still on good governance, Tijani & Ashi (2008) are of the view that the term “good governance” is frequently used nowadays to denote best practices in the exercise or management of state power. Bad governance appears to be found on the opposite side of the spectrum. Bad governance is, therefore, conceived as the root cause of most of the evils associated with the acquisition of state power. The fundamentals of good governance refer to a standard setting model of governance from which no deviation is permitted... anything beneath such standard should constitute bad governance. Eight major characteristics have been associated with good governance by nature and they are:

It is participatory, consensus oriented, accountable, transparent, responsive, effective, equitable and inclusive and follows the law. It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in the society are heard in decision-making. It is also responsive to the present and future needs of society

When one considers the enormous resources with which Nigeria is blessed and one notes that many Nigerians are still living below the poverty line, then one can safely conclude that the nation's resources are far from being properly managed.

Abba Kolo, (2010) in an incisive work commented on the level of mismanagement of Nigeria resources when he exclaimed as follows: The mismanagement of Nigerian economy is well documented in several independent reports and government appointed panels of inquiry... for instance, in 1993, the World Bank reported that between 1991 and 1992, the then military government had mismanaged a windfall of \$12 billion derived from oil as a result of the Gulf Crisis.... Now that the military are no longer in power... there is no evidence to support the argument that civilian rule in Nigeria has performed any better than the military in terms of economic development... even though Nigerians now enjoy more freedom of expression than they did under the military, that freedom is not matched by an improvement in the quality of life of the ordinary citizen which has paradoxically, continued to worsen under the present civilian government. Despite the

enthronement of democratic rule since 1999, Nigeria has continued to rank as one of the poorest countries in the world. For instance, according to the UNDP, about 49 per cent of Nigerians lived below the poverty line in 1988 but that number had increased to 70 per cent by 2002.

The above statement is as valid today in 2013 as it was 9 years ago when it was published. Obviously, there is a great gap between the available resources and the abysmally poor standard of living of an average Nigerian.

Good governance in Nigeria in particular and other places in general entails capacity building and strengthening of the institutions that are saddled with clinical enforcement of the country's laws. There are laws in place to checkmate crude oil theft, but these laws are mere paper tigers because of the weak enforcement machinery in place in Nigeria. The indices for good governance had been outlined above, but they must be translated into sustainable instruments that have life and strength through proper placing of necessary structures in place for the enforcement of the extant rules in the country.

#### **SUSTAINABLE DEVELOPMENT**

Sustainable development has been described as the bedrock of contemporary environmental protection, (Amokaye G. Oludayo 2004). The concept of environmental protection and sustainable development are not mutually exclusive because the essence of environmental protection is to ensure sustainable development and sustainable development can only exist in a conducive environment. (J.N. Jangkam & A.O. Alubo (2008).

Environmental protection relates to guarding and shielding the earth. The earth is threatened by man through air, noise, water and the most dreaded oil pollution. Environmental protection is thus concerned with the presentation and protection of the air, water and soil from pollution and degradation and the preservation of the heritage of mankind for the benefit of the present and future generation. On the other hand, sustainable development is defined as “economic development which meets the need of the present generation without compromising the ability of future generation to meet their own need” (UNEP Guidelines For Environmental Legislation And Administrative Organization In Developing Countries 1985).

Jangkam & Alubo (2008) expressed the view ‘that broadly speaking sustainable development is a notion, a concept and an approach which has developed into global wave of concerns, study, political mobilization and organization around the twin issues of environmental protection and economic development’.

In Nigeria the government set up a Committee called the vision 2010 Committee, the Committee defined sustainable development as: The process of change in which the exploitation of resources, the direction of investments, the orientation of technological development and institutional changes are all in harmony and it thus attempts to provide economic development, human development and environment with the way balance can be achieved.

Amokaye (2004) posits that in reality, the co-evolution of man-made systems and ecosystems is attainable and it depends on the harmonization of decisions to achieve a balanced order. He broke the phrase into two, viz ; development and sustainability. Development according to him is traditionally recognized as the process by which a country provides for its entire population, all the basic needs of life such as health, nutrition and housing, and provides every one with opportunities to contribute to the very process through gainful employment as well as scientific and technological innovations. It is also a process by which the national government authorities facilitate the construction and maintenance of the infrastructure and mechanisms which diversify and perpetuate the productive base of the country, such as agriculture and industries, so as to ensure that the society overcomes the pressures and necessities of the national and related economic systems for the present and for all future times.

Sustainability on the other hand, is concerned with ensuring that the dynamic equilibrium between man and nature for the co-evolution of both within the earth surface (Amokaye 2004). Sustainability is identified with the conservation of the ecosystem as a perpetual source of natural resources for man. It involves a deliberate process whereby the essential ecological processes and life support systems are maintained including the preservation of genetic diversity and sustainable utilization of species and ecosystems for the present and future generations of mankind.

Aniyie also contributed to the discourse when he wrote that: Sustainability is an admixture of policies for environmental protection, economic development and poverty eradication. Its scope includes the integration of countries and regions as it recognizes that the environment is as interconnected as the human body... an unsustainable situation occurs when natural capital (the sum total of nature's resources ) is used up faster than it can be replenished. That human activity should use nature's resources at a rate at which they can be replenished naturally is the linchpin of the concept of sustainability. Consequently, sustainability is intertwined with the concept of carrying capacity : when man's exploitation of the environment exceeds

her carrying capacity and results in environmental degradation, the corollary is the inability of the earth to sustain life and further down the road, extinction of life on earth..

The growing concern about safeguarding the environment transcends the need to protect it in the interest of the people who live and work in it, and exploits its resources today. The concern represents an inter-generational solidarity and an acknowledgement of a debt to humanity and the world of tomorrow with respect to the use of the environment. The greatest obstacle of protecting the environment through our law is that of enforcement. A lot of things go on and nobody raises an eyebrow, the management and regulation of the environment, through the enforcement of environmental laws had been beset by a host of problems, and has met with very limited success. These problems that hinder the enforcement of sanctions on violations of the environment are political, social and economic.(Ogba U. Ndukwe, 2009). The protection of the environment and management of biodiversity is a key priority for sustainable development in Nigeria. A clean and healthy Nigeria cannot be obtained solely by statutes. There is the need for information on environmental education and enlightenment of the public. This is the best form of prevention of environmental harm. (Professor Muhammed Tawfiq Ladan (2010).

Sustainable development requires that environmental criteria must be incorporated into the planning and implementation of any public policy.

## CONCLUSION

Nigeria has the resources needed to make her a great country, one in which the per capita income will be higher than it is currently, one that the standard of living will become enviable to her peers, one that the effects of climate change would be made less severe to the citizenry and one where her resources would be equitably utilized for the present and the future generations. All these good things are at a price, the price is that the regime of good governance should not only be enthroned in the country, but it should equally be allowed to thrive. Among other ways, one way of ensuring sustainable development is plugging all leakages in the system. Crude oil theft is a serious leaking point and all lawful means must be employed to block. If the environment in Nigeria is constantly fouled with reckless impunity, then the environment of her neighbours in the West African sub region, others in the continent and humanity generally would be negatively affected. The future starts now and here, the better tomorrow that we desire is in our collective hands.

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