



## The aftermath of gas flaring on reproductive health rights of women in rido community, Kaduna state, Nigeria

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### Abstract

Gas flaring is one of the environmental pollution problems that pose a serious health threat to communities hosting them. Whenever gas flares occur, many elements of the environment may be affected. This, however, depends on the magnitude of the gas flare. Gas flares can have a serious effect on the reproductive health rights of women. The entire reproductive health of women can change because of the chemical components emitted, which are toxic to the environment. It is on this basis that this article examines the impact of Gas Flaring on the reproductive health rights of women in Nigeria, with particular reference to the Rido community in Kaduna State, Nigeria. The study is aimed at finding out the impact of gas flaring from the Kaduna Refining and Petro-Chemical Company on the Reproductive Health Rights of Rido women. In writing this article, the researchers employed both doctrinal and empirical research methods. The study population comprises the people of Chikun Local Government Area of Kaduna State. A total of 46 medical personnels were interviewed, and 50 women from the Rido Community were gathered for focus group discussions. This paper reveals that Gas flared arising out of the activities of the Kaduna Refining and Petro-chemical Company (KRPC) affects the reproductive health of women in Rido community, Kaduna State, and this results to either miscarriage, low fertility, stillbirth, children born with disabilities, and, to some extent, cancer. All these violate their reproductive health rights. The paper concludes by making recommendations that will bring an end to gas flaring in the host communities where oil exploration, exploitation, and refining activities are being carried out.

**Keywords:** Gas Flaring, women, human right, reproductive health right, effects

### Introduction

The impact of gas flaring is of local and global concern. It is one of the most challenging environmental pollution problems facing the world today whether regionally or globally. Crude oil is the major source of income for Nigeria<sup>[1]</sup>. In other words, it is the mainstay of the country's economy<sup>[2]</sup>. Nigeria's oil sector accounts for nearly 40% of its gross domestic product but declined steadily to an average of 14.71% of the country's total export between 2006 and 2011 and contributed about 80% of budgetary revenues that all tiers of Government heavily depend on<sup>[3]</sup>. However, gas flaring arising from refining processes of crude oil creates problems that disrupt the lives of people. Rido community is in Chikun Local Government Area of Kaduna State<sup>[4]</sup>. It is not in Niger Delta, but all the trappings of oil pollution including gas flaring and the attendant health hazards are common in the area. In the whole of Northern Nigeria, this is the only oil bearing community and for more than thirty-six years, it has played host to KRPC<sup>[5]</sup>. The KRPC constantly flares it gas and releases effluents into the river according to the local people, the fury of the flames could be felt irrespective of the time of the day which has adversely affected the lives of many living in the area, as such human health have suffered a lot<sup>[6]</sup>.

Crude oil refining in the area has contributed immensely to the physical and mental illness of women and violated most of their rights as guaranteed under International and Regional Instruments and the Constitution of the Federal Republic of Nigeria 1999(as amended). The concept of reproductive health and reproductive rights entails a complete physical, mental and social wellbeing and not merely the absence of disease or infirmity in the reproductive system, function and processes. Reproductive

health implies that people have the right to reproduce, regulate their fertility practice and enjoy sexual relationship<sup>[7]</sup>.

Nigeria is a signatory to most of the international conventions on Women's Rights, particularly the International Convention on Economic, Social and Cultural Rights (ICESCR) 1996. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); the African Charter on Human and People's Rights and, the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, which all deals with the protection of the civil and political rights and the economic, social and political rights of women both at international and regional level. The country has gone further to domesticate some of the provisions of the African Charter in the 1999 Constitution<sup>[8]</sup>. However, despite these provisions, the reality is that women's right to the enjoyment of the highest standard of health is highly jeopardized and threatened despite the fact that a plethora of laws have been put in place targeting quality reproductive right of women<sup>[9]</sup>.

The issue of gas flaring and the dumping of chemical waste has become a common sight in the Rido community. It is a menace to the global existence of man. This has led to consistent and irresistible protest by the people of the Rido community for an end to Gas Flared by KRPC, which necessitated this paper. In view of the growing threats to human health and the environment posed by human activities, Gas flaring has negative effect on the immediate environment and the inhabitants of that environment<sup>[10]</sup>, some of which are associated with abnormal reproductive system function of women. Women in the Rido community, Kaduna alleged that they have suffered from the chemical waste and fumes emitted from Kaduna Refining &

Petrochemical Company (KRPC) which made their husbands lose sexual potency making them unable to satisfy them because of erectile dysfunction, render them barren, causing series of miscarriage and threatened abortions, lack of ovulation and children born with one form of disability or the other <sup>[11]</sup>.

## **Pollution in rido community**

### **1. Pollution**

Pollution is unwanted harmful stuffs contaminating an environment. It can also be defined as man-made or man aided alteration of chemical, physical or biological quality of the environment to the extent that is detrimental to the environment beyond acceptance limits <sup>[12]</sup>. The 1972 United Nation Conference at Stockholm defines pollution as:

The discharge of toxic substance and the release of heat in such

Qualities or concentrations as to exceed the capacity of the environment <sup>[13]</sup>.

Under the Nigerian law, it is defined to mean:

Man-made or man aided alteration of chemical, physical or biological

Quality of the environment to the extent that is detrimental to the environment or beyond acceptable limit <sup>[14]</sup>.

Therefore, in specific case of oil pollution, it could be said that it occurs when it happens as a result of, or in the course of extraction, storage, refining or transportation of petroleum oil <sup>[15]</sup>.

### **2. Types and sources of pollution**

#### **2.1. Gas flaring**

Oil production involves the burning of hydrocarbon gases. The flaring-off of natural or associated gas is done as a by-product of the drilling or refining of crude oil. 100% of gases were being flared resulting in pollution of the area. This made the community the most polluted area in Kaduna <sup>[16]</sup>. The impact of gas flares on the local ecology as well as people health and property are evident. The flares involve the release of dangerous hydrocarbon mostly methane and others include sulphurous oxides and the oxides of nitrogen into the atmosphere. Another problem associated with Gas flaring is light pollution. Light pollution subjects the living organism around the vicinity of the flare to twenty-four-day light. The flare drives away germs and it affects the reproduction of the inhabitant <sup>[17]</sup>. The gases released during gas-flaring mixes with the moisture and other forms of precipitation in the atmosphere to form acid rain.

#### **2.2. Waste Discharge**

Another source of oil related pollution is the discharge of effluent into the surrounding environment, sometimes into the water by the oil companies. In addition to the pollutants introduced into the environment from exploration and exploitation operations, refinery waste also has characteristics which constitute land, water, and air pollution. The illegal toxic solid waste dumping by the refinery in Rido community in June was the latest in the stirring of pollution crimes against the host community <sup>[18]</sup>.

### **Nature and Concept of Reproductive Right**

Reproductive Health Rights (RHR) is the concept of human rights applied to reproduction. It is a combination of two fields that in some contexts are more or less distinct from

each other, but less so or not at all in other contexts. These two fields are, reproductive health and reproductive rights. In the concept of RHR, these two fields are treated as separate but inherently intertwined <sup>[19]</sup>. Distinctions between these two fields are not always made. Health and reproductive are sometimes treated as synonymous to each other in some cases. Not only do different non-governmental organizations (NGOs) and governments <sup>[20]</sup> use different terminologies, but different terminologies are often used within the same organization.

Within the framework of the World Health Organization's (WHO) definition of health as a state of complete physical, mental and social well-being, and not merely the absence of disease or infirmity, reproductive health, addresses the reproductive processes, functions and system at all stages of life <sup>[21]</sup>. Reproductive health, therefore, implies that people are able to have a responsible, satisfying and safer sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so <sup>[22]</sup>. Reproductive rights are legal rights and freedoms relating to reproduction and reproductive health <sup>[23]</sup>. The World Health Organization defines reproductive rights as follows:

Reproductive rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. They also include the right of all to make decisions concerning reproduction free of discrimination, coercion and violence <sup>[24]</sup>.

### **1. Gas Flaring and Reproductive Health Right in Nigeria**

The impact of Gas Flare on individuals cannot be generalized, the impact affects both men and women, including children. Evidence abounds that women and children are often worst affected. It is important to bear in mind that Gas flared can have direct and indirect consequences on women's health and reproductive well-being. The environmental and health impacts of the Gas flare in the oil polluted areas are often considerable, horrible and negative and are particularly borne by the women because of their biology. They conceive, carry pregnancy, give birth to and breastfeed children, and these actions expose them to a lot of environmental problems arising from crude refining activities.

In addition to their biology, women in the oil polluted areas tend to experience more environmental hazards from such activities than men, because they tend to engage in menial activities such as farming and fishing <sup>[25]</sup>. This is based on the patriarchal nature of African society. Patriarchy has been defined as 'a system of interrelated social structures through which men exploit women. The key sets of patriarchal relations are to be found in domestic work, paid work, the state and male violence and sexuality, while other practices in civil society have a limited significance <sup>[26]</sup>.'

### **2. Legal Frame work on Women's Reproductive Health Right**

The conceptualization of the right to health did not emanate from a Human Right organ but from an international health authority, i.e. World Health Organization (WHO) which proclaim the enjoyment of the highest attainable standard of health to be:

One of the fundamental Human Right of every human being without Distinction as to race, religion, and political belief, economic or social Conditions <sup>[27]</sup>.”

Right to health has since become an integral part of human rights instruments at both regional and international levels to which Nigeria is a signatory to. Among these include: Universal Declaration of Human Rights (UDHR) which is greatly agreed to be the foundation of International Human Right Law <sup>[28]</sup>. It has achieved the status of customary international law (jus cogens) that guide all nations. Article 25 UDHR states:

Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing, medical care and social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstance beyond his control...

Another International convention that recognizes the right to health of women is the International Convention on Economic, Social and Cultural Rights (ICESCR). The most authoritative is Art.12. It states that:

“The state parties of the present covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health <sup>[29]</sup>.”

Furthermore, The International Convention on Civil and Political Rights <sup>[30]</sup> (ICCPR) recognizes the right to health, but this convention does not specifically protect the right directly like the ICESCR. However, certain provisions in the covenant impliedly protect the right to health. The most is Art.6. It provided that:

‘Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life. The right to life is then said to be the basis of right to health.

Other instruments that have guaranteed the right to health include Article 12 of the Convention on Elimination of all forms of Discrimination against Women (CEDAW) and Article 24 of the Convention on the Right of the Child (CRC).

Coming down to regional level, the Right to Health is protected by the African charter on Human and People’s Right <sup>[31]</sup>. It provided in Art.16 (1) that:

‘Every individual has the right to enjoy the best attainable state of physical and mental health. “State parties to the present charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.’

Article 24 of same convention provided that:

“All people shall have the right to a general satisfactory Environment favourable to their development.”

The African Charter on Human and People’s Right have been ratified and domesticated in Nigeria in accordance with section 12 of the constitution Federal Republic of Nigeria 1999(as amended). This means that the provision of the charter is enforceable in Nigeria as a domestic law <sup>[32]</sup>.

Nigeria is therefore, under obligation to promote the rights of women, including the right to health as stipulated in this charter by ensuring full implementation at the national level.

### 3. Domestic Legal Framework on Women’s Reproductive Right to Health in Nigeria

The 1999 Constitution of the Federal Republic of Nigeria (as amended) is the grand norm as provided under section 1(1) (3). That is, the supreme law of the land. It has no specific provision on health and reproductive rights. However, it could be rightly argued that some sections of the constitution have directly made allusion to the recognition of health and reproductive rights of its citizens. For instance, S. 33 (1) thereof provides that:

“Every person has a right of life, no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria.

This can be interpreted as protection of the right to health and by extension women’s right to health. Therefore, in protecting the right to life, the government is under obligation to provide adequate health facilities for all especially women and children as has been spelt out in plethora of international conventions on the right to health.

In the case of Uzoukwu V Ezeonu <sup>[33]</sup>, the Court of Appeal defines “inhuman treatment” as any act ‘without feeling for the suffering of other.’ Following from this statement, it is inhuman treatment for women to be dying of pregnancy and childbirth related causes. Also, Section 17 of Constitution dealing with social objectives of the Nigerian State obligates government to direct its policies to ensure adequate medical health facilities for all persons. Section 42 further prohibits sexual discrimination. This invariably means that women are entitled to good health and a decent environment. It has been posited by Ladan <sup>[34]</sup> that if these sections of the Nigerian constitution are properly implemented, they would work to promote and protect women’s health and reproductive rights in Nigeria.

### Data Presentation and Analysis

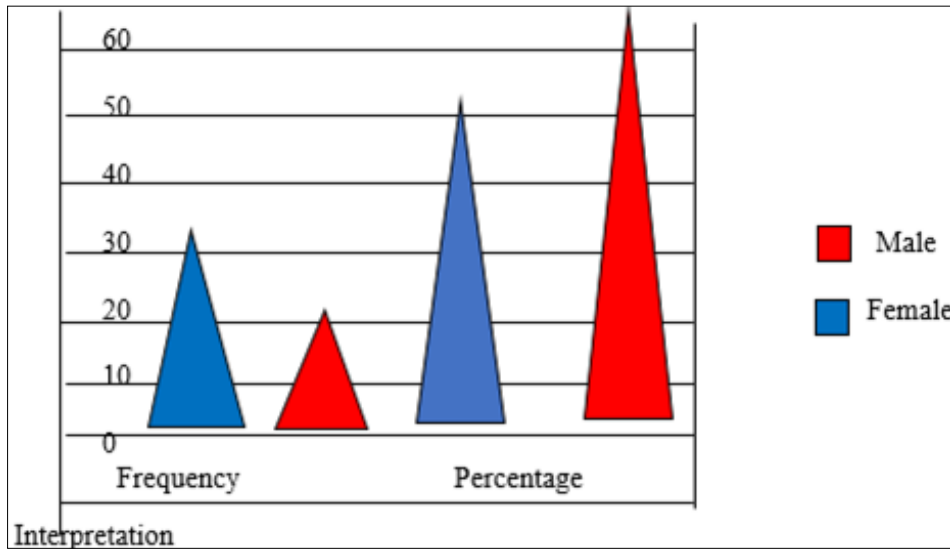
The data were gathered through face to face interview and focus group discussion conducted with the target group. A total number of eighteen (18) Medical Doctors, fourteen (14) Nurses and fourteen (14) Midwives were interviewed and had a focus group discussion with 50 women in Rido community of Chikun local government to seek for their opinion on the impact of Gas Flare in that community. The results obtained were based on face to face interview of the medical personnel and focus group discussion with the women in Rido community of Chikun local government, where Kaduna Refinery and Petrochemical Company (KRPC) is located.

#### 1. Personal Data of Medical Personnel

**Table 1:** Gender of the responding Medical Personnel

Gender	Frequency	Percentage
Male	20	43.50
Female	26	56.50
Total	46	100.00

**Source:** field work, 2019



**Fig 1:** showing the graphical frequency for medical personnel

Table 1 shows the data on the gender of the responding medical personnel interviewed for the research. It shows the frequency of both the male and female medical personnel interviewed and the corresponding percentages. Fig 1 reveals the graphical frequency and percentage of the responding male and female medical personnel involved in the research. Table 1 further shows that the medical female personnel constituted about 56.5% of the total medical personnel that participated in the research which is sufficient to carry out the research work.

**Table 2:** Responding medical personnel year of experience

Years	Frequency	Percentage (%)
1-3 years	4	8.7
4-7 years	5	10.9
8-12 years	8	17.4
13-16 years	13	28.3
17 and above	16	34.8
Total	46	100

Source: field work, 2019

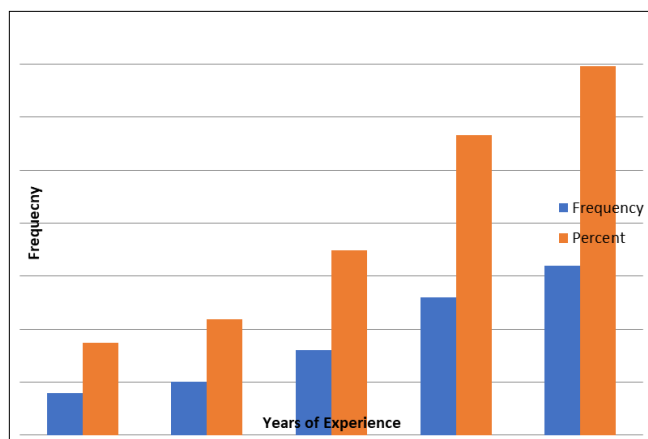
experience between one and three (1-3) years are four (4) in number, constituting 8.7% of the forty-six (46) medical personnel that participated in the research work, while those that have between four and seven (4-7) years of experience, eight to twelve (8-12) years, thirteen to sixteen (13-16) years, and seventeen (17) and above years of experience are five (5), eight (8), thirteen (13) and sixteen (16) in number, respectively.

The table further reveals that 63.1% of the medical personnel that participated in the research have more than a decade of experience as medical practitioners in their various professional fields, which is statistically significant. Figure 3 indicates the graphical representation of the responding medical personnel's years of experience.

**2. Educational Qualification of Women Participation in Focus Group Discussion**

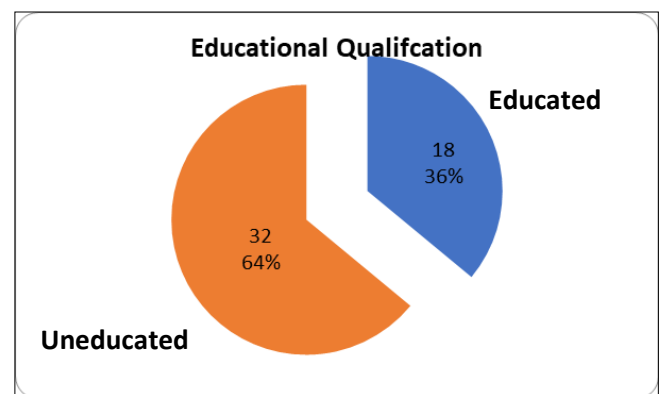
**Table 3**

Educational Qualification	No of Participants	Percentage %
Educated	18	36%
Uneducated	32	64%
TOTAL	50	100.0%



**Fig 2**

Table 2 shows the responding medical personnel's years of experience. The table further shows that the medical personnel that participated in the research with a working



**Fig 3**

**Table 4:** Health impact of oil pollution on the reproductive health of women in Rido community

s/n	Health impact	High	Moderate	Low	No respond	Total	Percentage agreement	Percentage disagreement
1	Miscarriage	18	15	4	09	46	80.43%	19.57%
2	Low fertility	21	09	16	0	46	100%	0%
3	Children with deformity	10	8	7	21	46	54.35%	45.65%
4	Still birth	16	15	13	02	46	95.65%	04.35%
5	Cancer	2	7	18	19	46	58.7%	41.30%

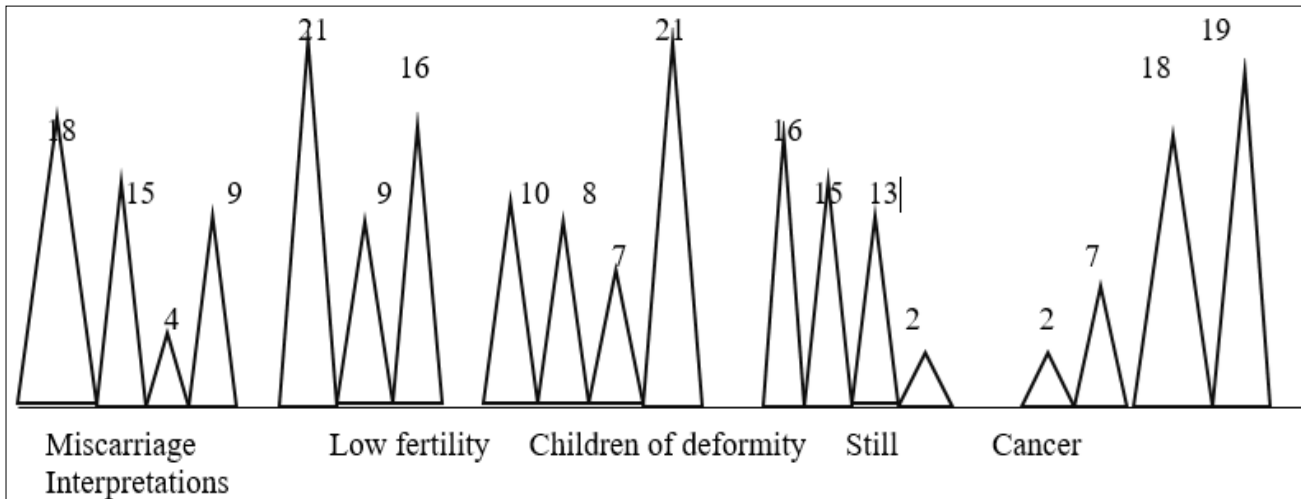


Table 4 shows the five different health effects of oil pollution among woman in Rido community which include the followings:

- Miscarriage.
- Low fertility.
- Still birth.
- Children born with deformity.
- Cancer.

**2.1. Relationship between Gas Flare and Miscarriage**

Table 4.3 shows that there is a strong correlation between Gas flared and miscarriage as a result of the refining activities of KRPC situated close to the Rido community, as thirty-seven (37) of the forty-six (46) medical personnel that were interviewed, which is 80.43% of the medics, have agreed and established in some cases that there is a strong linkage between Gas Flare and miscarriage experienced in the said community. They (Medical personnel) only differ on the degree of risk of miscarriage associated with the oil pollution, as indicated in the table. While eighteen (18) of the respondents strongly agreed that the risk of having a miscarriage is very high, fourteen agreed that the risk is moderate, and four (4) said the risk is low. However, an insignificant number, nine (9) of the responding medical personnel, suggested that there is no correlation between oil pollution and miscarriages among the women in the Rido community.

This finding corroborates with the earlier findings of Hurting and Sebastian’s [35] who have noted that women living in the proximity of oil field and refineries have 2.5 times high risk and having spontaneous abortion and miscarriage when compare with other woman outside those communities, and that of Ovuakporaye, S.I. at el [36], that gas flared leads to corrosion of roof known as carcinogen which has adverse effect on human health including miscarriages and congenital malformations, increasing the frequency of respiratory illness and cancer.

**2.2. Relationship between Gas Flare and Low Fertility in Rido Women**

Table 4.3 shows that there is a very strong correlation between two in female women residing in Rido community. The table indicates that all the responding medical personnel that were interviewed absolutely established that there is strong correlation between low fertility and oil pollution. They only disagreed on the degree of risk associated with low fertility. While more than fifty per cent (50%) of the respondents have agreed that risk is ranging between high and moderate as shown in the table, an insignificant number of sixteen (16) respondents agreed that the risk is low.

**2.3. Relationship between Gas Flare and Children Born with a Form of Disability**

Table 4.3 shows that 54.35per cent of the total medical personnel agreed that the inhalation of toxic air can affect the foetus which could lead to having a deformity in children. The percentage is slightly more than half of the total medical personnel interviewed during the research. However, a slightly insignificant percentage of 45.65 did not agree with the assertion that Gas Flaring could lead to deformity in children. This finding corroborates with the finding of Auslem, O. A. [37], that the implication of gas flaring on human health are related to the exposure of hazardous air pollutant emitted during the incomplete combustion of gas flare with impact including deforming in children, Lung damage, Skin problem and Cancer.

**2.4. Relationship between Gas flaring and Still Birth**

Table 4.3 shows that there is a strong correlation between Gas flared and stillbirth. The table shows that 95.65 percent of the responding medical personnel agreed that gas emitted as a result of the activities of oil refining in KRPC could cause stillbirth in women residing in the Rido community. The correlation is at a 95 percent confidence level, which is statistically very strong enough for generalisation of the hypothesis. ‘That Gas flaring as a result of refining and related activities is capable of affecting the female

inhabitants of the host community, in this case, Rido, with stillbirth. This also corroborates with the findings of Gobo, A.E.<sup>[38]</sup> in a study carried out in Rivers State on the impact of flared gas on human health, using Igwufatal and Umuehrn communities, that there is corroboration between environmental variables resulting from oil pollution. There are resultant adverse effects from gas flaring and contaminated water, such as breathing difficulty, blood disorders, premature deaths, stillbirth, respiratory infections, cancer, and other related diseases.

### 2.5. Relationship between Cancer and Gas Flaring.

The same table 4.3 shows that 58.70 percent of the responding medical personnel agreed that there is a relationship between cancer and Gas flared among the women in the Rido community, while 41.30 percent had contrary opinions. Though the percentage of those agreeing with the hypothesis is not at the 95% confidence level and therefore cannot be statistically generalised, the percentage is clearly in the majority and in support of the hypothesis. This finding corroborates the findings of the Environmental Rights Action and Climate Justice Programme in a study carried out in 2005 that attempted to assess the harm done by the toxic cocktail of oil pollution, including benzene and dioxins, produced by gas flaring. Flaring is likely to cause 49 premature deaths, 4960 respiratory illnesses, and 8 additional cases of cancer each year.

### Remedies Available in Law to Women Affected by Gas Flaring in the Rido Community

Gas flaring is a global problem affecting oil-producing countries including the Nigeria petroleum industry with adverse effects on the community including but not limited to the emission of greenhouse gas, depletion of the ozone layer, global warming, and climate change. With respect to women in the Rido community, how the outcome of gas flaring had been proven to have caused abnormal reproductive system function of women in the community.

#### a. Filing of Complaint before that appropriate Commission

In the oil and gas industry, there are various bodies created by law to ensure compliance with the various guidelines and frameworks set up to regulate the activities of these oil and gas firms. In Nigeria, the statutory institutions given the responsibilities of regulating gas flaring, among others, are: The Ministry of Petroleum Resources and Energy, which is headed by the Petroleum Minister who is statutorily empowered to formulate policies regulating the oil industry via the Department of Petroleum Resources (DPR) to enact regulations for oil exploration and production in Nigeria. There is also the Nigeria Gas Company (NGC). It governs the mid-stream sector to commercialize gas through the development of a fully integrated gas supply system. The Nigerian National Petroleum Corporation (NNPC) exercises both the fiscal and regulatory functions in the industry; with twelve subsidiaries, encompassing the whole oil industry operations. A further statutory agency regulating the sector is the Federal Ministry of Environment, which was set up in 1992 to monitor the environment and to prevent environmental hazards in Nigeria, especially in the oil and gas sector.

The above are agencies or authorities established to enforce environmental laws and policies. By the dint of the

instrument giving life to these agencies, complaints can be filed against any oil and gas producing firm that is guilty of gas flaring. It goes thus that women at Ridi community could validly lodge a complaint before any of these authorities.

#### b. Application for the enforcement of their fundamental right to life, dignity of human person

Right to life and human dignity constitute one of the core fundamental rights guaranteed by the provision of the 1999 Nigerian Constitution (as amended), sections 33 and 34 respectively. The right to life can be said to be the most fundamental of all rights because without it, all other rights are not enforceable<sup>[39]</sup>. Moreover, section 20 provides that: "The state shall protect and improve the environment and safeguard the water, air and land, forest and wild life of Nigeria." The 'right' provided under this section is not justiciable. Hence, it cannot be relied upon by an aggrieved person in a court of law. This, by virtue of section 6 (6) (c) of the Constitution, the judicial powers vested in accordance with the provisions relating to the fundamental objectives and directive principles of which section 20 a part, shall not, except as otherwise provided by the constitution, extend to any issue or question as to whether any act or omission by any authority or person or as to whether any law or any judicial decision is in conformity with the Fundamental Objectives and Directive Principle of State Policy set out in chapter II of the Constitution<sup>[40]</sup>.

While gas flaring is solely making the environment unsafe and unhealthy for human living, it goes down to the provisions of section 20 of the Constitution (as amended). This thus mean that relying on the section before a court of law would be captured and short-lived by the non-justiciability of the section. Notwithstanding, there have been notable judicial decisions extending the ambit of the section to be a manifestation of the right to life. As the courts have been moving to a more liberal interpretation of the provision of section 33 of the Constitution, it this thus a lee way for victims of gas flaring to have a cause of action in an application for the enforcement of right to healthy and habitable environment.

In *Centre for Oil Pollution Watch v. NNPC*<sup>[41]</sup>, the Supreme Court held, *inter alia*, that:

"Right to life does not only imply right against unlawful taking of human life. It extends to access to clean and healthy environment".

Going by the holding of the Supreme Court quoted out herein, gas flaring which endangers life is actionable and thus gives life to competent cause of action in an application for enforcement of fundamental rights. More so, women in Ridi Community of Kaduna are prone to abnormal reproductive system owing to gas flaring in the community by the Kaduna Refining and Petro-chemical Company (KRPC). The act of gas flaring undoubtedly affects their right to peaceful existence and life generally. By the dint of section 46 (1) of the Constitution (as amended) which provides that: "(1) Any person who alleges that any of the provisions of this Chapter has been, is being or likely to be contravened in any State in relation to him may apply to a High Court in that State for redress", women in Ridi community have right to enforce their right to healthy environment as it affects their right to clean and healthy environment by filing an application for the enforcement of their fundamental human right to life.

### c. Corporate social responsibility of oil-producing industries

The concept of Corporate Social Responsibility (CSR), although enjoys no consensus definition, implies assumption of responsibility by companies to improve their social and environmental impacts on society of their operation <sup>[42]</sup>. So closely to this definition is the definition given by Nkanga <sup>[43]</sup> where he posited that: “[C]orporate social responsibility involves the commitment shown by companies to contribute to the economic and social development of a local community and the society at large <sup>[44]</sup>.” This, the concept has become a potent tool for companies to show their commitment for sustainable growth and to build quality trust with their stakeholders <sup>[45]</sup>. The concept was equally defined as “the set of standards to which a company subscribes in order to make its impact on society, has the potential to make positive contributions to the development of society and businesses” <sup>[46]</sup>. In a coda, the focus of social responsibility is channeled towards achieving balance between corporate profits which contribute to the development and to the welfare of the community through their interest in social and environmental issues and through the preservation of resources as well as the potential of the community in which they operate <sup>[47]</sup>.

The concept has gained momentum as it addresses and tends to change the narrative of how a lot of companies and their managers have ignored the problems created by corporate firms to their host communities which, in effect, had pose a lot of danger and sometimes make life difficult for these communities <sup>[48]</sup>. This has greatly influenced the coming into existence of several regulations aimed at promoting and easing enforcement of CSR in Nigeria. Sequel to the coming into force of the Company and Allied Matters Act 2020, (CAMA) , several legal frameworks have been introduced by the Corporate Affairs Commission (CAC) which are aimed at promoting CSR in Nigeria. For instance, CAMA makes requirement for companies to set in place Corporate Social Responsibility Policy to ensure that their activities do not have negative effects on their employees and local communities in which they are situated. Similarly, some of the provisions of Nigerian Stock Exchange make it mandatory for listed companies to report their CSR activities to the Commission. As a result of these and several other regulations, there exists growth in the concept among Nigerian companies. However, despite these measures put in place, Nigeria has long way to go on CSR as most Nigerian companies lack quality understanding of the concept of CSR while many have not been able to practise the concept effectively, many companies are yet to appreciate its importance.

Towing this down, victims of gas flaring in Rido community can do well, through the service of a legal practitioner, demand compliance with the Corporate Social Responsibility (CSR), principle. This ensures that the erring oil and gas firms adequately compensate the host community against the adverse effects its operation may pose on the inhabitants.

### Conclusion & Recommendations

#### 1. Conclusion

Oil exploration, exploitation, and refining are essential for the economic growth of Nigeria. However, the way it is being carried out results in both air, land, and water pollution, which subsequently impacts negatively on the

health and well-being of the local inhabitants of the host communities, particularly women because of their productive and reproductive roles. This research concludes that Gas flared arising out of the activities of Kaduna Refining and Petro-chemical Company (KRPC) affects the reproductive health of women in Rido community, Kaduna State, which results in either miscarriage, low fertility, stillbirth, children born with disabilities, and to some extent, cancer. All these violate their Human Rights. The research concluded that the government should show strong political will to bring an end to gas flaring in the host communities where oil exploration, exploitation, and refining activities are being carried out. All this could only be achieved through clear and time-bound commitments by the government.

#### 2. Recommendations

Based on findings, the negative effects of environmental hazards caused by Gas Flared have serious health repercussions for the local inhabitants of oil exploration, exploitation, and refining communities, particularly women, and it is a justification for ending gas flaring in Nigeria. This requires that the government and the Oil and Gas operators should show greater commitment to ensure that gas flaring and other pollution activities are brought to a minimal level. Furthermore, laws on gas flaring should be properly implemented. The Government must take serious action against defaulting companies, and the fines imposed on defaulters ought to be reviewed upward. Also, flared natural gas should be converted into lucrative investments, which will lead to a safer, more conducive, and healthier environment. Equally, the Right to health as provided for in the constitution should be made justiciable and enforceable. Thus, there are laws and policies in place to protect the right to health in Nigeria Vis-a Vis the Constitution Federal Republic of Nigeria, but there is a gap between the Laws and their implementation. The government should also increase its allocation to health in those regions. The Nigerian health system is grossly underfunded, with Government expenditure on health hovering around 4-5% of the total annual funding/expenses.

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