

Moving away from the Politicised: National Security and Gas Flaring in the Niger Delta

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Abstract

This paper employs the Copenhagen Securitization Model to examine the issue of gas flaring in the Niger Delta as it relates to Nigeria's environmental and national security imbroglio. From within the context of contemporary International Relations (IR) and International Political Economy (IPE), the notion of environmental security better communicates the critical nature of environmental problems like climate change, greenhouse gases, global warming, pollution, desertification, flooding, and acid rain among others. The paper argues that gas flaring in the Niger Delta, as an aspect of environmental security in Nigeria and internationally, has been largely managed within standard political system paradigms and should urgently move away from this part of the spectrum. It posits, after examining extant legislations and policies, that gas flaring has persisted as an environmental security issue in Nigeria because emergency actions beyond the state's standard procedure have not been adequately embraced from within the confines of these paradigms. It is concluded therefore that the actualization of such emergency actions requires gas flare-out commitments and strategies to move away from the politicized to the securitised end of the public policy spectrum as modeled by the Copenhagen School.

Keywords: National Security, Environmental Security, Gas Flaring, Securitisation, Niger Delta

Introduction

Studies on gas flaring in Nigeria's Niger Delta appear to ascribe much weight to the relationship with climate change (Ukala, 2011; Ismail and Umokoro, 2012) and energy implications (Nwanya, 2011; Ichimi, 2012) as part of the general resource curse literature. Other studies have examined the economic and social consequences of gas flaring on communities in the Niger Delta (Azaiki, 2007;

Ipingbemi, 2009; Ologunorisa, 2001; Ichimi, 2018) through a political economy framework, as well as the opportunity cost of gas flaring measured in the amount of power that could have been generated had the gas has been strategically channeled to thermal power plants. Few other studies have examined the theoretical and empirical relationship between environmental degradation through gas flaring and sustainable development (Azaiki, 2007; Babatunde, 2010). The securitization of gas flaring however appears relatively non-existent in available literature, receiving only a fleeting acknowledgment in the 2014 National Security Strategy of Nigeria (Federal Republic of Nigeria, 2014). This paper sets out to remedy this obvious neglect contending that gas flaring is a quintessential national security issue with multisectoral and even international ramifications.

The paper employs the Copenhagen Securitization Model to examine the issue of gas flaring in the Niger Delta as it relates to Nigeria's environmental and national security imbroglio. It argues that gas flaring in the Niger Delta, as an aspect of environmental security, has been largely managed within standard political system paradigms and should urgently move away from this part of the spectrum to the securitised end of the spectrum where emergency actions beyond the state's standard procedure are taken.

The study concludes that gas flaring has persisted as an environmental security issue in Nigeria because emergency actions beyond the state's standard procedure have not been adequately embraced from within the confines of these paradigms. The actualization of such emergency actions requires gas flare-out commitments and strategies to move away from the politicized end of the securitization spectrum to the securitized as modeled by the Copenhagen School.

Environmental Issues of Gas Flaring in the Niger Delta of Nigeria

The Niger Delta is arguably one of the most severely crude oil-induced damaged environments in the world. The trinity of gas flaring, oil spillage, and canalization constitute significant environmental security concerns resulting from oil resource extraction in the Niger Delta of Nigeria. The advent of oil production in the Niger Delta was accompanied by deforestation and ecological degradation, threatening renewable natural resources and ecosystem services in diverse ways. Gas flaring constitutes significant environmental pollution arising from oil exploration activities in the Niger Delta. However, the historiography of environmental pollution in the region appears to be burdened heavily by oil spillage given the obvious effect on the environment. As argued by Babatunde (2010), oil spillage is the most common and controversial of all the environmental impacts of oil exploitation.

Nigeria has well over 187 trillion SCF (Standard Cubic Feet) of proven natural gas reserves, making it the 7th largest world gas province (Environmental Rights Action, 2005). In the Niger Delta, gas flaring takes place near residential areas, forests, and waterways, thereby sending environmental shocks to human beings and terrestrial and aquatic animals. Natural gas in the context of this study refers to gaseous forms of petroleum consisting of mixtures of hydrocarbon gases and vapors, the more important of which are methane, propane, butane, pentane, and hexane. The term is also generically used for both associated and non-associated gases. The former occurs with oil in the same reservoir and the latter occurs alone in a reservoir. Gas flaring is the deliberate burning of natural gas – a by-product of crude oil extraction which is removed from the earth's crust along with the crude oil. It generates air pollution and heat, with many flares running 24 hours a day and some having been active for 40 years with over 8 MMCFD (million cubic feet per day) burnt. At some

point, Nigeria has been ranked as high as the seventh-largest global producer of flared gas (World Bank, 2022). The country is also on record to have over 170 onshore and offshore gas flaring sites (Eboh, 2017).

Gas flaring in Nigeria began with oil production at a time that gas was regarded only as a waste product of crude oil production. The trend has grown proportionally with oil production since then. More oil production has meant more associated gas production and, without other means of dealing with the gas, more flaring. With the commercial exploration and mining of crude oil in Oloibiri since 1956, gas flaring was permitted due to the lack of market and infrastructure to utilize it. Understanding and appreciating the scale of flaring requires an understanding of oil and associated gas production, as well as data on the gas flared in the country over time.

Gas flaring produces the primary greenhouse gases (GHGs): carbon dioxide (CO₂) and methane (CH₄). In addition, the flaring of gas rich in liquids produces smoke, with aerosol effects that also contribute to global warming. One of the key problems in assessing the impact of flaring on GHG accumulation is the lack of information not only about the quantities involved but also about the types of gases emitted. The ratio of gas vented to gas flared is crucial because the impact of methane on global warming is about twenty-one times greater than that of CO₂, so a small change in the ratio of flaring to venting makes a disproportionate change in the impact on the global environment (Environmental Rights Action, 2005).

Gas flares vary greatly in the efficiency with which they burn methane and thus convert it into CO₂. The composition of the gas being flared can vary greatly. Some gases are rich in hydrocarbons and are heavier than methane (propane, butane, pentanes plus) and thus produce more carbon as well as smoke and aerosols (Environmental Rights Action, 2005). In other cases, some may contain significant proportions of inert gases (nitrogen, helium)

and sulphur compounds (H₂S), as well as CO₂. Incineration of such “impure” natural gas has a different impact on the climate than that of pure hydrocarbons. Because of these uncertainties, the impact of flaring on global warming could be more significant than normally assumed.

Gas Flaring Legislation and Policy Regimes in Nigeria

The first Nigerian legislation on the use of associated gas was the Petroleum (Drilling and Production) Regulations (1969: Section 43) which provides that:

... not later than five years after the commencement of production from the relevant area, the licensee or lessee shall submit to the minister, any feasibility study, programme, or proposals that he may have for the utilization of any natural gas, whether associated with oil or not, which has been discovered in the relevant area.

Subsequent legislation, in 1979, the Associated Gas Re-Injection Act, was promulgated ostensibly to fill up some of the vacuum left by earlier legislations. It set the deadline of October 1979 to April 1980 for the oil companies to develop gas utilization projects and to stop gas flaring by 1984, or face fines. By the Act, the fee charged for flaring was first fixed at 0.50 Naira per million cubic feet (mcf) but as of January 1998, this penalty was increased to 10 Naira per mcf.

In 1984, the Associated Gas Re-Injection (Continued Flaring of Gas) Regulations amended the existing legislation to provide for limited exemptions for flaring in certain circumstances. This was further strengthened in 1985 with another amendment that fixed a fine of 2 Kobo (equivalent to US\$0.0009 in 1985) against the oil companies for each 1000 SCF of gas flared. This amount, being too meager even at that time when the Nigerian Naira was still strong, did not provide any incentive to induce the companies to reduce flaring. These fines thus had to be raised by the government in January 1998 to US\$11 for every 1000 SCF of gas flared. Then there came the Associated Gas Re-injection Act 2004 and the

Associated Gas Re-Injection (Amendment) Act 2004 which obligated all oil-producing companies in the country to submit detailed plans for gas utilization. It also prohibits the flaring of associated gas without the written permission of the Minister of Petroleum Resources. All these were not enough as a deterrent to the oil companies flaring gas.

As oil revenues contributed about 90% of Nigeria's foreign exchange earnings, the government appeared to have been hesitant to enforce the 1984 flare prohibition deadline. In 2002, the Ogomudia Report (2002) yet again set a 2008 deadline for the termination of gas flaring with no further extension.

Efforts have been made in the past to penalize oil corporations for flaring gas beyond set deadlines. These fines, however, have been so paltry that it is still cheaper for corporations to pay the fines than to act to halt the obnoxious act. Although the fine for flaring gas is relatively small, it generates some revenue for the government which would be lost if flaring is stopped without being able to utilize the gas that would otherwise have been flared. Overall, however, most oil multinational companies operating in the Niger Delta have been known to evade these penalties and taxes. Indeed, the uncertain regulatory environment and ineffective oversight that helped oil companies flare devastating volumes of gas and escape billions of dollars in gas flare penalties in the past have persisted.

The Copenhagen Securitization School Model

The Copenhagen School emerged at the Conflict and Peace Research Institute (COPRI) of Copenhagen and is represented by the writings of Barry Buzan, Ole Waever, Jaap de Wilder, and others (Waever 1995; Buzan et al., 1998; Buzan & Waever 2003). The Copenhagen School has developed a substantial body of concepts to rethink security, most notably through its notions of securitization and de-securitization. The School has played an important role in broadening the concept of security and in

providing a framework to analyze how an issue becomes securitized or de-securitized. It upholds security as survival and identifies five general categories of security: military security, environmental security, economic security, societal security, and political security. Thus, the security-survival logic is maintained but extended beyond military security to four other categories (Emmers, 2007).

As argued by Buzan and adherents, the dynamics of each category of security are determined by securitizing actors and referent objects. The former is defined as “actors who securitise issues by declaring something, a referent object, existentially threatened” (Buzan et al., 1998:36) and can be expected to be political leaders, bureaucracies, governments, lobbyists, and pressure groups. Referent objects are “things that are seen to be existentially threatened and that have a legitimate claim to survival (Buzan et al., 1998: 22). Such referent objects and the kind of existential threats that they face, the School noted, vary across security sectors. Thus, referent objects can be the state (military security); national sovereignty or an ideology (political security); national economies (economic security); collective identities (societal security); species or habitats (environmental security) (Buzan et al., 1998: 23-24).

The Copenhagen School adopts a multi-sectoral approach to security that represents a move away from traditional security studies and its focus on the military sector. Four of the five components account for non-military threats to security. In addition to widening the definition of security beyond military issues, the Copenhagen School deepens security studies by including non-state actors. The School provides a spectrum along which issues can be plotted. It claims that any specific matter can be non-politicized, politicized, or securitized. An issue is non-politicized when it is not a matter for state action and is not included in public debate. An issue becomes politicized when it is managed within the standard political system. A politicized issue is part of public policy, requiring government decisions and resource

allocations or, more rarely, some other form of communal governance (Buzan et al., 1998:23). An issue is plotted at the securitized end of the spectrum when it requires emergency actions beyond the state's standard procedure.

The Copenhagen School argues that a concern can be securitized – framed as a security issue and moved from the politicized to the securitized end of the spectrum – through an act of securitization. By so doing, a securitizing actor (e.g., government, political elite, military, civil society) articulates an already politicized issue as an existential threat to a referent object (e.g., state, groups, national sovereignty, ideology, and economy). In response to the existential nature of the threat, the securitizing actor asserts that it must adopt extraordinary norms of the political domain. The School relies on a two-stage process of securitization to explain how and when an issue is to be perceived and acted upon as an existential threat to security. The first stage concerns the portrayal of certain issues, persons, or entities as existential security threats. The second stage of securitization is only completed successfully once the securitizing actor succeeds in convincing a relevant audience (public opinion, politicians, military officers, or other elites) that a referent object is existentially threatened. Only then, according to Emmers (2007:12), can extraordinary measures be imposed. Due to the urgency of the accepted existential threat to security, constituencies tolerate the use of counteractions outside the normal bounds of political procedure. The Copenhagen School notes that de-securitization refers to the reverse process.

The Copenhagen Order and Environmental Security

Environmental security is one of a few “new” non-traditional security issues that have served to deepen and broaden the concept of security. It helps to deepen the notion of security as it entails considering not just the security of states, but also the security of the global environment as well as its many nested sub-systems, and

various social systems. From an environmental perspective, there are concerns that the concept of environmental security has led to a militarization of environmental issues. Indeed, it has been noted (Barnett, 2007:183) that there is an inherent difficulty in distinguishing between environmental problems and environmental security problems, and between security problems and environmental security problems.

Environmental security emerged as an important concept in security studies due to three interrelated developments beginning in the 1960s. The first was the growth of environmental consciousness in developed countries. The number of environmental non-governmental organizations began to grow in the 1960s. A notable development was the creation of large international environmental non-governmental organizations such as the World Wildlife Fund (1961), Friends of the Earth (1969), and Greenpeace (1971). The 1970s also saw the beginning of international summits on environmental issues and a proliferation of international agreements on environmental issues.

The second major development leading to the emergence of environmental security was attempts from the 1970s onwards by a few scholars to critique orthodox security discourse and practices by highlighting their inability to manage environmental risks to national and international security. The third is the shift in the strategic landscape. As it relates to the Copenhagen School, it is necessary to stress that securitizing moves have to some degree raised the profile of environmental issues among foreign and security policymakers and agencies so that there is a general recognition that the environment can in some sense be considered a security issue. Environmental security better communicates the critical nature of environmental problems like climate change, greenhouse gases, global warming, and acid rain among others (Elliot, 1998; Dalby, 2002).

Moving Away from the Politicised: Nigeria's National Security Strategy and the Securitization of Gas Flaring as an Alternative Strategy

In November 2014, the Government of Nigeria put together for the first time, a National Security Strategy (NSS) document which according to the then President and Commander-in-Chief of the Armed Force, Goodluck Ebele Johnathan, "is a wake-up call on every Nigerian to develop that individual and collective consciousness and readiness to forestall, pre-empt, protect and defend the country against natural and man-made disasters" (Federal Government of Nigeria, 2014). The "carefully thought-out" document sets out to approach security from a multi-sectoral and comprehensive perspective, leaving nothing to chance.

The NSS 2014, to be sure, emphasised environmental security and climate change as contemporary aspects of security that constitute a part of Nigeria's national security concerns. It stresses that Nigeria's environmental threats stem from three categories of vulnerability. The first set originates from prevailing systemic defaults in Nigeria's overall environmental factor management (Federal Government of Nigeria, 2014: 20). This includes population explosion, demographic irregularities, unplanned human settlements/housing, ineffective environmental culture, and inadequate management capacity. Others are poor land and water use, poor waste management, poor environmental education, and general ignorance.

The second set includes periodic environmentally induced human conflicts like pastoralist/farmers conflicts, conservation/development conflicts, water resource conflicts, and illegal immigration due to food insecurity. The third set arises from current and potential environmental disasters caused by natural and anthropogenic factors. This includes oil pollution and gas flaring, desertification, drought, biodiversity loss, deforestation due to uncontrolled fuelwood harvest, loss of arable lands as well as water and air pollution. The document underlines further that

the most prominent external factor of Nigeria's environmental vulnerabilities is climate change and associated global warming which causes high sea levels, ocean surges, and coastal floods. Others are desertification, marine pollution, and possible bioterrorism (Federal Government of Nigeria, 2014: 21). It is submitted that these vulnerabilities collectively threaten sustainable development and national security in Nigeria. However, despite this seeming holistic perspective adopted by the document and its tilt towards alternative security doctrines, there appears to be observable neglect of gas flaring as a national security issue and problem.

The 2014 NSS lasted for five years and has since been succeeded by the 2019 NSS in which there was only a perfunctory recognition of the dismal state of the environment and the threat that same poses for national security. Most studies and documents on gas flaring in the Niger Delta, including the extant NSS document to some extent, err in the sense that the phenomenon tends ostensibly to be approached only or mainly for its deleterious environmental impacts. This suggests that the issue of gas flaring is yet to move from the politicised spectrum to the securitised. It is the position of this paper however that in and of itself the phenomenon of gas flaring ought to be placed up and centre of Nigeria's national security considerations precisely because it is a filial progenitor of myriad issues which underpin the prospects or otherwise of national development and wellbeing.

Besides considerations for the flora and fauna of the region, gas flaring in an oil-dependent political economy impacts state capacity and the appurtenance of state power in diverse and very telling ways. The incessant vitiating of an asset so critical to the national economy fetters the state in very debilitating ways. And this is the reality that needs to be factored into any viable, functionally effective security strategy for the country. Such a strategy goes well beyond the mere ending of flares to capturing, harnessing, and mainstreaming associated gases into critical facets of the country's

national development and security architecture. It extends to the conception of all facets of the oil and gas operating environment - just like the operating environment of every other Critical National Asset and Infrastructure (CNAI) – which is interconnected and part and parcel of the sector's structures and appurtenances that require protection in their entirety.

CNAI risk protection and management frameworks following UN Security Council Resolution (UNSCR) (2341) (2017) have become the global overarching document as well as a major catalyst for the development of modern National Protection Strategies worldwide. It is recognized that this UN Resolution is essentially a call for international cooperation and the development of protective frameworks to safeguard against attacks on critical assets and infrastructure upon which national development and well-being depend. This paper submits however that ending gas flaring trends and practices in the Niger Delta can be achieved via a creative conjunction of the seminal features of the UNSCR 2341, the 2019 NSS, and other ancillary domestic laws and policies which contribute to the securitization of the phenomenon of gas flaring as we know it in the Niger Delta region. Weaving together the relevant provisions enunciated in these national and international laws, policies and practices allows for the emergence of an alternative strategy anchored on a model whose driving logic is a combination of technician as well as a securitized development outlook. The technician facet of this strategy includes options that include using flared gas to produce electricity and as a petrochemical feedstock, liquefying flare gas, and reinjecting it into the earth as a secondary oil recovery technique (Elehinafe et al., 2022). The securitized dimension dictates that the phenomenon of gas flaring be escalated to the level of a national security exigency and mainstreamed as a veritable component of the country's defence and security architecture. This facet of the strategy requires a reclassification of the country's Critical National Assets and Infrastructure with general reference to the oil and gas

industry and gas flaring. In the final analysis, the wholesome deployment of this strategy will result in the transmutation of gas flaring from being an existential threat to national security to being a critical national development asset and infrastructure.

Conclusion

Gas flaring which is the practice of burning natural gas associated with crude oil extraction by oil companies was outlawed in 1984 in Nigeria, but it still occurs. To successfully end gas flaring and venting requires much more than perfunctory regulations (say the Flare Gas (Prevention of Waste and Pollution) Regulation, 2018) or technical and viable gas utilization programmes (like the Nigeria Gas Flare Commercialisation Programme, Permit Holders for Associated Gas Projects, and Flare Gas Projects among others under the 2017 Nigerian Gas Policy). The process, as posited by the Copenhagen Securitisation Model, requires a paradigm shift: a move away from the politicised to the securitized end of public policy spectrums. Against this backdrop, the paper examined the securitization of gas flaring as a neglected aspect of environmental and national security concerns.

The lack of luster commitment on the part of successive Governments in Nigeria is evident in, among other things, the almost absent attention given to gas flaring in both the 2014 and current (2019-2024) NSS documents. Even where efforts were made, predicated on regulations, programmes, and provisions of the National Gas Policy, they were invariably grossly inadequate as deterrents to gas flaring. What is worse, certain facets of government laws, the Petroleum Profit Tax Act (1999, Sections 10-12) for example, appear to incentivize rather than deter oil companies as expenses, such as gas flare payments to the Petroleum Ministry, have been made deductible in the computation of oil companies adjusted profits (Tax Appeal Tribunal, 2013).

Using the Copenhagen Model, the study argues that the usage of a language of environmental security for the Niger Delta does

not mean that the issue was automatically transformed into a security question. This is without prejudice to the fact that environmental security may have helped secure some modicum of security in the Niger Delta and created new coalitions of actors and interests. However, the broader national security questions on environmental problems in the Niger Delta, especially the ones associated with gas, flaring persist.

To effectively deter and/or check the phenomenon of gas flaring it is imperative to move the act of gas flaring away from the politicized to the securitized end of the public policy spectrum. This process, among other things, demands that the threats, vulnerabilities, and/or consequences which gas flaring poses to national security and development be (re) categorized and, as a matter of policy, be treated and pursued as an existential threat to a Critical National Assets and Infrastructure (CNAIs). Further to this, a revision of the extant NSS is called for, to include gas flaring in the Niger Delta as a significant threat not only to environmental values but also to national security.

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