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Role of the National Oil Spill Detection and Response Agency (NOSDRA) in Resolving Oil Spill Disputes in Nigeria

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Abstract

Nigeria has struggled for years with the persistent problem of oil spills, particularly in the Niger Delta region. These spills have caused extensive environmental damage, adversely affecting local livelihoods and public health. Despite the establishment of the National Oil Spill Detection and Response Agency (NOSDRA) in 2006, which is tasked with spill detection, response, and remediation, the country continues to face significant challenges in resolving oil spill disputes effectively. This paper highlights the importance of addressing the systemic failures that contribute to the inefficacy of oil spill response mechanisms in Nigeria. Key issues identified include weak enforcement of regulations, insufficient funding for NOSDRA, and a lack of corporate accountability among oil companies. Additionally, the conflicts between affected communities, the government, and oil corporations further complicate the resolution process. Using an environmental justice framework, the paper explores the disproportionate impacts of oil spills on marginalized communities and emphasizes the need for an inclusive, transparent approach to dispute resolution. The study's findings suggest that strengthening NOSDRA's capacity, reforming regulatory frameworks, and improving inter-stakeholder coordination are critical steps in enhancing oil spill management in Nigeria. The paper recommends bolstering NOSDRA's resources, holding oil companies accountable, and ensuring equitable compensation for affected communities.

Keywords: Oil Spill, Niger Delta, Nigeria, Conflict, and NOSDRA

Word count: 199



Introduction and Problem Statement

As Africa's largest oil producer and one of the top producers globally, Nigeria boasts vast oil reserves. However, this wealth comes at a cost, as the country has grappled with a long-standing history of oil spills that have caused significant environmental damage. Oil exploration, particularly in the Niger Delta region, has led to frequent spills that wreak havoc on the environment, local livelihoods, and public health (Onyena and Sam, 2020). The long-standing history of oil production in Nigeria, which dates back to the 1950s, has given rise to an ongoing environmental crisis (Udoh, 2020), characterized by polluted waterways, contaminated soil for farming, and the degradation of fragile ecosystems. As oil production has escalated, so have the frequency and intensity of oil spills, sparking widespread concerns over their devastating impact on the environment and the communities that depend on it. In many cases, these oil spills disrupt the livelihoods of local populations who rely on fishing, farming (Eriegha and Sam, 2020), and other natural resources, leading to disputes over compensation, environmental remediation, and corporate accountability.

The magnitude of the problem is further underscored by alarming statistics, reports, and high-profile spill incidents. In recent years, Nigeria has recorded hundreds of oil spill cases annually, with notable spills such as the 2008 Bodo spill and the 2011 Shell spill bringing international attention to the severity of the crisis (Akinwumiju et al, 2020). These incidents not only harm the environment but also fuel social and political tensions, thereby worsening the already “fragile” relations between local communities, oil companies, and the government. While addressing the issue is imperative now, a solution to the problems identified requires a coordinated effort that balances environmental protection, corporate accountability, and community interests. The National Oil Spill Detection and Response Agency (NOSDRA), established in 2006, plays a crucial role in managing oil spill incidents, ensuring regulatory compliance, and coordinating spill response activities (Ewulum et al, 2020). This agency was created with the mandate to detect, monitor, and respond to oil spills, as well as to promote oil spill prevention strategies and environmental restoration efforts.

NOSDRA's mandate is grounded in the National Oil Spill Detection and Response Agency (NOSDRA) Act, which provides the legal framework for its operations. The primary objectives of the agency is in the mitigation of the environmental impact of oil spills, ensuring the safety and well-being of affected populations, holding oil companies accountable, and overseeing the restoration of ecosystems (Brown, 2021). Through its regulatory activities, NOSDRA is tasked with overseeing compliance with environmental laws and policies, conducting investigations into spill incidents, and facilitating the compensation and remediation process. Despite these efforts, oil spill disputes in Nigeria persist, marked



by a myriad of challenges related to inadequate compensation, delayed response times, and disputes over liability and responsibility (Edna Ateboh and Raimi, 2018).

The effective resolution of oil spill disputes in Nigeria according to Babatunde (2020) and Brown (2022) faces numerous obstacles, such as the lack of coordination between the relevant authorities, weak enforcement of existing regulations, and insufficient funding for NOSDRA to carry out its mandate fully. Additionally, the role of oil companies in perpetuating environmental harm through negligence or inadequate response to spills remains a critical concern (Kalu and Ott, 2019). Albert, et al (2018) posits that communities affected by spills often face difficulties in securing adequate compensation and remediation, with many disputes remaining unresolved due to bureaucratic inefficiencies and poor communication between stakeholders. The tension between oil companies, local communities, and the government further complicates efforts to resolve these disputes, as each party brings its own set of interests to the table.

The problem at hand is the persistent inefficacy of oil spill dispute resolution mechanisms despite the existence of NOSDRA. The systemic issues contributing to this inefficiency include weak enforcement of regulations, inadequate funding for NOSDRA, and a lack of coordination between relevant stakeholders. Another critical issue is the lack of corporate accountability, with many oil companies failing to take full responsibility for the environmental damage caused by their operations (Amune, 2025). Despite NOSDRA's role in monitoring spills and ensuring compliance, the agency faces significant challenges in holding oil companies accountable due to limited resources and political influence in Nigeria politics. Furthermore, the ongoing conflicts between local communities, the government, and oil companies hinder effective dispute resolution. These challenges necessitate a thorough examination of NOSDRA's capacity and effectiveness in resolving oil spill disputes and suggest a need for reform in both policy and implementation.

This article aims to critically examine the role of NOSDRA in resolving oil spill disputes in Nigeria, focusing on the agency's capacity to manage and resolve these conflicts effectively. Specifically, the article will explore NOSDRA's policies, strategies, and institutional framework while analyzing its successes and shortcomings. Key issues such as the accountability of oil companies, the challenges in implementing regulations, and the role of NOSDRA in mediating community-corporate-government conflicts will be explored in depth. Furthermore, the article will identify the gaps in current oil spill dispute resolution mechanisms and offer recommendations for strengthening NOSDRA's effectiveness in addressing these challenges.



Conceptual Clarification

Conflict

The term conflict is as old as human society itself. From territorial disputes in ancient civilizations to the ideological battles of modern times, conflict permeates every layer of society. The concept of conflict has long been explored by scholars from various disciplines, offering multiple definitions and viewpoints. Conflict according to Huntington (2020) refers to a struggle or clash between opposing forces. Bösch (2017) defines conflict as a "social phenomenon" that arises from incompatible goals and interests. He believes that conflict is not inherently negative; it is a natural part of social interaction and serves a functional purpose by helping societies evolve. His perspective introduces a paradoxical view of conflict, suggesting that while it might disrupt social harmony in the short term, it ultimately fosters social change and cohesion. Coser's theory can be applied to Nigeria's context, particularly in the sense that, though conflicts, such as those arising from ethnic tensions or political upheaval, can cause immediate harm, they may also push the nation toward necessary reform and restructuring.

Karl Marx who significantly influenced conflict theory, offers a more critical and economic interpretation. Marxian theory posits that conflict is inherent in capitalist societies, driven by the struggle between the bourgeoisie (ruling class) and the proletariat (working class). Marx argues that conflict is the engine of historical change, with societal progress occurring through the resolution of class struggles (Saroj and Danhju, 2019). In Nigeria, where the wealth gap between the elite and the impoverished is a defining feature, Marx's interpretation holds water. The persistent economic inequality, political corruption, and the marginalization of the masses have led to social unrest and violent protests. This lens offers a compelling way to understand conflicts such as the resource sharing, Boko Haram insurgency, and the #EndSARS movement, where grievances are rooted in systemic exploitation and exclusion.

In contrast, the feminist perspective on conflict frames conflict as a manifestation of power imbalances between genders. Leatherman (2024) and Davies and True (2015) emphasizes how conflict disproportionately impacts women and how patriarchal structures exacerbate these struggles. In the Nigerian context, this perspective sheds light on the often-overlooked role of women in conflict, whether it's the Boko Haram insurgency, where young girls are abducted, or in the context of domestic violence, which remains rampant in many Nigerian communities. This approach highlights the gendered nature of conflict and the necessity of considering women's experiences when addressing the root causes of societal tension.

On the other hand, Galtung provides a broader definition, emphasizing that conflict can be both direct and structural. Galtung's (2019) framework includes not only visible violence but also invisible, underlying forms of conflict such as economic disparities, social exclusion, and institutionalized racism. Galtung's



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theory can be applied to the numerous systemic issues that fuel conflict, such as corruption, the marginalization of ethnic minorities, and the unequal distribution of resources. Galtung (2019) further argues that for peace to prevail, conflicts must be addressed not only in their direct forms but also in their structural roots. His definition encourages a comprehensive approach to conflict resolution, one that tackles the deep-seated issues contributing to Nigeria's cycles of unrest.

Meanwhile, each of these definitions is not without its critiques when viewed through the lens of contemporary Nigerian society. While the first perspective provides an optimistic view of conflict as a catalyst for change, it fails to acknowledge the extreme toll that unresolved conflicts take on communities, especially in Nigeria where socio-political tensions often lead to loss of life, displacement, and long-lasting trauma (Tadevosyan and Arai, 2025). In situations such as the religious conflicts between Christians and Muslims in Sokoto and Kaduna or the militancy in the Niger Delta, the disruptions are so severe that the purported positive outcomes of conflict are hard to discern. This suggests that this theory might not fully capture the destructiveness of conflict in fragile states like Nigeria.

Marx's economic approach, while highly applicable to Nigeria's socioeconomic realities, risks oversimplifying the complex political and ethnic dimensions of the country's conflicts. The Nigerian crisis as explained by Igwe (2025) is not merely a class struggle but also a battle over cultural identity, regional autonomy, and ethnic loyalty. While the Marxist lens helps explain the dynamics of the elite's control over resources, it does not sufficiently address the multi-layered nature of conflicts, which are also deeply rooted in the country's ethnic and religious divisions.

The feminist approach offers a refreshing perspective, yet it can sometimes overemphasize the role of gender in conflict while underplaying other factors like political and ethnic identity. Though it is true that women are disproportionately affected by violence (Walker-Descartes et al, 2021), their experiences cannot be separated from the larger political and economic structures that frame the conflict. For instance, the role of youth militancy in Nigeria's Niger Delta region, or the Boko Haram insurgency, involves complex factors that are not solely based on gender. Finally, Galtung's structural conflict theory is arguably the most comprehensive and adaptable to Nigeria's context. It acknowledges the deeply ingrained inequalities and institutionalized systems that perpetuate conflict. However, Galtung's focus on the structural causes of conflict may obscure the immediate triggers, such as political decisions, that often ignite violent clashes. While long-term solutions are necessary, addressing the immediate triggers of violence should not be overlooked.



Theoretical Framework

Environmental Justice Theory

Environmental justice theory according to Figueroa (2022) emerged as a response to the recognition that environmental degradation, including the impacts of industrial pollution and resource exploitation, disproportionately affects marginalized and vulnerable communities. The theory advocates for fair treatment and the meaningful involvement of all people in environmental decision-making processes, particularly communities that have historically faced environmental injustices due to their race, socioeconomic status, or geographical location (Byrne et al, 2019). Purdy et al (2017) argued that environmental hazards, including hazardous waste sites, oil spills, and other forms of pollution, are often concentrated in low-income communities and communities of color, exacerbating pre-existing inequalities.

The hypothesis underlying environmental justice theory is that environmental harms are not distributed equally across society. Instead, disadvantaged groups, especially those living in areas with high levels of industrial activity, face a greater burden of pollution and environmental degradation. This disproportionate exposure is often the result of both historical and contemporary processes of discrimination and marginalization (Brehm and Pellow, 2022). These groups frequently lack the political power or economic resources to fight against environmental harm or to demand proper remediation and compensation.

When applied to the issue of oil spills in Nigeria, environmental justice theory offers a framework for understanding the systemic inequalities that shape the experience of local communities. Oil spills in the Niger Delta region, driven by the activities of multinational oil companies, have led to widespread environmental damage, affecting local livelihoods, agriculture, and water sources (Ejiba et al, 2016). However, these communities often lack the political clout to hold oil companies accountable or to demand adequate compensation for the destruction of their environment. From an environmental justice perspective, the role of the National Oil Spill Detection and Response Agency (NOSDRA) is crucial in ensuring that these communities are not further marginalized in the aftermath of oil spills.

NOSDRA's mandate to coordinate spill response and ensure environmental remediation is important, but the application of environmental justice theory suggests that the agency's efforts are insufficient when it comes to ensuring that local communities receive equitable treatment. These communities often face delays in obtaining compensation, and remediation efforts are sometimes inadequate. Moreover, the theory critiques NOSDRA's challenges in enforcing corporate accountability, particularly given the political and economic power of oil companies in Nigeria (Brisibe, 2024). While NOSDRA plays a vital role in spill detection and response, environmental justice theory emphasizes the need for a more



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participatory and inclusive approach that amplifies the voices of affected communities and holds oil companies and government bodies accountable.

The Overview of NOSDRA and its Mandate.

The National Oil Spill Detection and Response Agency (NOSDRA) is an agency established in Nigeria to address and manage oil spill incidents in the country. The government agency created under the National Oil Spill Detection and Response Agency Act, NOSDRA's primary role is to ensure effective detection, response, and coordination of activities related to oil spills in Nigeria's oil-rich Niger Delta region. This region has historically been prone to oil spills due to both natural occurrences and human-induced activities related to oil extraction and transportation. The agency operates within a framework that prioritizes the protection of Nigeria's environment, human health, and sustainable development, alongside ensuring compliance with environmental regulations (Federal Ministry of Environment, 2020). NOSDRA's mandate encompasses a broad range of responsibilities aimed at curbing oil spill occurrences and mitigating their impacts. It is tasked with monitoring oil spill events across the country, from detection to the response and remediation phases. The agency collaborates with stakeholders, including oil companies, government agencies, and local communities, to ensure coordinated efforts in spill management. Additionally, NOSDRA is responsible for the formulation of regulations, policies, and guidelines concerning oil spill detection and response, while also playing a critical role in enforcement. Furthermore, NOSDRA conducts training and awareness programs to enhance the capacity of stakeholders involved in spill management and to promote best practices in environmental stewardship (Adegbe and Akinmoladun, 2018). The agency is also empowered to assess the environmental damages caused by oil spills and ensure that adequate compensation is provided to affected communities.

The Environmental and Social Impact of Oil Spills in Nigeria

Oil spills in Nigeria have been a persistent environmental and social challenge that is significantly affecting the livelihoods of communities and the broader ecological system. The Niger Delta, where much of the country's oil extraction occurs, has been particularly vulnerable to such disasters. However, the impact of these spills extends beyond the immediate damage to the environment, influencing economic, social, and public health outcomes that reverberate through generations. Environmentally, oil spills in Nigeria result in the contamination of both terrestrial and aquatic ecosystems. The Niger Delta, which houses a delicate and biodiverse wetland, suffers from persistent pollution due to regular spills from both illegal activities and operational mishaps by oil companies (Oribhabor, 2016). These oil spills have a devastating effect on soil, water, and air quality. The contamination of water bodies, such as rivers, lakes, and coastal areas, leads to a decline in water quality, making it unsafe for drinking, fishing, and other



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economic activities (Iyiola et al, 2022). The toxic substances in crude oil, including benzene, toluene, and other hydrocarbons, disrupt aquatic life, killing fish and reducing biodiversity. In turn, this undermines the fishing industry, which is a primary source of livelihood for many Niger Delta communities. Furthermore, oil spills degrade the soil, which is critical for agriculture, rendering large swathes of land unfit for farming and further worsening food insecurity in the Niger Delta region.

The social impacts of oil spills in Nigeria are equally severe, affecting the health and economic well-being of local communities. The direct human health risks associated with oil pollution are profound. Exposure to the toxic chemicals in oil, especially in drinking water and air, has been linked to various ailments, including respiratory diseases, skin infections, and cancers (McLoone et al, 2021). Communities living in proximity to oil spills often suffer from chronic health problems, which strain local healthcare systems already operating under limited resources. The spillages also diminish the availability of arable land, leading to the displacement of farming communities and contributing to a decline in food production. This contributes to a rise in poverty levels as people lose their main sources of income.

In addition to the above, oil spills disrupt local economies by impeding agricultural and fishing activities. For many communities in the Niger Delta, fishing is the primary economic activity, but the contamination of water bodies means that fish stocks dwindle, making it more difficult for fishermen to make a living (Elisha and Felix, 2021). Similarly, the damage to land and the decline in agricultural productivity, compounded by the erosion of fertile soil, leads to long-term economic hardship. With diminished opportunities for farming or fishing, many residents find themselves in a cycle of poverty, unable to escape the economic consequences of environmental degradation. Socially, the oil spills have fuelled local conflicts, often between oil companies, the government, and local communities. Communities in the Niger Delta have long complained about the environmental damage caused by oil extraction activities and the lack of adequate compensation or remediation efforts from oil companies (Abayomi et al, 2021). In response to the degradation, some local groups have resorted to protests, sabotage, and even violence, further complicating the situation. The distrust between the people and the oil companies is exacerbated by the perception that the benefits of oil extraction are not equitably shared (Nkem et al, 2024), with local communities seeing little return on the natural resources extracted from their lands. This social unrest has led to a volatile security situation in the Niger Delta, which impedes development and further discourages investment in the region.

The Nigerian government's response to oil spills has been widely criticized for its inefficiency and lack of enforcement. Despite the establishment of regulatory frameworks such as the National Oil Spill Detection and Response Agency (NOSDRA), oil spills continue to occur with alarming regularity. The inability of the government to effectively manage and mitigate the environmental damage has deepened



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the sense of abandonment felt by affected communities. Furthermore, the failure to hold oil companies accountable for their actions has led to widespread impunity, leaving communities to bear the brunt of the damage without sufficient support for recovery or remediation (Onwuazombe, 2017). International oil companies operating in Nigeria have often been accused of prioritizing profit over environmental sustainability and social responsibility. These companies have faced legal challenges, but they frequently avoid significant penalties through loopholes in Nigerian law. The lack of stringent regulations and effective monitoring has allowed oil companies to operate with minimal concern for the long-term environmental and social consequences of their activities. As a result, oil spills remain a significant challenge, with the communities in the Niger Delta bearing the largest cost.

NOSDRA's Role in Immediate Response and Cleanup of Oil Spills.

The National Oil Spill Detection and Response Agency (NOSDRA) was established by the Nigerian government to manage and coordinate the detection, response, and cleanup of oil spills in the country. As a government agency under the Ministry of Environment, its responsibilities revolve around ensuring prompt, efficient, and effective responses to oil spill incidents, particularly in the Niger Delta, where the majority of Nigeria's oil reserves are located. Ewulum et al (2020) asserts that the agency plays a pivotal role in managing environmental damage from oil spills, aiming to mitigate the devastating ecological and socio-economic consequences of such events.

One of the key roles of NOSDRA is to act as the 'lead agency' in coordinating oil spill response efforts. It works closely with other governmental bodies, such as the Department of Petroleum Resources (DPR), the Nigerian Maritime Administration and Safety Agency (NIMASA), and local authorities. In immediate response situation, NOSDRA's mandate involves overseeing the emergency response, ensuring that companies responsible for the spills undertake appropriate containment and cleanup measures as stipulated by the law. This response typically includes deploying oil spill response teams, monitoring ongoing efforts, and ensuring that proper techniques are utilized, including the use of chemical dispersants, bioremediation, and mechanical recovery methods.

However, NOSDRA's response to oil spills has often been met with criticism. Despite its established responsibilities, the agency has frequently been accused of lacking the capacity and resources to effectively address large-scale oil spills, particularly in remote or inaccessible areas of the Niger Delta (Obiora and Wordu, 2021). Additionally, issues such as bureaucratic delays, lack of coordination between stakeholders, and insufficient funding have undermined the effectiveness of NOSDRA's efforts. In some cases, companies responsible for oil spills have been slow to comply with cleanup regulations, and NOSDRA's enforcement power has been questioned. One of the most notable instances of NOSDRA's response in the Niger Delta region was its involvement in the aftermath of the Shell oil spill in Bodo,



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Rivers State, in 2008. Despite initial reports suggesting that the agency acted swiftly, investigations revealed that NOSDRA's oversight and coordination were inadequate (Amune, 2025). The cleanup was delayed, and the environmental degradation caused by the spill persisted for years. This scenario highlights the agency's systemic challenges in enforcing compliance and ensuring that oil companies take responsibility for environmental damage in a timely manner.

Conclusion and Recommendations

The persistent, which issues surround and motivate oil spills in Nigeria, particularly in the Niger Delta, for some years now have revealed significant challenges in environmental management, corporate accountability, and inter-stakeholder coordination. While the National Oil Spill Detection and Response Agency (NOSDRA) plays a critical role in spill detection, response, and remediation, its efforts are hindered by inadequate resources, weak enforcement of regulations, and a lack of corporate responsibility. The ongoing disputes between local communities, the government, and oil companies further complicate the resolution process. Thus, effective oil spill dispute resolution in Nigeria requires reform in policy, improved capacity for NOSDRA, and more robust corporate accountability. However, to improve the effectiveness of oil spill dispute resolution in Nigeria, it is essential to enhance NOSDRA's operational capacity through increased funding, training, and resource allocation. Strengthening the legal framework to ensure stringent enforcement of environmental laws and regulations is critical for holding oil companies accountable. Additionally, fostering greater collaboration among government agencies, oil companies, and local communities will improve transparency and coordination. Furthermore, adopting a more inclusive, community-based approach to decision-making will ensure that the voices of affected populations are heard and that adequate compensation and environmental restoration efforts are prioritized.

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