



Social and Economic Rights Action
Center (SERAC)

OKLNG PROJECT:EXPANDING PARTICIPATORY OPPORTUNITIES

Report of Roundtable Proceedings



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Abbreviations and Meanings in the Report*

ACCR	-	Africa Center for Social and Corporate Responsibility
CCF	-	Community Consultative Forum
CDI	-	Community Development Initiative
CRCF	-	Community Resettlement Consultation Forum
CSO	-	Civil Society Organization
EFDI	-	Enterprise for Development International
EMP	-	Environmental Management Plan
ESHIA	-	Environmental, Social and Health Impact Assessment
FG	-	Federal Government
JDPC	-	Justice, Development and Peace Commission
NESREA	-	National Environmental Standards and Regulation Enforcement Agency
NHRC	-	National Human Rights Commission
NGO	-	Non-Governmental Organization
NNPC	-	Nigerian National Petroleum Corporation
OKLNG	-	Olokola Liquefied Natural Gas
OKFTZ	-	Olokola Free Trade Zone
OGSG	-	Ogun State Government
ODU	-	Ode-omi Development Union
OYF	-	Ode-omi Youth Forum
OSIWA	-	Open Society Initiative for West Africa
PAPA	-	Project Affected People's Association
PCDP	-	Project Consultation and Disclosure Plan
SERAC	-	Social and Economic Rights Action Center

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***Cover Photo: SERAC**

Introduction:

One major factor fuelling the surging discontent among the populations living where natural resources are extracted or hosted is the characteristic exclusion of such communities from decision-making arrangements regarding developments concerns and projects that bear directly on their welfare. The situation is further compounded by the absence of mechanisms that encourage constructive engagement, service delivery monitoring and best practice remodeling within the context of oil and gas production, economic development and local governance.

Ode-omi community provides the storyline for the exigency to launch participatory arrangements for integrating the lived experiences, knowledge, ideas and perspectives of local populations into the conceptual, administrative and implementational structures of development planning. It was on this premise that SERAC organized the roundtable, *OKLNG Project: Exploring Participatory Opportunities* to begin a discussion of the imperatives for developing a responsive legal, and policy framework for initiating, sustaining, and expanding opportunities, roles, and resources for embedding community engagement in the development process.

Ode-omi: A Contextual Background:

Located in Waterside Local Government Area of Ogun State, Ode-omi community is host to the multi-billion dollar Olokola Liquefied Natural Gas (OKLNG) and Olokola Free Trade Zone (OKFTZ) projects. OKLNG is a liquefied natural gas (LNG) project facility, consisting mainly of two trains, producing a total of 12.6 million tonnes per annum of LNG and 2.3 tonnes/annum of LPG as a by-product. Each train will process 1.15 billion cubic feet per day of feedgas. The project is supported by the Nigerian National Petroleum Corporation (NNPC), British Gas (BG), OKLNG Limited, Chevron OKLNG Holdings Limited, Shell OKLNG Holdings and B.V Limited.

The OKFTZ project, on the other hand, is a business concern jointly conceived by the Ogun and Ondo States' governments to serve as a multi-purpose deep seaport complex and free trade zone, oil and gas logistics bases as well as an export processing zone. As with mega business concerns of this magnitude, expectations are high that the OLKNG and OKFTZ projects will yield high investment returns, create large-scale employment opportunities, industrialization and economic growth that will further have a multiplier effect on the nation's economy.

In furtherance of the OKLNG and OKFTZ projects, the Ogun State government compulsorily acquired large tracts of communal land situate in Ode-omi along the bight of Benin fronting the Atlantic Ocean, and measuring approximately 10985.213 hectares. With this development, the once tranquil Ode-omi community was catapulted from obscurity to limelight consistent with the eminence of locales that play host to such mega business ventures.

Harmonizing economic growth with the protection of human rights is one of the greatest challenges on the development agenda. The recent trend in human rights discourse indicates an increasing recognition of the link between business and human rights. This growing link creates a corresponding obligation on governments to ensure that transnational corporations operate within the framework of international human rights standards for businesses. With this in mind, between September 12 and 14, 2007, the Social and Economic Rights Action Center (SERAC) the Justice, Development and Peace Commission (JDPC), Ijebu-Ode and the Open Society Initiative for West Africa (OSIWA) served on a 12-member fact-finding mission to Ode Omi community. Beginning from December 2008 till April 2009, SERAC and JDPC conducted follow-up missions to further gauge the quality and overall effectiveness of OKLNG and official engagement with the community.

Among other objectives, the missions aimed at:

- Gaining first-hand information about the project host community's understanding and perceptions of the project.
- Ascertain the levels of compliance with legally mandated EIA and SIAs.
- Gauge the levels of observance with applicable national and international human rights standards especially with regard to access to information and disclosure policies and practices.
- Gauge the quality and overall effectiveness of OKLNG engagement with the community, and including the consultation and participation of the community in the conceptual, planning and implementation phases of the project.
- To gain insights into the due process aspects and processes in handling land acquisition, compensation, resettlement issues etc.

Although the OKLNG and OKFTZ offer lofty promises of high investment returns, large-scale industrialization and economic growth, the execution methods and strategies cast doubt on the projects' capacity to bring forth the forecasted benefits. The missions noted considerable deficits in the extent and quality of consultation, inclusion and participation of the local populations in the project's planning and development processes. There were heightened due-process concerns regarding the handling of important issues around land, resettlement, compensation and livelihoods in the community. There was palpable anxiety, uncertainty, confusion, and in some cases, outright ignorance among community members regarding the nature, purposes and expected impact of the OKLNG project on peoples' lives. Information on plans and statutorily mandated social and environmental impact assessment studies was unavailable to the community.

Against this backdrop, SERAC and JDPC offered the roundtable to OKLNG stakeholders as an opportunity to begin the necessary conversation around distilling lessons, approaches, strategies and best practices for ensuring the project's compatibility with the community's wellbeing while delivering its own economic purposes. SERAC and JDPC believe that the project's forecasted goals of boosting economic growth and accelerating human and infrastructural development can only be achieved through responsible and sustainable business practices and strategies that put the wellbeing of its host community first. The roundtable was set against the backdrop of growing social and violent conflict in the Niger Delta region spurred by disaffection over debilitating impoverishment of the local populations, and environmental devastation of the region by both official neglect and oil exploration activities.

Opening ceremony:

The roundtable brought together a broad spectrum of stakeholders from diverse backgrounds cutting across community, government and non-governmental lines. Over one hundred and twenty participants comprising large numbers of members of Ode-omi community and their community leaders, key officials of the OKLNG and the oil industry, top executives of various ministries and agencies of the Ogun State government, local council officials, representatives of the civil society, the media and academia, came under one roof to explore new directions and democratic opportunities for addressing the surge of local discontent against the political, economic and environmental disenfranchisement of local populations.

The meeting was divided into three panels under the following sub-themes: "Community Perspectives", "Economic Development and Human Security: Striking a Balance", and "Taking Community Engagement Seriously". Each panel had three speakers drawn from the civil society, government, OKLNG Nig. Ltd. and the Ode-omi community.

In his welcome speech, the roundtable host and convener, Felix Morka, SERAC's executive director saluted the cooperative participation and the broad-based consultations with stakeholders, particularly the Ogun State Government and OKLNG that took place prior to the event. Continuing, he observed that the presence of the state government demonstrates its willingness to talk, draw and learn from experiences wherever possible, especially from the people themselves. Overall, the essence of the roundtable is to allow key actors involved in the OKLNG project to engage in robust deliberations around conflicting issues, so as to bolster the prospects for adherence to due process, rule of law and respect for human rights by the tripartite actors.

“It is indeed a new day in Ogun State as they brace up to support a process that allows stakeholders to speak, as well as listen to the people, and in the process, enable the government better understand its own role in the development process...The roundtable is an avenue that would allow for learning on how the OKLNG project has been put together, how it has been operated and it will be operated in time to come; and to see whether issues of equity, fairness, justice, participation. inclusion. involvement.

Furthermore, Morka noted that a project as gigantic as the OKLNG is capital intensive, and as such, come with the usual expectation of high investment returns and profits. As profit and loss are popular expressions used by people who are vast in economics and business management, some people may be quick to ask, “what really is the business of SERAC or JDPC or some other civil society organizations (CSOs) in this economic undertaking, especially when assumptions are rife that CSOs have no technical or professional experience in relation to energy, oil and gas”.

Responding by way of an analogy, Morka expounded that one thread connecting all three dots – the business, the government and the people is human dignity. For the civil society, business is important only as a means to achieve an end. Politics and businesses must strive to pursue a common goal and end, and that end is the exigency of human security and the promotion of human dignity, otherwise business is meaningless. So an investment that is made and conducted purely on the basis of economic efficiency calculations cannot be sustainable, much less deliver on the promise that the business itself has defined as its goal.



Historically, the Nigerian peoples have been alienated by their own government especially the military government. The last eight to nine years has witnessed an emergence of Nigeria and Nigerians from very dark periods of political history. During the dark periods, people simply held government in awe, because they either feared the government or they suspected government to the point where they were just not willing to stand up and be counted. The government, for the most part of our history, has not really served the primary purpose of government which is the promotion of wellbeing of everyone, especially those who are least able to care for themselves. Current economic scholars and development thinkers have decided that development must lead to an expansion of economic

freedom and capabilities, otherwise it actually becomes very questionable.

Against this backdrop, “the roundtable is an avenue that would allow for learning on how the massive project has been put together, how it has been operated and it will be operated in time to come; and to see whether the issue of equity, fairness, justice, participation, inclusion, involvement, empowerment etc; are included in the implementation processes”, he concluded.

Lekan Tejuosho, Commissioner for Community and Cooperatives, Ogun State gleefully remarked that the OKLNG project is moving forward, despite the politically-inspired challenges facing the Ogun State government. He stated that the political threat is borne out of the selfish interest of many people in this project, hence the need for collaborative efforts at ensuring that the project does not disintegrate. Even in the face of fierce competition among state actors for the OKLNG project, it is only the political will of the Ogun State government that can sustain the project otherwise the dream will drift to other parts of Nigeria.

Speaking on behalf of the Economic Adviser to the Governor of Ogun State, Elder Ade Sadiku, Permanent Secretary for Economic Planning, the Bureau of Economic Planning and Development, Ogun State acknowledged the impartial and unbiased role played by SERAC and JDPC in working cordially with the Ogun state government to create a conducive working environment within Ode-omi and its immediate environs. The unbiased nature, impartiality and neutrality of the civil society organizations is evidenced by the intermediary role they have played in facilitating engagement between government and the host community of the free trade zone and the OKLNG projects. He added that the leadership of Ogun State is a very humble one and officials serving within Ogun State government, the OKLNG and OKFTZ projects are quite receptive to objective counseling and views emanating from the other side of the divide.



Corroborating Commissioner Tejuosho’s account, Elder Sadiku claimed that considerable improvements have been made in the OKLNG host community, and supported his claims with a detailed account of the state government’s development interventions within Ode-omi community. He outlined a roll call of community development initiatives in Ode as follows:

- All the ministries and agencies of government have been charged to upscale their role in improving the wellbeing of members of Ode-omi community, and tackling the socio-economic conditions that may work to their disadvantage. Along these lines, the Ministry of Rural Development and Water Resources has been charged with the responsibility of sinking a borehole in the community.
- The Ogun government is interacting with, and urging the OKLNG to perform its corporate social responsibility to their host community. Quite recently, the OKLNG distributed educational materials to primary schools in Ode-omi community.
- The bureau of electricity and rural development is presently working on the rural electrification of the community.
- The government has held several meetings with community leaders and representatives at the Kabiyesi’s palace in order to keep local populations informed and abreast of happenings within the OKLNG project, both locally and at the federal level.
- Government has been participating and supporting the annual Ode-omi day celebrations in an effort to preserve the cultural identity of the people. Government’s participation in the annual event has also helped to deepen cooperation and engagement with regard to the development of, and implementation of the OKLNG and OKFTZ projects.

The Ogun State Government has had its fair share of challenges, both internally and at the federal level. “Challenges coming from the federal level are politically motivated”, says Sadiku. The internal challenges derive from the myriads demands made on government’s meager resources. “To ensure parity and equity among all the projects on ground, specific allocations have been made for each project and from time to time, we give out what we can afford to keep all the projects running concurrently”, he explained.

Even with the stock of limitations lacing the path of the OKLNG project, Elder Saiku assured that the Ogun State government is determined to do all that is humanly possible to drive the OKLNG and OKFTZ projects to fruition, and make life comfortable for the people of Ode-omi, and Ogun State citizens as a whole. In a concluding statement, the permanent secretary admonished the youths to shun restiveness, but should rather, channel their grievances or complaints through the Community Consultative Forum (CCF). The government

created the body comprising representatives of different interest groups within the community to facilitate direct access of local leaders to Ogun authorities. The body has various sub-committees on security, education and rural empowerment. With a tone of finality, he announced that the Ogun government has never received any complaint that was not immediately addressed.

Reading out a text message sent in by Rev. Father Patrick Ngoyi, Coordinator of the JDPC, Ijebu Ode, Frank Opono esq. prayed for successful deliberations and mutually rewarding outcomes from the parley. “Just like SERAC, the JDPC is concerned and interested to see that the OKLNG project kicks off on a right footing”, he commented.

Panel One: Community Perspectives

Chair: Austin Onuoha of Africa Center for Social and Corporate Responsibility (ACCR)

Panelists: Mr. A.A. Okuneye, Community representative, Mr. Bayo Oguntuga, Chairman of the Community Consultative Forum and, Ms. Victoria Ohaeri, SERAC’s Program Coordinator, member of the JDPC/SERAC fact finding missions.

“Political will is a surviving tool for the success of the OKLNG initiative”, says the session chair, Mr. Austin Onuoha in his opening remarks. According to him, community participation is nothing new. In Indonesia that also has an oil economy, Memoranda of Understanding are usually executed between oil firms and host communities. One of the regular provisions in the MOU is that the community people should provide security for the facility in that area, to be trained by the police and military forces. When oil exploration began in Alaska in the USA, “*the village corporations of Alaska*” was established to facilitate community engagement and involvement in oil development activities in the region. The village corporations can be likened to the CCF of Ode-omi community, but the interesting thing about the village corporations of Alaska was that they took it upon themselves to build social capital, and the technical capacity of their indigenes to secure employment, to mobilize, and actively participate in the oil sector.

Even though Chad is not particularly a good example, when Exxon Mobil started a huge oil project in Chad, they thought that throwing money to the community would solve the problems associated with oil exploration. Community members were paid some money, equivalent of \$5000 dollars as compensation. Two years down the line, the money had dissipated, resulting in widespread angst and surging discontent among local populations. A subsequent study by an American professor/anthropologist commissioned by Exxon Mobil to investigate the unrests revealed that the compensation exercise was not supported by adequate arrangements that encourage entrepreneurial development, financial management and participatory community service delivery.

Come to think of it, “Is it the responsibility of the oil company to assume these responsibilities? Though a quick answer may appear to be “No”, “*If promoters of big businesses do not create the right conditions that allow their host communities to manage the compensation and resources at their disposal, they pave the way for insatiability and discontentment among local populations, and then the economic development projects would no longer be sustainable*”, warned Mr. Onuoha.

Furthermore, Mr. Onuoha observed that lessons should be learned from the mistakes of Shell Petroleum Development Company’s (SPDC’s) oil operations in the Niger Delta. In his words, “Shell’s major problem was hinged on the lack of consultation with the communities in which they operate.” Against this backdrop, the OKLNG and the Ogun State government should avail themselves of the opportunity the roundtable presents, to make amends and set right motions to involve, consult and include the Ode-omi community in all matters relating to remediation, project planning and implementation of the OKLNG project.

- *OKLNG Project: Our Expectations - Mr. A.A. Okuneye (Ode-omi Community Representative)*

Starting off on a note of appreciation to the Ogun state government for situating the OKLNG and the OKFTZ projects in their community, Elder Okuneye divided his presentation in three parts:

1. Compensation

The Ogun state government organized five working groups within the community, namely:

1. Site Selection working group
2. Value and Compensation working group
3. Design and Build working group
4. Sustainable Livelihood Restoration working group
5. Consultation, Communication and Engagement working group

“As member of the Value and Compensation working group chaired by Engineer Adeyemi Taiwo, meetings were held twice at the Bennysimo hotel in Lagos. Prior to this meeting, Ogun government representatives had given us strong assurances regarding the government’s eagerness to adequately compensate people affected by the OKLNG project. To give fuller effect to this assurance, the Ogun Government promised it would commission an estate valuer to enumerate and value the crops on their land. We reached an agreement in principle with the government that community members will secure the services of an independent surveyor and valuer to work with the government-contracted valuer”, narrated Elder Okuneye.

Continuing his narration, “We were therefore surprised when the chairman of the working group discouraged us from both inviting independent valuers to negotiate on our behalf or even to seek independent expert advice regarding the valuations. In unwavering response, the people resisted his directives, resulting in the deadlock of the first meeting. During the second meeting, the people insisted that they are not willing to negotiate except the independent experts they had engaged are allowed to participate, and negotiate on their behalf. We, the community members also requested that the compensational procedures and package should comply with international standards. The persistence of our demands led to another stalemate. Ever since, the government sidelined the working group, and it has now ceased to be functional”.

His narration set the tone for the presentation regarding the expectations of Ode-omi community. He appealed that his people would like the compensation scheme to be revisited so as to ensure the adequate compensation of affected people in line with international standards. The review had become necessary as some individuals had become hypertensive, while some have developed serious health conditions when they got to know how much accrued to them during the official enumeration exercise.

2. Infrastructure

Acknowledging that the different parts of the community have witnessed the development and expansion in terms of social infrastructure, he urged the Ogun government to intensify efforts in the area of road construction, provision of medical facilities and other basic services. He revealed that some newly-constructed projects such as the bore-hole project has not been functional from inception as not even a cup of water has been drawn from the tap. Agreed that the establishment of the CCF committee to serve as an intermediary and medium of information dissemination between the government and the community people is a welcome development, the CCF is hardly informed about developments regarding the OKLNG project. He also disclosed that the Ogun Government barred the CCF from liaising directly with the OKLNG, and this excessive official interference in the internal workings of the CCF had hindered the efficiency and effectiveness of the young organization. He therefore beseeched the government to stop interfering with CCF’s activities and thus, give them free hand to do what they know is best for their community.

3. Land

Even as Ode-omi community members are happy to host the OKLNG and OKFTZ projects, there is increasing dissatisfaction about the way and manner the project is being implemented. The growing discontent is premised on the non-disclosure and denial of access to important information regarding the actual land mass compulsorily acquired in favour of the project. “While various appeals to provide us with information have been ignored, speculations are rife that the proposed landmass acquired leaves little or no space for us to farm, and for our

children and unborn generations to build new houses in the future”, lamented Mr. Okuneye.

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Elder A. A. Okuneye, Ode-omi community

In his concluding remarks, he reiterated his plea urging the government to revisit the resettlement scheme, follow due process and procedures outlined in a range of international instruments. He admonished the government to meet the community’s demands, lest, they (Ode-omi community) would withdraw its cooperation and support for the project. Should resettlement become inevitable, community people would want to see prototypes of the building structures to ensure that the buildings suit their cultural and religious conditions.

Denying the people direct access to the OKLNG has created a situation whereby the people are becoming increasingly distrustful of government actions. “The OKLNG company is our tenant, and we must move close to them to build mutual understanding” Okuneye insists. Not only should the government allow and facilitate direct community engagement with the OKLNG, he further enjoined the Ogun authorities to emulate best practices from other similarly-situated communities, such as the Ibeju Lekki community in Lagos State where the Lagos State government signed an MOU with the communities affected by the Lekki Free Trade Zone (LFTZ) project, and even gave the communities shareholding interests and equities in the FTZ company.

- *OKLNG Project: Our Expectations: Mr. Bayo Oguntuga, Chairman, Community Consultative Forum*

Mr. Bayo Oguntuga did not hesitate to admit that the issues flagged in Elder Okuneye’s presentation were real. Towing the same line with the elder, Mr. Oguntuga reiterated the importance of the government to follow due process in the design, planning and implementation of the OKLNG project. He therefore advised the government to address the various concerns as would allow a smooth take off of the project. In addition, he reminded the government to make good its promise to upscale community development as soon as possible.



- *Presentation of the Report of Fact Finding Missions to Ode-omi: Issues and Perspectives - Ms. Victoria Ohaeri, Program Coordinator, SERAC*

Starting off with an exposition of the rationale for the missions to Ode-omi between 2007 and 2009, Ms. Ohaeri affirmed SERAC’s firm convictions that people have a right to information, and a right to participate in the design and implementation of social and economic policies and programs that affect their lives and future. SERAC also believes that human dignity and human security are, and must remain the primary purpose of government and the development process. Consistent with these convictions, SERAC is determined to launch a departure from the false starts that paved the way for the anarchy that has engulfed the Niger Delta region by broadening the access of the OKLNG host community to, and strengthen their participation in, the design and implementation of the OKLNG project.

Among other objectives, the various missions undertaken by SERAC, JDPC, and the Open Society Initiative for West Africa to Ode-omi sought to gain information on the host community's understanding and perceptions of the project; ascertain the levels of adherence with applicable national and international human rights laws; determine the quality and overall effectiveness of OKLNG engagement with the community, with regards to consultation and participation of community members in the conceptualization, planning and implementation phases of the projects, and most especially, gain broader insights into the due process and procedures patterns especially in relation to land acquisition, compensation and resettlement issues.



The missions deployed an array of methods to distil accurate information from the field, not limited to a community public hearing, group discussions, onsite inspections, administration of 43-item questionnaires to eighty seven respondents, rich mix of photo use and video recordings, and further off-site research and secondary literature. The missions observed that the disturbing socio-economic and political conditions that prevailed during 2007 visit had slightly improved in 2009. For instance, awareness about the OKLNG project was at its lowest ebb as of September 2007. Information about the actual land mass required and compulsorily acquired in favour of the project was also not available to the community.

Compensation, relocation and resettlement arrangements and outcomes of statutorily-mandated environmental and social impact assessment (EIA) studies were also unavailable. More so, none of the community members interviewed had knowingly been involved in the EIA consultation process.

The conditions of infrastructural and basic amenities were much worse, or at best, virtually non-existent. Official high-handedness and non-disclosure of project-related information fuelled rumours and speculations about the project: a situation that sparked off sharp divisions amongst community members. There was nothing on ground that suggested that environmental and social safeguards have been integrated into concessioning and contract agreements to protect the local communities. Perhaps most telling is that many persons interviewed during the 2007 mission expressed overwhelming disapproval of the mega projects, and wished that the projects would be moved to another location.

By the end of 2008, the levels of awareness regarding the OKLNG project had comparatively improved. Consequently, the project was gradually gaining grass root support. The establishment of the CCF and local project committees tended to suggest that there was an intention to engage community members in the project implementation. Consistent with its consultation and information disclosure plans, the OKLNG company opened an intercom office in the community, and recruited a community youth to expand local access to information about the project's conceptual background, key actors, and the associated strategies it would put in place to stimulate sustainable community development. With the exception of very few infrastructural developments such as the construction of a water bore-hole facility, and structural improvement of a school building, the social and environmental conditions remained largely the same.

The mission observed heightened tension and uncoordinated protests flowing from extensive dissatisfaction and resentments towards the enumeration and compensation exercise undertaken by the government. The tension that was building up in the community was attributed to their exclusion in the items listed for enumeration and compensation. Majority of the compensated persons interviewed complained that they were unaware that the compensation package amounted to forfeiture of final interests in their lands. Many reveled under the belief that the compensation received was only in respect of economic crops and trees, and were still very much hopeful of further compensation for their land.

The disturbing dimension to the complaints raging through the length and breadth of the community is the brazen due process breaches attending the compensation exercise. For instance, not a single compensated person in the community had copies of the bundle of documents they purportedly signed. Not only that, the mission could not locate anybody that was afforded an opportunity to seek legal advice, or to read the contents of the documents before appending his/her signature/thumbprints, nor was any jurat administered to ensure the community members clearly understood the contents and implications of signing the said documents. The

Nigerian law makes it mandatory for a jurat to be administered on illiterate persons prior to the execution of legal documents and agreements.

Despite the torrents of objections trailing the compensation exercise, community members were unaware of the government's Grievance Management Program (GMP), and including where and how it could be accessed.

In conclusion of the presentation, Ms. Ohaeri called on all the OKLNG project stakeholders to take the following more seriously:

- expand access to information by developing clear and accessible information request procedures, and including the translation of important project documents such as summaries of environmental assessments and plans related to resettlement or indigenous peoples
- promote a better climate for policy development on environmental safety, and community engagement, and situate such engagements within the framework of participatory economic development and environmental safety.
- provide effective recourse procedures for aggrieved populations
- The Ogun and Ondo governments are particularly urged to seek technical assistance, in order to build official capacity to remodel best practices and standards applied in locations living in comparable circumstances.

The mission observed heightened tension and uncoordinated protests flowing from the extensive dissatisfaction and resentment towards the enumeration and compensation exercise undertaken by the state government. The tension that was building up in the community was attributed to their exclusion in the consideration of the compensation regime, compounded by their ignorance about the items listed for enumeration and compensation. Majority of the compensated persons interviewed complained that they were unaware that the compensation package amounted to forfeiture of final interests in their lands. Many revealed under the belief that the compensation received was only in respect of economic crops and trees, and were still very much hopeful of further compensation for their land.

Ms. Victoria Ohaeri, Report of SERAC/IDPC Fact Finding Missions to Ode-omi

Ending the session, the session chair, Mr. Onuoha concurred that Norway provides a best practice example of oil exploration and oil revenue management that the Ogun Government can learn from. He further observed that the success of Norwegian oil economy rests on three major factors:

- The people were prepared for an oil and gas economy
- Expectations were managed, hence the demands and expectations of Ode-omi people are not unusual, but rather should be properly managed by OKLNG and the government.
- The information road remains open at all stages of project design, planning and implementation.

Plenary Session

Unsurprisingly, the plenary provoked an interesting debate and interaction between stakeholders regarding the imperativeness of the state to imbue the OKLNG and OKFTZ processes with the needed clout and credibility, and the corresponding role of multinational corporations to align their operations with international human rights norms, so as to avoid problems that could be detrimental to long-term project sustainability and economic growth.

As the questions, (tons of which were fielded by community representatives) comments, contributions and proposals poured in, the following concerns featured prominently in the deliberations:

- Whether or not the EIA reports have been released,
- The efforts, if any, made by community people to directly engage OKLNG despite government's objections. If they made some efforts, what was the outcome?
- Are there complaint mechanisms put in place by the government to address community grievances and concerns. If yes, are Ode-omi people aware of such systems or programmes? And how accessible and affordable are these programmes?

- What steps have been taken to involve the Ogun State Office of the Public Defender in the OKLNG processes to mediate infractions that may arise from the implementation of the project.
- Who paid the compensation: Ogun government or the OKLNG company
- When will the long-promised Ode-omi rural electrification project take off?
- Is there any plan in the offing to execute a binding agreement or MOU that reflects the outcomes of the negotiations and consultations, and in accordance with the interest and needs of all parties? Assuming there is, would such an agreement be executed between the host community and the OKLNG company or between the host community and the government
- What are the processes involved in drafting and signing of the MOU?
- A communication gap obviously exists between Office of the CCF chairman and the community people as it is glaring that they are unaware of the happenings around the OKLNG. What measures are being taken to strengthen channels of communication to ensure effective top-down information flow?

Responses:

In a characteristic display of idea exchange and knowledge transfer mingled with defensiveness and petulance, the questions and comments outlined above precipitated a gush of feedback, reactions, accusations, counter-accusations and wise counsel. Regarding the EIA report, the OKLNG ESHIA Coordinator, Lode Wijk Werre explained that the OKLNG project is a very complex one with several EIA reports, which were available for presentation at the roundtable. He also informed that the reports were available and accessible by community members at the OKLNG intercom office in Ode-omi. At the request of the OKLNG spokesperson, Mr. Agunbiade Oluwole, the discussion regarding the EIA reports was deferred to the afternoon session.



The CCF chairman, Bayo Oguntuga's response to the communication deficits between him and the rest of the community was dramatic, and at the same time, revealing. He explained that several attempts made by the CCF executives to engage the OKLNG for relevant information has been futile owing to the communication barriers imposed by the Ogun government. Nevertheless, the CCF had raised the stakes toward addressing the concerns



raised, but, the potentials for success have been largely undermined by the lack of information, and including the CCF's inability to access official authorities responsible for the project. Contrary to the earlier claims of Permanent Secretary Sadiku that the government frequently consults the CCF, Mr. Oguntuga traced the gap in communication to the dearth of opportunities to hold regular meetings with the government. "Since the establishment of CCF in 2007, we have held only two meetings with the government, and that happened in the last one month or two", he further disclosed.

Concerning the existence or otherwise of complaint mechanisms, Mr. Wale Sanni, an Ogun government representative from the office of the Economic Adviser to the Governor reacted that Grievance Management Programme (GMP) is in place "and the community people are very much aware of this". Apparently astonished by the community members' expression of ignorance about the GMP, he retorted that the CCF chairman was a part of the committee constituted to look into the complaints and issues of the community people. 'Indeed irregularities were rife. For example some people did not allow their farms to be enumerated. It was such grievances that informed the basis for the creation of the GMP. About 75% of those affected have been compensated, and it is incorrect for community members to state that they weren't aware that the GMP existed'. Reprovingly, he added that the "the GMP has addressed issues of compensation, enumeration problems, missing enumeration certificates and absence during enumeration etc."

In response to Mr. Onuoha's enquiry whether the GMP was an enumeration/compensation afterthought or formed part of the project execution methods right from inception, Mr. Sanni explained that the GMP was also envisaged as a platform to deepen community engagement and community participation. The Ogun government even initiated a hand book on various themes to direct women empowerment, livelihood restoration and the like. The reason behind the fairly large government representation at this roundtable is to enable them listen and observe how the engagement process has fared and how effective it has been.

Aligning with Mr. Sanni's interventions, Mr. Segun Oshinaga, Community Relations Officer for OKLNG and OKFTZ projects validated that the CCF chairman has been in regular touch with the State government to inform the government about the difficulties, complaints and issues affecting the community people, and that the State government has in turn, looked into the issues to proffer solutions where possible.

As regards who paid the compensation, Mr. Oshinaga clarified that the Ogun State government paid the compensation based on a "harmonized policy" reached between the Ondo and the Ogun state governments. The details of the *harmonization policy* were not provided. He added that the government had always intervened whenever any problem arose and buttressed this point with an instance when some youths seized a vehicle belonging to a telecoms operator and disrupted their operations, Ogun government intervened and peacefully resolved the infraction.

Equally irked by the statement by community members alleging that the government reneged on its promises to Ode-omi people, Mr. Segun Sowunmi, Head of Corporate/Public Affairs, OKFTZ, OKLNG and OK-Deep Sea Port, charged community members to cite a clear example where the government failed to live up to expectations. He reiterated that the government established the CCF to perform a middle-man role between the community and government, however for reasons yet to be ascertained, the CCF has not been able to manage its office effectively, and live up to billing in its role of disseminating information passed on by the government to the community people. He also berated the people for making frequent unrealistic demands on the government.

On the issue of compensation, Mr. Showunmi asserted that the cost implications of bringing such a big project to Ode-omi is enormous considering that the community was previously virgin land devoid of any system of infrastructure that can be improved upon. "As a result, the government does not expect all the community members to be satisfied with the compensation paid. This is part of the price that has to be paid for development and some people just have to pay it.

With respect to electricity, Ode-Omi is in the process of being connected to the national grid and machineries are already in place to use generator to power the borehole and provide water for the community in the meantime. He also cautioned that the government and Ode-omi community are not, and should not be seen as being on two polar ends.

Panel Two: Economic Development and Human Security: Striking a Balance

Chair: Dr. Charles Akinola, Executive Director, Enterprise for Development International;

Panelists: Dr. Sam Amadi, Ken Nnamani Leadership Center, Abuja; Honorable Lekan Tejuosho, Commissioner for Community and Cooperatives, Ogun State and Harry Ogwuche Obe Esq, National Human Rights Commission, Abuja.

Dr. Sam Amadi's presentation situated the OKLNG project within the context of the human rights discourse, particularly focusing on the tremendous benefits the rights framework offers for arbitrating between different claims of rights. He stressed that the diverging views and competing claims of the tripartite actors involved in the implementation of the OKLNG project (Ogun State government, OKLNG and Ode-omi Community) have necessitated the intervention of the human rights framework.



In his contextual definition of human rights, Dr. Amadi described human rights as “an end”, “a means” and “a process”. Human rights as an end refers to its valuable nature in terms of the ability to own it, assert it and defend it. For instance, when community members insist on being informed, it is not just because the information will help them to manage their expectations from the OKLNG project better, but because, knowing what is happening around them is in itself valuable. Likewise, getting the community involved in decision making, and involving them in the project implementation satisfies the fair hearing aspect of human rights. In other words, all stages of the OKLNG development should be conducted in a way that guarantees that right.

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What is more, there is no contradiction between human rights and development. For development to be effective and sustainable, it must align with human rights values. Likewise, development can no longer be termed as “development”, if it is not about people...Development is not just about structures, but about empowerment, about human flourishing, about human beings being able to master their environment and become active and useful players...Dr. Sam Amadi

There is no contradiction between human rights and development. For development to be effective and sustainable, it must align with human rights values. Likewise, development is about people and, and must consequently, focus on expanding the capabilities of the people to exercise greater control and determination of their lives.

Human right as a process deals with the facilitation of qualitative processes as outcomes. For example, with regards to the issue of information flow, if the state government relaxes the policy disallowing direct interface between the community people and OKNLG company,

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this would help ease the disruption in communication flow, and in turn, help the project meet its efficiency objectives. In other words, had the communication lines been opened and the community people adequately informed and sensitized on the OKLNG project's huge potentials for improving local economy and wellbeing, some of the disruptions in information flow and the attendant costs would have been avoided. Therefore, human right serves as a process for the efficient delivery of quality goods and services. And wherever there is business without human rights, development cannot be sustained.

Going back to the Norwegian example, the Scandinavian countries top the hierarchy of global businesses in terms of competitiveness and efficiency. The ability to achieve this feat is mainly attributable to their number one position for obeying human rights, and having the best social welfare system. They also pride themselves as owners of the most innovative leading companies in information technology such as Nokia, Siemens, and Sony Erickson.

For a project to attain sustainability status, the development it brings should be able to facilitate freedom in the long-, medium- and short term. It should not compromise other valuable human good. For instance, while it is valuable to have school, so also is it valuable for people to have and enjoy their leisure time. That is to say that in order to build a school, the cultural grove where the people observe their religious rites should not be destroyed because of the development of the school.

Midway in his presentation, Dr. Amadi lobbed a poser, thus: *“Do we have a right to destroy tomorrow? Do we have the right to satisfy our material needs to destroy tomorrow? How much of obligation(s) do we owe the future generation to leave the environment acceptable?”*

He reiterated that all development interventions must consider the interests, needs and opportunities of latter generations in the same light as the present generation. They have a right to define their own life, and not to be left with the legacy of pollution or the “no home”, “no land” situation. Taking into perspective the demands of the Project Affected People’s Association and their agitation for more land space to take care of their posterior generations, government must understand that the statutory powers to compulsorily acquire land for development-based purposes bears a corresponding obligation to compensate affected persons in line with governing national and international standards.

In his concluding statements, Dr. Amadi warned that development, however involves some degree of social dislocations, but such dislocations must be calibrated in a way that balances the moral, physical, cultural and eco-system.

- *Beyond Development: Improving Livability, Inclusion and Governance - Honorable Lekan Tejuosho, Commissioner for Community and Cooperatives, Ogun State*

Honorable Tejuosho agreed that the success of the Norwegian economy provides a best practice example for the OKLNG project, and simultaneously offers a spring board for the roundtable discussion. He added that preparing the people and managing their expectations hinges on livability, governance and for development itself. Against this backdrop, the Ogun State government has commenced efforts to get structures and strategies underway that would prepare the people for the future. One such strategy is the establishment of the Gateway Petro-gas Institute located at Onne, with the primary objective of preparing community youths technically and mentally, and getting them ready to assume leadership of the massive project before them.

“In Ogun State’s 33 years of existence, no administration ever visited Ode-omi for development-based reasons, except the Gbenga Daniel-led government, and as such, the present Ogun leadership deserves some commendation”, Mr. Tejuosho announced. The fact that Ode-Omi was selected over other equally suitable areas such as Togeji Island located in Yewa local government remains a plus for the community. He went on to outline some of the development initiatives introduced by the Daniel administration in Ogun State such as the establishment of the Petrogas Institute, Ogun State Employment Generation and Empowerment Programme (OGESEP), the Ogun Graduate Welfare Scheme among others. These programmes combined, seek to improve livability and governance in the state.

Beyond the accomplishments accompanying some of the above programmes, the state governments’ initiatives in Ode-omi community are fraught with many challenges, such as:

- The Federal Government represents a political threat to the OKLNG
- The factionalization of Ode-omi community: He advised that there was need for locals to approach and present their demands to the state government as one body, and with one voice
- Deep-seated mistrust among the tripartite stakeholders involved in the implementation of the OKLNG project
- Inadequate resources have slowed down the pace of social infrastructural development in Ode-omi.
- The obscure location of the community somewhat inhibits human resource development and manpower/personnel transfer to the community.

In his final remarks, he praised the Ode-omi community members for maintaining civility despite the barrage of concerns that they had. He however, assured them of continued government support.

- *Human Rights, Poverty and Challenge of Participatory Development - Harry Ogwuche Obe, National Human Rights Commission, Abuja*

Harry Obe began by highlighting points germane to the convergence of human rights, poverty and participatory development. “Human rights” is about people and constitutes laws that apply universally irrespective of the

region, location or national territory. Human rights are the same for everyone everywhere, irrespective of colour, language or location of the right holders; human rights expectations are as well, the same worldwide. Even as he agrees that Norway's human rights practices and application is nothing short of astonishing, the greater question is how, the lessons coming out of Norway can be adapted to, and remodeled local circumstances.

Until the year 2006 when the United Nations projected poverty as a violation of human right, less emphasis was placed on poverty as a human rights issue nor was there any normative connection between poverty and development. On the day marked to celebrate poverty as a human right issue, the UN high Commissioner for Human Rights Louise Arbour stated that *“Poverty prevails as the gravest human rights challenge in the world. Combating poverty, deprivation and exclusion is not a matter of charity, and it does not depend on how rich a country is. By tackling poverty as a matter of human rights obligation, the world will have a better chance of abolishing this scourge in our lifetime...Poverty eradication is an achievable goal.”*

What is poverty?

Poverty is a relative term that may connote different things to different people. However, it can be defined as a state of being poor; the inability to provide material needs or comfort; or the condition that inhibits the capacity of an individual to maintain what is considered a minimum standard. It refers to the shortage of common things such as food, clothing, shelter and safe drinking water, all of which determine quality of life. It may also include the lack of access to opportunities such as education, health facilities, good and decent jobs, political offices and denial of constructive engagement in developmental activities. Even when an individual has not been given an opportunity to air his views, then the individual is poor in that respect.

The rights-based approach to poverty reduction rests on the principles of equality and non-discrimination while upholding the tenets of universality and indivisibility of human rights. Rights-based poverty reduction strategies (PRS) target individuals and groups that are socially excluded, marginalized, vulnerable and disadvantaged, and pursue empowerment and transparency, accountability and participation, as key goals. Because poverty is multi-dimensional in nature, rights-based PRS aim to address poverty beyond the lack of income, but encompasses the deprivation of the right to speak or meaningfully participate in the development process.

What is participatory development?

The concept of participation lies at the centre of human rights-based approach to poverty reduction. The people, especially those who are least advantaged, must be considered as principal actors in development. They ought not, and can no longer be seen as passive recipients or target groups, but as strategic partners and major stakeholders in the development process. What the human rights framework does is to change in a fundamental way, the relationship between service providers and service recipients, and between right-holders and duty-bearers.

Real participatory development is the process whereby individuals and societies build capacity to meet their own needs and improve the quality of their own lives. There cannot be real participatory development except where the people that are being uplifted from poverty can genuinely attest to the fact that they are a part of the process that brought about the change or development. Over the years, various schools of thought have emerged

‘Real participatory development is the process whereby individuals and societies build capacity to meet their own needs and improve the quality of their own lives. There cannot be real participatory development except where the people that are being uplifted from poverty can genuinely attest to the fact that they are a part of the process that brought about the change or development.... In the case of Ode-omi community, information sharing; consultation, collaborative decision making, and empowerment are vital elements that must be present before the OKLNG project can be adjudged as participatory development’.

Harry Obe, National Human Rights Commission, Abuja, Nigeria

in response to prolific research undertaken by development thinkers. One fact that unites the various schools of thought is that the consultation and participation of all stakeholders in the development process boosts the effectiveness of projected outcomes, leads to greater support for the project, reduces the frequency of setbacks and delays, and particularly helps to reduce poverty.

People develop a sense of ownership and commitment to a project when they are included in the processes of managing, implementing, monitoring, and evaluating a project or policy change. In the case of Ode-omi community, information sharing; consultation, collaborative decision making, and empowerment are vital elements that must be present before the OKLNG project can be adjudged as participatory development. Further applying the principles of participatory development to the Ode-omi local context, Mr. Obe enunciated that information sharing is crucial because it puts parties on equal footing in the entire process, and equips them with the right tools that will enable them to actively participate and make informed decisions on matters that affect them.

Consultation and collaborative-decision making on the other hand allows for debate and input from stakeholders before major developmental decisions are taken. It helps to deepen confidence and create parity among project stakeholders. Empowerment is a deeper level of participation that enables the group members to have the wherewithal to exercise more control over development decisions and resources. Discrimination and exclusion from developmental processes have gained universal recognition as poverty and a violation of human rights, same way poor and vulnerable citizens discover hope and feel empowered when they are given a voice in decisions that affect their lives.

Participatory engagement allows for the development of processes and instruments that reflects and responds to the needs of the community, while simultaneously enthrone transparency, good governance and stakeholder ownership of development initiatives. Proper participatory engagement is not only essential towards achieving a proper understanding of the development needs of the community, but also helps increase transparency, promote good governance, enhance stakeholder ownership and collaborative problem-solving of local needs.

Finally, Mr. Obe blamed the absence of policy and legal framework that encourages community consultation and engagement in development planning and implementation for the problems brewing in the community. He ended his presentation with an admonition that the Ode-omi experience has disclosed an exigency that the Nigerian parliamentary agencies cannot afford to ignore.

Plenary Session

The following questions dominated the discussions during the second plenary:

- 1) Has compensation been paid for the land ?(b) If yes, what is the compensation regime that was applied (c) If no, what will happen to the people whose lands and sources of livelihoods have been taken over?
- 2) What is the role of the local government in the OKLNG project?
- 3) Considering the exorbitant tuition fees at the Petro-gas fees, is the state government providing any form of financial assistance to Ode-omi people?
- 4) What is the state government doing to widen the curriculum of the Petro-gas institute, and to make it a more globally acceptable institution not limited to the OKLNG.
- 5) Is there any measure/structure in place to enable community members manage livelihoods after compensation
- 6) At what time should the civil society organizations challenge the government and corporate actors with regards to the implementation of the project?

Responses:

Reacting to Mr. Tejuosho's comment that no other Ogun administration had ever visited Ode-omi, Evangelist Otudeko, the Vice President of Ode-omi Development Association corrected that the Onabanjo, Osoba and Ewang administrations at different times visited Ode-omi community. Regarding the evident polarization of Ode-omi community, he sought government's intervention in uniting the fragmented groups.

In his usual jovial approach, Commissioner Lanre Tejuosho rejoined that although other administrations may have visited Ode-omi community, it was only the Gbenga Daniel administration that brought development to the area, and therefore, the footprints left by the past administrations in Ode-omi remain insignificant.

His response to the question as to whether the government was providing assistance to offset high fees at Petrogas Institute was unclear as he simply mentioned that the government had earlier set up OGROMA, and the Petrogas Institute which the federal government hijacked. On whether compensation had been paid for the land acquired, Commissioner Tejuosho announced that the Ogun government had not only compensated affected persons, but is also being guided by a master plan that directs the planning and execution of the OKLNG processes.

Honorable Lekan once again, acknowledged that the different voices and divergent opinions expressed by community members regarding the compensational modalities is another major threat militating against due process. The onus therefore, lies on the community members to unite themselves, and with one voice, present satisfactory modalities and arrangements for compensating them. He also identified trust as the missing link in the OKLNG tripartite structure, and implored the community members to trust the state's capacity to protect their interests. He gave strong assurances that the state would in turn, never disappoint them or abuse the trust and confidence reposed on it.

An emotional Suraj Olanrewaju feared that going by the free flow of contrasting accounts, accusations and counter-accusations between the Ogun State government and the Ode-omi people, the mistakes of the Niger Delta are about to be repeated. Thus, he advised that the economic aspect of the project ought to correlate with human development, and the state needs to take aggressive steps to assuage the people of Ode-omi until they are satisfied with the project.

Dr. Tony Akpoborie strongly felt that the reverberating emotion-laden outcry about the dispossession of community lands without adequate compensation reinforces the fact that the people of Ode-omi ought to have been consulted regarding the extent of land needed. If that had happened, it would have afforded an opportunity for the people and the government to reach a consensus about the landmass available, and most of the objections and issues raised would have been avoided.

On the issue of management of livelihoods after compensation, Dr. Sam Amadi noted that the payment of compensation is a continuous process that has a golden rule: "deemphasize money, but sustain livelihood". He also advised that livelihoods after compensation should be structured to build the capacity of both the present beneficiaries within the Ode-omi community and the generations yet unborn. He further stressed that diversity of opinions should be expected from a largely heterogeneous community like Ode-omi that has different interest groups, caucuses and sharp divisions amongst them. He however warned that the divergent interests and perspectives among community members should not be exploited as an avenue to violate the rights of the people. If unchecked, the perceived indifference to community concerns on the part of the Ogun government may likely snowball into anarchy and make the Ode-omi community an unfavourable location for the OKLNG mega project. He concluded with a reminder that the state has an obligation to monitor the activities of OKLNG in keeping with the constitution and a wide range of regional and international instruments that Nigeria under-signed.

Taking sides with Dr. Amadi, Harry Obe added that the human rights framework provides a dynamic solution to development related challenges. He also enlightened that whenever the government acquires public or

communal lands for overriding public interest, compensation is paid, though there is no uniform scale for calculating compensation payable in the different states of the federation. Meanwhile, he observed that the compensation regime that had been in existence since the post-independence era is ripe for review to align it with the economic realities of the day.

As regards the appropriate timing for civil society intervention, Felix Morka advocated that the civil society, especially NGOs serve as watchdogs of the society, a role globally acclaimed as essential to the promotion and strengthening of participatory development. There is no doubt that the vast networks and grassroots knowledge of civil society organizations help in the formulation and delivery of pro-poor development. This is made possible because of their usual role as information intermediary between policy makers and target populations, drawing on grassroots participation and information from its fieldwork and activities to present policy analysis and options to policy-makers.

Panel Three: OKLNG: Taking Community Engagement More Seriously

Session chair: Terna Agor, Community Development Initiatives

Panelists: Oluwole Agunbiade, External Relations Manager, OKLNG; Felix Morka, Executive Director, SERAC; Olusegun Showunmi, Special Assistant to the Ogun State Governor on OKLNG Matters

Beginning the discussions at the roundtable's last session, the chair, Mr. Terna Agor reiterated that the OKLNG project planning and implementation processes think beyond the Ode-omi community, but rather, take the future generation into consideration. In this connection, building community ownership of the project transcends ownership by the present inhabitants of the community, but extends to generations yet unborn. One way to make this happen is by putting the rights legal frameworks and parameters in place to sustain community ownership and participation in the OKLNG project.

Another way to nurture peace and avoid friction between stakeholders is by appreciating and accommodating each other's perspective, and eschewing placing emphasis on any particular standpoint as being very correct. Rather, all stakeholders must come strive to see the project from a common angle until they get to a point where the government and the people begin to see the OKLNG project as their own. No party is entitled or allowed by law to foist its own ideas of what development should be on the other parties.

- Sustainable Community Development: OKLNG Perspective: Mr. Oluwole Agunbiade



On a starting note, Mr. Agunbiade Oluwole made two clarifications: Ode-omi community is not an oil and gas producing area, but only host to oil and gas facility. Playing a mere hosting role situates the OKLNG project outside the context of the conflict-ridden oil and gas exploration in the Niger Delta. The second clarification relates to the genial relationship between the Ogun State government and the OKLNG company, which again, separates the project from related initiatives in the Niger Delta where the crisis is mainly attributable to the breakdown of effective governance and inter-agency collaborations. He praised the Ogun government for its ability to listen to constructive ideas, and objective criticism especially as it affects the Ode-omi community.

Delving into his presentation proper, Mr. Agunbiade shared a somewhat detailed overview of the OKLNG project as follows:

Sited in Ode-omi community, South-West Nigeria, OKLNG is a liquefied natural gas (LNG) project facility consisting mainly of two trains, producing a total of 12.6 million tonnes per annum of LNG and 2.3 tonnes/annum of LPG as a by-product. Each train will process 1.15 billion cubic feet per day of feedgas. Its

major shareholders are NNPC with 46.75% shareholding interests, Chevron 19.5%, BG-14.25%, and Shell 19.5%.

The OKLNG's sustainable development strategies within the host community range from economic empowerment to community engagement, environmental stewardship, resettlement, community development, educational support, infrastructural support, Nigerian content and partnerships-building. In the area of community engagement, the OKLNG is guided by a philosophy that seeks to *"Initiate, deploy and sustain a participatory engagement process that would facilitate the active involvement of every critical segment of the society in making decisions about the nature and structure of community development projects and programs. The current engagement process recognizes and respects the desire of Ogun State Government (as owners of Olokola FTZ) to play a leading role in our engagement with the local communities and their traditional authorities"*.

OKLNG takes its engagement with the community people to the highest level to allow for community participation in the planning and implementation phases of the project. The aspects that have featured prominently in its engagement with the host community are resettlement and compensation, infrastructural development, employment and labour relations. And the key actors involved in the decision making at every level of community engagement are the Ogun state government, the traditional council, the CCF and the OKLNG.

In an effort to encourage wider information-sharing, dissemination and network of its activities and engagement, the OKLNG launched an information outlet, known as the Project Consultation and Disclosure Plan (PCDP) Centre in December 2007. To bolster the PCDP operations, it continues to hold meetings with community representatives, participate in the community's socio-cultural gatherings or events such as the Ode-omi day, festive periods or seasons, and maintain regular contact with them through the telephone and other electronic correspondence. One important outcome of its community engagement processes is that the OKLNG awarded an Ode-omi indigene the contract to construct benches and desks for schools in the community.

Economic empowerment of the people is of utmost concern to the OKLNG. As a philosophy OKLNG seeks to *"encourage wealth creation and distribution by providing employment opportunities with competitive wages and salaries; promote community content as a strategy for economic empowerment of community contractors; develop and enhance the acquisition of, technical and vocational skills to promote employability and private entrepreneurship"*. Thus, OKLNG believes that the community must be empowered to provide and produce some of the services and the goods needed by the project. For this reason, the OKLNG encourages youths in the community to take advantage of the employment opportunities offered by the project. To match this commitment with action, five Ode-omi people are currently under the payroll of the OKLNG.

As part of its economic empowerment strategy, OKLNG inaugurated the community contract development scheme wherein community contractors are registered based on their capacity and capability assessment, following which various offers of contract are made to the registered persons. For instance, the earlier mentioned contract valued over Ten Million Naira was awarded to one such registered community contractor under this scheme.

And it was the turn of the news most participants appeared to be eagerly waiting for, Mr. Agunbiade disclosed that the OKLNG has conducted the environmental, social and health impact assessment (ESHIA) study for the project, and that the study substantially complied with the Federal Ministry of Environment and the Department for Petroleum Resources (DPR) requirements. The OKLNG conducted a further Early Access Infrastructure Development subsidiary ESHIA to ascertain the suitability and adaptability of the LNG plant itself to the Ode-omi environment, the report of which had been completed and approved by regulators.

Regarding the ESHIA activity status, the resettlement area ESHIA is still ongoing, while the main ESHIA is on-hold. In response to the ESHIA study outcomes, the OKLNG claimed it had developed an Environmental Management Plan (EMP) that outlines how the project will manage the mitigation measures associated with the

impacts identified in the EIA. Some of the main activities the EMP will cover are, preventing and monitoring of potential project related water and soil pollution; development of protection plan for sensitive and endangered habitat and/or species; mitigating and monitoring of social impacts the project may have on the surrounding population. “Moreover, all the EIA documents are available in Ode-omi community and have been translated to local languages for the benefit of the people”, Agunbiade claimed.

With respect to resettlement, the project will impact 13 communities along the coast and creek of Ode-omi community, and the Ogun State government is responsible for all matters relating to the compensation of affected communities. In concluding, Agunbiade reaffirmed OKLNG’s position to build partnership with the community based on trust and harmony, and this would be best achieved when the expectations from the Ode-omi community is managed to align with the country’s current economic situation, the LNG investors and OKLNG’s financial capacity.

- *Ogun State’s Contribution to Complex Project Management - Olusegun Showunmi, special assistant to the Ogun State governor on OKLNG matters*

Olusegun Showunmi started by commending SERAC for providing the platform for the state government to listen to the issues bothering the Ode-omi community, as they (the state) had previously assumed that the engagement processes were sailing smoothly without hitches and problems from, and among the community people. He revealed that the choice of Ode-omi community for large-scale industrial projects was chiefly because of its deep sea component feature together with the availability of the expanse of land required for the project. The community’s suitability for the deep seaport and the LNG projects paved way for the establishment of the FTZ project that has a collaborative extension with the Ondo state government.

“Has the Ogun State government fared well in its dealings with Ode-omi community”, Mr. Showunmi answered himself in the affirmative. He based his response on the present administration’s understanding of both the imperativeness of carrying the people along, and the underlying responsibility to engender favorable living conditions for the people.

Continuing, he informed that the establishment of the oil and gas facility has rightly brought it, heightened expectations from the people of Ode-omi community. However, the community must equally understand that government’s expenditure is limited by its budgetary allocation framework. Notwithstanding this financial limitation, the state government had gone an extra mile to meet with community demands so as to make life more meaningful for them. An example of this milestone is the CCF instituted by the state government to expand community participation in the project.

Despite the huge economic potentials and benefits the large-scale projects portended, a lot of challenges are to be expected as well. The first challenge is the displacement of community people from their ancestral lands, homes and sources of livelihood, which has necessitated the state government to put compensatory measures in place to mitigate the effect of the displacement on the people. The other challenge is figuring out the logistics and landmass needed for the project, alongside all other infrastructural necessities and services as may be required by stake holders. *Segun Showunmi, Ogun State Government*

In undertaking compensation for the loss of land, the state government recruited the services of experts (SIMS) to carry out crop and house enumeration and come up with possible rates for determining fair and adequate compensation. Private sector participation ensures that government doesn’t operate a monopoly in the compensation process. “The compensation process may not be comparable to similar actions in Austria, Norway and the like, but the processes are considered to be best in Nigeria as far as the payment of compensation is concerned.... Government can confidently say that 70% of compensation entitlements have been paid and the overriding interest of the community was taken into account”, Showunmi insisted.

As for the reactions trailing the payment of compensation, he stated that the state government does not expect the people to be completely satisfied or happy because the people are losing their ancestral homes, lands and livelihoods to the projects. The Ogun government is also mindful of the fact that the compensation paid so far is largely viewed as a stipend that is not commensurate with their expectations. Ogun State government is however, confident that the overriding good of the community is best served when the project conceived for them, and the state is fully realized.

On a final note, Mr. Showunmi argued that the rural electrification project in Ode-omi lies solely with the Federal Government (FG), and that it was up to the FG and the National Electric Power Authority (NEPA) to provide power since state governments lack the authority and capacity to generate power independently. All that is required of the state is to distribute the energy supplied by the FG within the state. Nevertheless, he unveiled that the state government has plans to install a diesel-powered generating set that would provide electricity to the people thrice a week.

As a parting shot, he advised that Ode-omi engagement must fashion out a conceptual plan that emphasizes a synergy between the communities, government, the OKLNG and the civil society, but with the government and people on one side.

- *Promoting Inclusion, Expanding Participatory Opportunities by Dr. Felix Morka, Executive Director, Social and Economic Rights Action Center (SERAC)*



Dr. Morka's presentation was more a less, a wrap up of all the roundtable deliberations, particularly issues touching on community engagement, environmental safety, effective government oversight and development of corporate human rights responsibility. It was also a reinvigorating dose of the analysis of the presentations by various speakers, and fully supported with corresponding wise counsel directed at all project stakeholders.

Starting with the community, he noted that Mr. Lekan Tejuosho's remark that the present administration is the first to visit Ode-omi is a pointer to the fact that the community is very unaccustomed to engagements, especially with the government. Therefore, the stage is relatively unfamiliar and they certainly feel the pressure of managing a new kind of conversation dealing with projects of such complexity. The inexperience on the part of the community clearly signifies that a lot of work must be done to get them to grapple with a lot of issues interwoven in the planning and implementation of the project within the community.

Morka considers the diversity of ideas and perspectives in Ode-omi as a healthy development. According to him, the major threat to the people of Ode-omi within the context of the project would be managing the competing voices and segments within the community into a coherent unit. Although it is unrealistic to expect all members of community to speak with one voice, the differing voices coming up with diverse competing ideas and visions must be managed and allowed to mature into a coherent process. It is not just enough to call and have meetings with the different segments, but rather, all groups concerned must be involved in a coherent process of engagement.

“Engagement is not just an event or series of meetings with the Kabiyesi or other community leaders. As important as that may be, it is all of that and much more. It is a process of mutually reinforcing steps that are reiterated...It is not enough to say we are engaging without providing and defining the mechanisms through which people are in fact, enabled to come together”. *Felix Morka, SERAC*

And to the Ogun government, Morka reminded them about the dual role of government in business undertakings: as participants and regulators. Even as scholars are still searching for an expansive binding normative framework within which to guide the development of corporate human rights responsibility, the state is the ultimate duty bearer to ensure that every process attached to the OKLNG project uplifts the people. While it is true that Ode-omi is not a gas producing locale, the environmental, social and legal concerns surrounding the project still remains valid and the state (Ogun government) is obliged to impose duties and sanctions and seek voluntary mechanisms of performance.

Similarly, the government in its formalistic approach to governance quite often assumes that what it has defined as objectives are always in the best interest of the people. Morka informed that this assumption is in many cases

unfounded particularly in the absence of a needs assessment structure and mechanism to involve the people in the decision-making arrangements for determining community needs.

Now to the OKLNG Company, Morka reminded them that they are the critical agency in this project crowned with the ultimate responsibility to ensure that everything else that pertains to the project implementation is done in a way that bears witness to its goals and visions. The OKLNG Company must take steps to make good its commitment to create value for their investors, and simultaneously, enable people to be uplifted to a level where they can become true agents for the realization of their vision.

He further advocated that Ode-omi should be regarded and managed as if the gas is being sourced directly from the community because the consequences of hosting gas production facilities and related operations cannot be substantially differentiated from areas where oil and gas are actually exploited. More specifically, the environmental, social and legal challenges that come with projects of such magnitude remain the same, and apply with equal validity in Ode-omi. Hence, all environmental and safety measures must be launched in the interest of those who are within the proximity of the project to mitigate the effect of potential environmental risk or hazard associated with oil and gas transportation through the deep sea. In the event of oil or gas leakage in many years to come, it would be very unrealistic to assume that the associated adverse effects would be negligible simply because Ode-omi is not a gas producing community.

And coming back to the community, Morka advised that the timing is not ripe to develop or create expectations that are bigger than the project itself. The choice of Ode-omi as a location for the oil and gas facility must be understood as a political decision that could be reversed if it was considered that the location was not conducive for business to flourish, especially since gas is not sourced directly from the community. He urged community members to overcome the challenge of divisions among them spurred by their growing unrealistic expectations as it increases their vulnerability to deprivations of the socio-economic benefits that accrue from the OKLNG project.

In his concluding statement, Morka proposed that processes should be designed to allow the OKLNG company take in the present and future expectations of the community people, and map out sustainable strategies to incrementally and progressively realize them in phases and at different stages of the project. This process must be supported by an effective conflict management system for the sustenance of peace and the creation of right conditions that would enable the OKLNG business to thrive. Appropriate recourse procedures and complaint mechanisms, frameworks must be put in place to address individual or communal infractions that may stem from the project planning and implementation.

Plenary

Concerns around the EIA were the main thrust of the plenary deliberations that followed the last set of presentations. Firstly, the EIA were never produced nor presented at the roundtable as the ESHIA earlier claimed except the summary discussions by the external relations manager, Mr. Agunbiade. A participant was keen to know the sort of EIA certifications that had been obtained and the issuing institutions, while another attendee was interested in the existence or otherwise of some community review process that would enable the



A. Akpoborie speaking

community people independently evaluate the EIA carried out by the OKLNG project. Geologist Anthony Akpoborie, representative of the academe enlightened participants on the step-by-step processes involved in undertaking an environmental and social impact assessments studies, and detailed the stages of verifications required by law before certifications can be issued by the relevant federal agencies. He further observed that if indeed the EIA has been carried out, all the showers of criticisms and concerns by community members would have been identified at the scoping stage of the study.

The loud applause that greeted his intervention tended to bear out the widespread doubts concerning the validity of the EIA studies. Another important issue flagged relates to the accessibility to the EIA reports, especially the ability of community locals to access, understand and analyze the study outcomes.



The fierce debates dovetailed into robust discussions aiming to locate mutual grounds for addressing potential areas of dissent and conflict. Wise counsel flowing from the deliberations are summarized as follows:

- The convergence between human rights and development is widely recognized. Human rights and equitable, sustainable development are mutually reinforcing. Human rights have an intrinsic value, and achieving them must be seen as an objective and critical factor for the long-term sustainability of the OKLNG project.
- As a first step and a demonstration of the government and the OKLNG's commitment to respect human rights, inspire popular confidence and credibility in the OKLNG and OKFTZ processes, they must create the right conditions that are conducive for all parties to negotiate and jointly make decisions on the basis of reciprocity, trust, cooperation, and respect for the wishes, needs and interests of all stakeholders.
- As with Norway, the OKLNG and the Ogun State government should early in the process, create structures that would help prepare Ode-omi people for an oil economy, manage their expectations while ensuring their involvement and participation in decisions about the delivery of actual benefits of gas production.
- In line with the official disclosure policy on constitutive documents, the Environmental, Social and Health Impact Assessment (ESHIA) should be made available to members of the Ode-omi community and other interested persons.
- For the OKLNG project to take off smoothly, and on the right footing, the government and all actors involved must come together to explore and find a mutually beneficial and sustainable solution to community concerns and grievances around land dispossession, enumeration, compensation and resettlement, and fully implement any agreements reached. Such solutions must incline towards national and human rights standards governing community participation, relocation, resettlement and compensation.
- To safeguard the interests and needs of both the present and future generations, infrastructure development plays a critical role in improving quality of life, and in driving social, economic and local development.
- Ode-omi is exposed to same level of environmental, social and legal risks that prevail in oil and gas producing communities. Hence, environmental and social safeguards must be integrated into all aspects of the OKLNG project execution methods and processes to mitigate the associated hazardous consequences the project may have on the surrounding populations.
- Very importantly, the presence of independent national and international monitors and observers is fundamental to the enhancement of transparency and accountability in the OKLNG execution arrangements.

Closing

Speaking gleefully in Yoruba language, the Kabiyesi of Ode-omi community, Oba Adenuga Beyioku Okuniyi (Ojafoyewa 2), the Lenuwa of Ode-omi, Ijebu Waterside expressed profound gratitude to God for the successful deliberations and thanked SERAC for providing the resources and unique platform for enlightenment and discussions on the important aspects of the OKLNG project that bothered them most. He was particular awed by the first of its kind occasion the roundtable provided for community members to have a direct interface with government authorities and the OKLNG company to articulate their views and grievances without any inhibitions. He confessed that the new kind of learning the roundtable brought has also created within the local

populations a sense of empowerment and inclusion in the governance process, with the effect that their hitherto deeply-entrenched mistrust and suspicion of officials has now been transformed into constructive energy and greater determination to contribute towards shaping the OKLNG and OKFTZ dialogue.

Lastly, the Kabiyesi thanked the Ogun State government for its choice of Ode-omi community to host the OKLNG project and hoped that the new face of engagement witnessed at the roundtable would strengthen the cordial interactions and communication flow between the tripartite parties involved in the implementation of the OKLNG/FTZ projects.

Going Forward

At the conclusion of the Conference, the recommendations and follow-up actions generated by the conference participants for the resolution of existing conflicts and the prevention of further conflicts in the future were the following:

To the Government:

1. The people are at the centre of any development process, and as such, the right to information and participation in development thinking and planning are indispensable components of governance and socio-economic development. Accordingly, the state government must take concrete steps to keep the lines of communication and information flow between them and the CCF, the community, and all other stakeholders constantly open, and in a manner that is demonstrably different from past experiences.
2. To safeguard the interests and needs of both the present and future generations, instruments should be developed that will ensure that all aspects of the commitments and agreements that may be reached during negotiations and consultations, will be fully implemented.
3. An effective conflict management system is essential to the sustenance of peace and the creation of right conditions that would enable the OKLNG business to flourish. Appropriate recourse procedures and complaint mechanisms, frameworks must be put in place to address individual or communal infractions that may stem from the project planning and implementation.
4. The Ogun government should consider freeing up some land space for farming and developmental purposes in the interest of posterior generations of Ode-omi community.
5. The Ogun government must raise the bar in monitoring and regulating oil and gas business operations in Ode-omi community. This regulatory function must be supported by effective measures for the enforcement of environmental sanitation, pollution, forest reserve, and environmental impact assessment regulations. Regulatory agencies should have adequate powers and resources, including powers to sanction oil companies for failure to comply with human rights and environmental safeguards.
6. The Ogun government, through its relevant agencies bears a corresponding obligation to keep locals informed about the damages created by oil and gas activities and involve them in the decisions regarding the development of Ode-omi community.

To the OKLNG:

1. Release of reports of the Environmental Social and Health Impact Assessment Studies (if available) – There is need for OKLNG to make public the Environmental, Social and Health Impact Assessment carried out within the Ode-omi community. OKLNG must also come up with an information disclosure policy and clear information request procedures that enable the general public gain access to the project's founding and related documents.

2. Community sensitization and awareness – Working in concert with SERAC, JDPC and other interested NGOs, the OKLNG project promoters should take steps to raise the levels of community awareness about the myriad effects of industrial exploitation/operations on the eco-system, aquatic life and the environment.
3. The alleged insatiability and frequent financial demands and resource mismanagement among local populations can be checked by bolstering human resource development – including employment, scholarship and training - and financial management capacities of the OKLNG host community to manage compensation resources and material and economic benefits accruing to them from the project.
4. For the project to maximally yield its projected gains, the OKLNG and OKFTZ projects’ promoters must dedicate efforts to connect Ode-omi rural community with the urban and global economies through the provision of infrastructure, including transportation, telecommunications, water, and energy, health and education.

To the Community:

1. Regardless of their individual and collective differences, community members must pull together to meaningfully participate in the project, and collectively, gate keep their own rights.
2. Helped by the sensitization programmes, the community must strive to constantly engage the government and OKLNG officials regarding the social, economic, cultural and environmental practices that are affecting their quality of life.
3. Communities should timeously, and relentlessly demand full accountability for, and seek redress before regulatory agencies regarding threats to their human rights and including the social and environmental impacts of the oil/gas industry.

To the Civil Society:

1. SERAC and JDPC, and all concerned independent actors should engage more constructively and directly with the projects’ promoters to provide independent advisory and monitoring assistance in relation to the implementation of the OKLNG project, with an eye on achieving greater focus, accord, synergy between parties.
2. SERAC and JDPC should take their watchdog role and human rights campaign to scale by undertaking vigorous community sensitization of community members so as to educate and empower them on how to use the human rights framework to protect themselves against the actions and inactions of states and non-state corporate actors which undermine the realization of fundamental rights and human dignity.

