



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**FACULTY OF LAW**  
**DEPARTMENT OF PUBLIC LAW**  
**2019\_1 EXAMINATION QUESTION**  
**APRIL, 2019**

**COURSE CODE: PUL 321**  
**COURSE TITLE: ENVIRONMENTAL LAW I**  
**CREDIT UNITS: 4**  
**TIME ALLOWED: 2 ½ HOURS**  
**INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS WHILE OTHERS ARE 15 MARKS EACH)**

**QUESTION**

1. Biswak, an oil company operates its oil business exploration within the Oloja community. It constructed oil pipelines, flow stations, oil wells and well heads with two gas flyers in the community. All the equipment used by Biswak are not natural on land. In the course of the business, there was an extensive oil spillage from the installations of Biswak. The police and the company were alerted about the spillage. The company did not visit the site until the community lawyer wrote Biswak company a week after. The oil spillage covered the river that flows through the community destroying their source of water, killing their fishes. Their economic trees like raffia palms were not left out as they were also destroyed. Biswak company did not deny the spillage but claimed it only affected a small area of the community. They also claimed that they were not negligent. Oloja community consist of mainly fishermen and farmers. Oloja community have taken Biswak to court claiming damages for their loss. Advise them on their chances to succeed.

**QUESTION 2.**

- (a) The National Environmental Standard and Regulations Enforcement Agency 2007 was established as a body corporate with perpetual succession and a common seal. With the aid of statutory authorities, discuss at least three of its responsibilities and functions.
- (b) The National Environmental Standard and Regulations Enforcement Agency 2007 in performance of its function face many challenges. Discuss any three of the challenges.

**QUESTION 3.**

- (a) In Nigeria, environmental problems are acute and devastating despite the laws governing the environment. Many argue that it is not absence of laws but its implementation. Discuss.
- (b) Proffer at least two solutions towards effective compliance.

**QUESTION 4.**

- (a) Examine the relationship between law and environment.

(b) In the traditional settings, environmental sustainability took collective efforts. Discuss.

**QUESTION 5.**

Write short notes on these treaties/conventions particularly as they relate to the environment.

- i. The Universal Declaration of Human Right 1948
- ii. African Carter on Human and People's Right.

**QUESTION 6.**

Annotate the following case and point out its relevance to contemporary environmental law development in Nigeria: *THE SHELL PETROLUEM DEVELOPMENT COMPANY OF NIGERIA LIMITED v. ABEL ISAIAH AND OTHERS* (2001) FWLR (pt. 608)