

BOWEN UNIVERSITY, IWO, OSUN STATE
COLLEGE OF LAW
2023/2024 SESSION
FIRST SEMESTER EXAMINATION
COURSE TITLE: ENVIRONMENTAL LAW I **COURSE CODE: PIL 309**
ATTEMPT TWO (2) QUESTIONS FROM EACH SESSION
TIME ALLOWED: THREE (3) HOURS

SECTION A

1. The greater awareness of the need to protect the environment and environmental resources has been accompanied by the adoption of a large number of environmental laws at the international level in the form of international environmental treaties which embody a number of principles that are at the core of most environmental protection systems. These principles embody a common ground and play important roles in international environmental law. They can indicate the essential characteristics of international environmental law and its institutions, provide guidance in interpreting legal norms, constitute fundamental norms, and fill in gaps in positive law. Today, almost all major binding and non-legally binding international environmental treaties contain or refer to principles and are engines in the evolving environmental law. **Discuss.**

2. Environmental law metamorphosed from the marriage between law and environment. In that wise, the sources of environmental law in each legal system varies from one jurisdiction to another. **In the light of the foregoing assertions, discuss the sources of environmental law in Nigeria.**

3. Environment is the totality of our surroundings and all the elements therein both living and non-living things for the benefit of human beings. However, the presence of law cannot be wished away because the environment needs to be protected from destruction and misuse. **Discuss.**

SECTION B

4.(a) Apart from Russia, Nigeria flares more gas than any other country and contributes about 70% of the entire gas flare in Africa. Apart from the health and environmental hazard associated with gas flaring, the economic implication for Nigeria is enormous. It depletes the gas reserve of the country. As at 2009, the country had flared about 40 per cent of its gas. NNPC reported that 289.6 billion Standard Cubic Feet of gas representing 11.47% of gas production for 2014 was flared in that year alone. Nigeria had made unsuccessful statutory attempt in the past to phase out gas flaring. The imperfection of the previous statutory attempt warranted a regime change. However, existing regime on gas flaring regulation still leaves more to be desired. **Discuss.**

(b.) Articulate the role of NESREA in environmental protection.

5. Environmental protection in Nigeria still reaps the fruit of Common law, even though this is not without some sour taste. **Discuss.**

6. Undertake a review of the following cases, highlighting their implications and legacies towards the development of environmental law.

i. *Urgenda Foundation v. State of Netherland*

ii. *Mobil Producing (Nig.) Unltd. v. NOSDRA* (2018) 3 NWLR (Pt. 1636) 334.

iii. *Environmental Rights Action/Friends of the Earth Nigeria & Anor v. Nigerian National Petroleum Commission* (2018) 6 NWLR (Pt. 1299) 368.