

4th International Conference on
GREEN ENERGY & EXPO
&6th International Conference on
RECYCLING: REDUCE, REUSE & RECYCLE November 06-08, 2017 | Las Vegas, USA**Analysis of environmental crime sanctioning in Nigeria****C I Chuks-Ezike**

Robert Gordon University, United Kingdom

The prevention of harm has been put forward by several literates as a major edge for the use of criminal sanction in environmental law as against civil and administrative. Typically, the penalty for an environmental offence is a fine or imprisonment or both. Fines are a traditional approach to penalizing environmental offenders. Imprisonment is another strong tool of sanctioning. It has emerged in the administrative environmental statutes of some nations. In China for example, environmental protection laws provide that certain behavior such as marine pollution resulting in substantial property loss, injury or death may be dealt with under the criminal law. An eventual result of the process of addressing corporate environmental crime is the imposition of sanctions upon offenders. A pyramid of enforcement as shown in this article shows proof that certain environmental law enforcements can be done using administrative enforcement mechanisms such as warning letters, enforcement notice, persuasion, suspension of license, revocation of environmental licenses etc. Interestingly, as much as the first three mechanisms might not entirely achieve as much results as the last three, for corporate firms whose intent is to amass profit at all cost, the last three might likewise not be quite productive in jurisdictions where bribery and corruption can easily manipulate the whole system of sanction, thus killing the aim of sanctioning ab-initio. Although they put some form of check on corporate firms, a natural desire to make profit at all cost on the part of the firm might not seem to be more serious than criminal penalties. Looking at an oil and gas company for example, a mere warning notice would do no bid in stopping it from flaring if truly reinjecting unused gas would be too expensive for such company. Even more, it is the view of this work that certain awards of criminal damage in the form of fines might sometimes be too easy a punishment for huge multinationals who can afford such fines easily and who spilling would be more lucrative to than such fines would be harsh on. This work explores an oil producing state like Nigeria with an inherent presence of many oil multinationals looking at the effect of already existing mechanisms of enforcement against environmental crime in that jurisdiction exploring tougher mechanisms that can sufficiently achieve the prime aim of deterrence against environmental crime (a reason environmental crime sanctions are set up for in the first instance).

c.i.chuks-ezike@rgu.ac.uk