



# CENTRE OF EXCELLENCE FOR ENVIRONMENTAL RESTORATION (CEER)



FEDERAL MINISTRY OF ENVIRONMENT  
Hydrocarbon Pollution Remediation Project  
**(HYPREP)**



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Hydrocarbon Pollution Remediation Project  
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**Centre of Excellence for  
Environmental Restoration (CEER)  
Wiiyaakara, Khana LGA, Rivers State, Nigeria**

**REPORT OF**

**THE TECHNICAL PLANNING COMMITTEE (TPC)  
ON THE FRAMEWORK FOR THE ESTABLISHMENT AND  
OPERATIONALIZATION OF THE CENTRE OF EXCELLENCE FOR  
ENVIRONMENTAL RESTORATION (CEER)**

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## Foreword

The Report of the Technical Planning Committee (TPC) for the establishment of the Centre of Excellence for Environmental Restoration (CEER) is a pragmatic document outlining the necessary steps for the successful establishment and operationalization of the CEER. The Centre is one of the key recommendations of the 2011 *UNEP Environmental Assessment of Ogoniland Report*. Thus, establishing the CEER is a monumental step forward in the remediation of hydrocarbon pollution in Ogoniland and beyond. Therefore, this TPC Report provides a sustainable framework for operationalizing the CEER and is the result of the collective efforts, dedication, and shared expertise of the Committee members, who have worked tirelessly to ensure a robust and comprehensive plan for the Centre. The diverse knowledge and skills each TPC member brought significantly contributed to the quality of the recommendations herein.

The TPC Report outlines the vision for the Centre of Excellence, which aims to ensure that it meets global standards for environmental research, capacity building, enhancing remediation and restoration knowledge and practices, and optimizing livelihood innovations. It also contains the administrative structure, the framework programmes and activities at the Centre, staffing and recruitment strategy, research, co-financing models, internationalization policy, and sustainability strategies. The provisions in the Report, more importantly, provide the critical substance and advice on the legal framework (the bill) for establishing the Centre, enabling it to perform its functions and achieve the desired technical and socio-economic impacts. The Report recommends that the CEER, currently a Unit in HYPREP, be upgraded to a Directorate. The Directorate will function under HYPREP for about two years before the CEER secures autonomous status and operates independently. The CEER shall partner with similar national and international research institutions to deliver on its mandate.

The Centre will serve as a hub for innovative and transformative research, skills development, and environmental management, providing sustainable solutions for pollution prevention, control, remediation, and ecosystem restoration. For the people of Ogoni, this means a cleaner environment, improved public health, and opportunities for economic empowerment through relevant skills training and employment. At the national level, the Centre shall position Nigeria as a leader in environmental impact assessment, remediation, and restoration, fostering innovation and best practices in pollution management, essentially, through the Integrated Contaminated Soil Management Centre (ICSMC) housed in the CEER. Based on the Federal Government Directive for HYPREP to contribute to national food security, the remediation-related laboratories at CEER shall now include a section for biotechnology to enhance phytoremediation studies and research on safe crop production and improvement.

As we move forward, I encourage all stakeholders to remain engaged, ensuring the CEER's vision is fully realized for the benefit of the public. Once again, I would like to extend my heartfelt appreciation to the Technical Planning Committee for their dedication and excellent work. Your contributions will have a lasting impact on the restoration efforts in Ogoni, in particular, and the nation as a whole.

**Prof. Nenibarini Zabbey**  
**Project Coordinator, HYPREP**  
**March 2025**

## **Acknowledgements**

The Technical Planning Committee (TPC) for the establishment of the Centre of Excellence for Environmental Restoration (CEER) appreciates the Hydrocarbon Pollution Remediation Project (HYPREP) Project Coordinator, Prof. Nenibarini Zabbey for the opportunity to serve the Federal Government of Nigeria (FGN) in this capacity. This framework document provides a pathway for the full establishment of CEER.

We also like to acknowledge the Honourable Minister of Environment, Federal Ministry of Environment and Chairman of the Governing Council (GC) of HYPREP, Honourable Balarabe Abbas Lawal, for approving the constitution of the TPC. The Board of Trustees (BoT) and the Central Representatives Advisory Council (CRAC) members are well appreciated for their respective roles during the process.

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## Acronyms and Abbreviations

BoT	Board of Trustees
CEER	Centre of Excellence for Environmental Restoration
CoE	Centre of Excellence
CRAC	Central Representatives Advisory Council
CSR	Corporate Social Responsibility
ESMP	Environmental and Social Management Plan
FDI	Foreign Direct Investment
FGN	Federal Government of Nigeria
FMoE	Federal Ministry of Environment
GC	Governing Council
GET	Global Energy Transformation
GHG	Greenhouse Gas
HYPREP	Hydrocarbon Pollution Remediation Project
ICSMC	Integrated Contaminated Soil Management Centre
IGR	Internally Generated Revenue
IT	Information Technology
IUCN	International Union for Conservation of Nature
LGA	Local Government Area
MDA	Ministries, Departments and Agencies
PC	Project Coordinator
PIA	Petroleum Industry Act 2021
QA/QC	Quality Assurance and Quality Control
RDI	Research, Development and Innovation
ROI	Return on Investment
SDG	Sustainable Development Goal
SOP	Standard Operating Procedure
THP	Triple Helix Plus

ToR	Terms of Reference
TPC	Technical Planning Committee
TSD	Technical Services Directorates
UNEP	United Nations Environment Programme

## **Executive Summary**

### **Background**

The degradation of our planet's ecosystems is a pressing global challenge, particularly in oil producing communities around the world such as Ogoni and other parts of the Niger Delta region of Nigeria. Ogoni, for clarity in the reading of this report refers to the people and the geographical land area currently covered by four distinct Local Government Areas (LGAs), namely, Eleme, Gokana, Khana and Tai geographically situated within Rivers State, Nigeria. On-going environmental degradation continues to have deleterious consequences on the environment and livelihoods of the Ogoni people. In order to mitigate these threats and ensure a sustainable future, it is imperative to prioritize environmental remediation and restoration and undertake socio-economic measures that will engender environmental sustainability.

Thus, the worsening environmental degradation prompted the Federal Government of Nigeria (FGN) to invite the United Nations Environment Programme (UNEP) in 2006 to undertake a credible scientific assessment of Ogoni, following decades of oil exploration and exploitation activities in the area. So, between 2009 and 2011, UNEP undertook a comprehensive damage assessment study in Ogoni. The findings were published in UNEP's landmark report in 2011, on the Environmental Assessment of Ogoniland.

One of the key recommendations of the 257-page report is the creation of a Centre of Excellence for Environmental Restoration (CEER) with a broad mandate that includes, running training courses in environmental monitoring, remediation and restoration; enhancing the capacity and skills of the Ogoni community, and evolving as a model for environmental remediation and restoration at local, national, and global levels. Its mandate also covers providing assistance with business development initiatives including alternative livelihoods for persons engaged in illicit businesses like artisanal refining.

To actualize the vision of CEER, the Project Coordinator of the Hydrocarbon Pollution Remediation Project (HYPREP) inaugurated a 13-member Technical Planning Committee (TPC), tasked with developing a comprehensive framework for the establishment and operationalization of the UNEP recommended Centre of Excellence for Environmental Restoration (CEER). The Centre will serve as a hub for research, innovation, training, and policy development, primarily dedicated to advancing the science and practice of environmental remediation and restoration.

We believe that the Centre will play a pivotal role in addressing the environmental challenges facing Ogoni, the Niger Delta region and beyond. By fostering collaboration among researchers, policymakers, and practitioners, the Centre will contribute to the development and implementation of

effective environmental remediation and restoration, and livelihood enhancement strategies. The framework for the establishment of the Centre of Excellence for Environmental Restoration (CEER) presented in this report, is the outcome of a series of extensive consultations, interactions and strategic brainstorming sessions by the TPC members and relevant stakeholders. It provides a roadmap that outlines the vision, mission, goals, and key functions of CEER. It also addresses the necessary infrastructure, human and financial resources, and the governance structure required to ensure its successful operation and sustainability. It contains the proposed mandate of CEER, its advisory and legal framework, a proposed CEER Organogram as a new directorate in HYPREP, proposed programmes and curricula, co-financing and sustainability strategy.

### **Objectives of CEER**

The Technical Planning Committee (TPC) identified specific objectives of CEER. When fully operational, CEER would,

1. Serve as a repository of new knowledge in environmental protection, remediation and restoration including standardized scientific processes to effect desired positive changes in environmental remediation and restoration, and integrated contaminated soil management.
2. Conduct innovative, applied and transformative research for solving societal problems in environment sustainability and serve as a model for environmental remediation and restoration to attract high quality visiting scholars.
3. Support entrepreneurial and business development efforts of participants by disseminating transformative research results through policy briefs and mainstream international publications.
4. Promote learning in environmental remediation and restoration by organizing courses including degree programmes, workshops, seminars and colloquia related to environmental remediation and restoration, ecosystem and ecosystems services, environmental management, environmental economics and eco-philosophy, and other related courses.
5. Maintain an inclusive multidisciplinary and transdisciplinary outlook, identify skills shortages and gaps, and undertake holistic capacity development projects to address identified gaps and support efforts to restore sustainable livelihood sources like safe food production and dignified job creation particularly in communities impacted by oil spill-related soil degradation.

### **TPC Recommendations**

The Technical Planning Committee (TPC), following extensive deliberations at its meetings and in

consultation with relevant stakeholders on the establishment and operationalisation of the Centre of Excellence for Environmental Restoration (CEER) at Wiiyaakara in Khana Local Government Area of Ogoni in Rivers State, Nigeria, recommends as follows:

- 1) A clear legal framework for the establishment of the Centre of Excellence for Environmental Restoration (CEER) as an independent Centre of Excellence in Nigeria, is extremely desirable and should be pursued to a logical conclusion in due course.
- 2) Since HYPREP is a product of a 2016 Gazette of the Federal Ministry of Environment (FMoE), and CEER forms part of the 2016 Gazette based on UNEP's 2011 recommendations, which HYPREP is currently implementing, HYPREP is properly placed to run CEER within the confines of the existing Gazette, in the interim.
- 3) Until such a time when CEER shall have a Bill establishing it, or a separate gazette of the FMoE guiding its operations, a new Directorate for CEER should be created within HYPREP's current Organogram, CEER should be removed from the status of a Unit currently under HYPREP's Technical Services Directorate (TSD), and made to function as a Directorate. The CEER Directorate should be set up, as a matter of Urgency, and a competent Director be appointed.
- 4) CEER should ensure a global vision and outlook that integrates international standards, practices, and perspectives, promotes diversity and a multicultural environment able to collaborate and partner with leading international institutions, organizations and subject matter experts in environmental remediation and restoration.
- 5) CEER should align its activities with the 2021-2030 United Nations Decade on Ecosystem Restoration and continue to contribute to attainment of the global target of restoring 350 million hectares of degraded terrestrial and aquatic ecosystems.
- 6) The core research thrust, programmes and curricula of CEER will focus on environmental remediation and restoration, particularly in hydrocarbon-pollution contexts. Specific thematic areas shall include: environmental damage assessment surveys, environmental restoration project planning and design; environmental remediation project planning and management; environmental economics and management, and development studies.
- 7) The capacity building initiatives of CEER will be achieved through the delivery of short courses, degree programmes, local, national and international workshops, webinars, roundtable discussions, seminars, conferences and professional certifications.

- 8) CEER should take necessary action to ensure that its programmes undergo robust peer-review to align with national and international standards. It shall, where necessary, seek affiliation(s) with national and international bodies, ensuring compliance with appropriate professional regulatory bodies that, are best suited for university and non-university institutions.
- 9) As an entity intended to attract funding from sundry sources for self-sustenance, CEER should not rely solely on government or other seed funding but, should explore grantsmanship and other contract research through consultancy services to make it self-sustaining.
- 10) CEER should create additional value and harness the internal revenue generating potentials of its physical facilities including the auditorium, hostels and guests chalets, and housing structures for public use, at a moderate fee as shall be reviewed from time to time.
- 11) Using the Triple Helix Plus (THP) partnership model, CEER should actively pursue collaboration through strategic partnerships with leading local and international higher educational institutions (universities, specialist institutes, polytechnics); government (MDAs, professional regulatory bodies) and industry (the oil and gas sector, professional associations, etc.).
- 12) CEER should explore strategic routes for sustainable research financing that, will effectively and efficiently create access to funds for market-driven products and services with a robust investment profile where foreign direct investment (FDI) is routed through the Centre for continual growth and development.
- 13) Staffing for CEER should be benchmarked to meet global best practices in terms of technical competence conformity to workplace diversity and other necessary soft skills like effective communication and interpersonal skills that play dominant roles in the sustenance of modern-day institutions, businesses or organisations.
- 14) A robust staff development programme to ensure that its staff remain abreast with cutting-edge technology in environmental remediation and restoration should be put in place.
- 15) The existing structural design and ongoing construction work for CEER should be adapted to suit the recommendations made by the Technical Planning Committee in this Report.
- 16) In order to promote peaceful co-existence for a prosperous Ogoni people, CEER should work within three pillars of training and research namely, environmental protection, remediation, and restoration; livelihood support programmes for value chain actors, and supporting safe food including clean water production from restored areas for public health restoration.

# 1 Introduction

The United Nations Environment Programme (UNEP) in response to a request from the Federal Government of Nigeria (FGN) in 2006, undertook an Environmental Assessment of Ogoniland, following protracted agitations over oil-related pollution in the area. UNEP published its findings in a report in 2011 where it made several recommendations to FGN. The FGN is currently implementing UNEP's expanded recommendations through the Federal Ministry of Environment (FMoE). Thus, the FMoE in a 2016 Gazette (Annexure 1) established the Hydrocarbon Pollution Remediation Project (HYPREP), to undertake environmental remediation and restoration in Ogoni (Eleme, Gokana, Khana and Tai LGAs) in Rivers State. HYPREP is currently headed by a Project Coordinator (PC) who reports to a Governing Council chaired by the Honourable Minister of Environment. The Gazette also provided for a Board of Trustees (BoT), and a Central Representatives Advisory Council (CRAC). The UNEP 2011 Report also recommended the establishment of a Centre of Excellence for Environmental Restoration (CEER), and an Integrated Contaminated Soil Management Centre (ICSMC).

In response to UNEP's 2011 recommendations, and in line with global best practices, where organisations set up research, development and innovation (RDI) units for the purpose of advancing their operations, HYPREP is currently developing the blueprint and physical infrastructure to accommodate CEER and ICSMC. Considerable progress has been made with the development of the physical infrastructure for CEER, which is being developed as an institution that would bring together a cohort of experts in environmental and socio-economic sciences to promote practices that safeguard the environment and people's social, economic, and physical health and wellbeing. The FMoE, through HYPREP, affirms its commitment to develop innovative, cost-effective, and sustainable technologies and solutions that can reduce the impact of pollutants on the environment. CEER would serve as a focal point for knowledge management, with the overall goal being the ability to capture new knowledge, standardize existing and emerging scientific processes, and deploy best practices from inside and outside of the business area. CEER shall partner with relevant bodies to facilitate technology incubation and innovation for advancing the positive RDI results in environmental remediation and restoration.

To enhance the process, the Project Coordinator (PC) HYPREP, with the approval of the Honourable Minister for Environment of the FGN, inaugurated a 13-member Technical Planning Committee (TPC) to further consolidate the FMoE's aspirations for HYPREP's Centre of Excellence for Environmental Restoration (CEER) on the 31<sup>st</sup> of May 2024. The TPC's mandate is to prepare a framework for implementing the recommendations of the UNEP *Environmental Assessment of Ogoniland* (2011) Report on the establishment of CEER. This TPC Report presents the modus operandi adopted by the Committee in undertaking its assignment between June and December 2024 and the recommendations arising therefrom based on the key deliverables associated with the TPC's specific Terms-of-Reference (ToR).

## **2 Centre of Excellence for Environmental Restoration (CEER)**

### **2.1 CEER Mandate**

The primary mandate of CEER is to showcase and disseminate information on best practices in environmental remediation, restoration and management with special emphasis on the remediation of hydrocarbon pollution in soil, sediments, groundwater and air. The design and scope of the Centre shall continually be revised as a dynamic entity in response to the prevailing business ecosystem and as a legacy platform for environmental remediation, restoration and sustainability.

### **2.2 Vision**

The Centre envisions to be a world class Centre of Excellence (CoE), acknowledged as a globally visible state-of-the-art CoE in Research, Development and Innovation (RDI) in environmental and socio-economic sciences. It seeks to be a known one-stop shop for sustainable solutions in restoring environment and livelihood sources for persons affected by hydrocarbon induced pollution.

### **2.3 Mission**

The mission of CEER is to advance the frontiers of knowledge in hydrocarbon pollution control, environmental remediation and restoration, and socio-economic science, through training, research, development, innovation, invention, community service, advocacy, and consultancy in collaboration with relevant institutions and stakeholders. This will be achieved by maintaining a robust, comprehensive and encompassing database for information super links on spills control internationally. CEER shall be a solution hub where identified industry challenges shall be solved through targeted training of environmental change makers and transformative research that shall lead to inventions and innovations within the green and blue economies. CEER shall leverage existing HYPREP experiences and expertise in the area of environmental remediation and restoration, and make them more effective and efficient to increase return on investment (ROI) and other social benefits.

### **2.4 Goal and Objectives**

CEER's Goal is to provide expert knowledge on the full range of activities in the environmental remediation and restoration cycle, from damage assessment to the final restoration phase, while ensuring that trainees are equipped with quality theoretical knowledge and relevant practical skills to fulfil the Centre's mandate of training including undergraduate and postgraduate training, research, development, innovation, technology incubation and entrepreneurship.

***The specific objectives of CEER are to:***

1. Serve as a repository of new knowledge in environmental protection, remediation and restoration including standardized scientific processes to effect desired positive changes in environmental remediation and restoration, and integrated contaminated soil management.
2. Conduct innovative, applied and transformative researches for solving societal problems in environment sustainability and serve as a model for environmental remediation and restoration to attract high quality visiting scholars.
3. Support entrepreneurial and business development efforts of participants by disseminating transformative research results through policy briefs and mainstream international publications.
4. Promote learning in environmental restoration by organizing courses including degree programmes, workshops, seminars and colloquia related to environmental remediation and restoration, ecosystem and ecosystems services, environmental management, environmental economics and eco-philosophy, and other related courses.
5. Maintain an inclusive multidisciplinary and transdisciplinary outlook, identify skills shortages and gaps, and undertake holistic capacity development projects to address identified gaps and support efforts to restore sustainable livelihood sources like safe food production and dignified job creation particularly in communities impacted by oil spill-related soil degradation.

### 3 HYPREP's Technical Planning Committee (TPC) on CEER

#### 3.1 Objectives and Deliverables

The thirteen-person Technical Planning Committee (TPC) on HYPREP's Centre of Excellence for Environmental Restoration (CEER) was inaugurated on Friday, 31<sup>st</sup> May 2024 by HYPREP's Project Coordinator, Professor Nenibarini Zabbey.

The broad objectives of the TPC, which includes providing advisory document to HYPREP on several issues connected with the establishment and operationalization of CEER, listed as follows:

- *A bill for the establishment of CEER.*
- *Core curricula framework of CEER.*
- *Establishment and composition of the Governing Council for CEER.*
- *Initial strategy for co-financing and partnerships.*
- *Staffing strategy and appointment into leadership positions.*
- *Sustainability framework such as creating an incubation and innovation hub.*
- *Direction on CEER programme accreditation by relevant authorities.*
- *Strategic partnerships and collaborations with key institutions and bodies.*
- *Strategic plans that would enable CEER achieve Internationalization.*

Based on the broad-based objectives outlined above, the expected deliverables given to the TPC included the following:

1. *An Advisory Document on a Bill for CEER, Core Curricula, and Governing Council Recommendations.*
2. *An Advisory Document on Co-financing, Collaborations with Institutions, and Sustainability.*
3. *A Staffing and Recruitment Strategy.*
4. *An Advisory document on CEER's Internationalization Policy, Strategy, and Implementation plans.*

#### 3.2 Composition of the Technical Planning Committee (TPC)

The TPC has the following Membership:

##### Chairman and Members

- 1 Prof. Don Baridam - Chairman

2	<i>Prof. Joseph A. Ajienska</i>	-	<i>Member</i>
3	<i>Prof. Ndowa E.S. Lale</i>	-	<i>Member</i>
4	<i>Prof. Barineme Beke Fakae</i>	-	<i>Member</i>
5	<i>Prof. Chidi Ibe</i>	-	<i>Member</i>
6	<i>Prof. Roseline Konya</i>	-	<i>Member</i>
7	<i>Prof. Iyenemi Ibimina Kakulu</i>	-	<i>Member</i>
8	<i>Prof. Ben Naanen</i>	-	<i>Member</i>
9	<i>Prof. Alubabari Desmond Nbeta</i>	-	<i>Member</i>
10	<i>Prof. Eucharia O. Nwaichi</i>	-	<i>Member</i>
11	<i>Dr. Evidence Ep-Aabari</i>	-	<i>Member</i>
12	<i>Ms. Sornaatah Nubari Nke-ee</i>	-	<i>Member</i>
13	<i>Prof. Ibisime Etela</i>	-	<i>Secretary</i>

### **Secretariat**

1	<i>Mr. Donatus M. Iwuanoruo</i>	-	<i>M&amp;E</i>
2	<i>Mr. Ndiyo Ifiok</i>	-	<i>M&amp;E</i>
3	<i>Mr. Godson Nuakui Nwideeduh</i>	-	<i>CEER</i>
4	<i>Engr. Taanadeba Kamenebali</i>	-	<i>CEER</i>
5	<i>Mr. Ebenezer Lekue</i>	-	<i>CEER/Secretariat</i>

### **3.3 Modus Operandi of the TPC**

Six sub-committees were created with TPC members assigned to these sub-committees accordingly. Each sub-committee was assigned specific tasks to provide advice on the following:

1. *The bill for the establishment of CEER.*
2. *Core curricula framework and direction on programme accreditation by relevant authorities.*
3. *The establishment and composition of the Governing Council, staffing strategy and appointment into leadership positions.*
4. *Initial strategy for co-financing and partnerships, and map out strategic partnerships and collaborations with key institutions and bodies.*
5. *Sustainable framework such as creating an incubation and innovation hub.*
6. *Develop strategic plans that would enable CEER fulfil various dimensions of internationalisation.*

The TPC operated through sub-committee activities and plenaries. Sub-committees met severally and their deliberations and recommendations were presented at plenary meetings where they were debated and discussed extensively before arriving at consensus. The plenary meetings were conducted as

Hybrid meetings where members attended both in-person and by virtual participation via Zoom for others unable to attend physically. The TPC met a total of seven times. Following from the Inaugural meeting that was held on May 31, 2024, a total of six plenary meetings were held.

### **3.4 Interim Resolutions and Assumptions**

To establish a consistent understanding of the assignment given to the TPC, initial plenary meeting deliberations resulted in certain key resolutions that together guided the execution of the assignment given to the TPC. These interim resolutions provided guidance to sub-committee activities and reports. They also guided subsequent plenary deliberations and ultimately contributed to synthesis of the TPC recommendations made in Sections 4 to 9 of this Report.

These interim resolutions also served as the underlying assumptions made by the TPC in undertaking this assignment and are summarized as follows:

- 1. That the Terms-of-Reference (ToR) given to the TPC be modified to reflect the expected operational scope of CEER including the introduction of core programmes and curricula.*
- 2. That although a clear legal framework for the establishment of CEER as an independent Centre of Excellence in Nigeria is extremely desirable, the timing for sponsorship of a Bill for its establishment as a separate entity, is at this stage, considered to be premature.*
- 3. That since HYPREP is a product of a 2016 Gazette in the Federal Ministry of Environment (FMoE), and CEER forms part of the gazette based on UNEP's 2011 recommendations, which HYPREP is currently implementing, there was no urgent need for a separate gazette for CEER outside of HYPREP for now.*
- 4. That in place of a Bill or separate gazette for CEER, a new directorate should be created within HYPREP's current Organogram, and that CEER should be removed from being a Unit under HYPREP's Technical Services Directorate (TSD) and made a separate, and the third directorate within HYPREP.*
- 5. That CEER should commence its operations by mining and synchronizing existing and future field data from HYPREP's soil and shoreline remediation and restoration works, and coding them into researchable formats. This would enable CEER to derive the necessary insights from the data for continuous process improvement.*
- 6. That a dedicated website for CEER should be developed for better visibility to attract relevant international bodies and researchers across the globe.*

## **4 Advisory Document on a Legal Framework (Bill) for CEER**

### **4.1 Legal Framework/ Bill for the Establishment of CEER**

The TPC deliberated extensively on the timing of the sponsorship of a Bill for the establishment of CEER as a separate entity and as a National Centre of Excellence for Environmental Restoration in Nigeria. The consensus arising from the deliberations was that the instrument establishing CEER, and the funding mechanism that it currently has, are linked to the recommendations of UNEP's 2011 Environmental Assessment of Ogoniland report and the clean-up funds. The TPC considered that the establishment of CEER is currently part of the on-going environmental remediation and restoration activities by HYPREP, a deliverable of the remediation and restoration project, and a major component of HYPREP's research, development and innovation feedback to its remediation and restoration efforts.

The TPC considered that a Bill to separate CEER, which is still in its formative stages, and still under construction is relatively premature as this would stifle the completions and initial sustenance of the Centre. It was agreed that the issue of a Bill should therefore, be stepped down until the CEER is completely midwifed by HYPREP, operationalized and fully functioning. It is at this stage that CEER would be in a position to be weaned from the parent body, HYPREP and the Federal Ministry of Environment (FMoE).

The TPC in taking this decision also considered the fact that CEER would ultimately be the repository of all the data that HYPREP's activities have and will generate. As a legacy project, the trajectory for independence would become apparent once HYPREP's remediation and restoration activities are concluded. Thus, the TPC resolved that, in the interim, CEER should be elevated from being a unit to the status of a directorate within HYPREP and provided with the enabling environment to function as a directorate.

### **4.2 Establishment and Composition of the Governing Board**

Based on the position and recommendations of the TPC that CEER be upgraded to become a directorate within HYPREP, the governing structure within HYPREP would also apply to the new directorate.

The TPC proposes that the Director of CEER shall report to the Project Coordinator who currently reports to the Governing Council (GC), chaired by the Honourable Minister of Environment. The proposed organogram of the proposed CEER Directorate is shown in Figure 1 below.

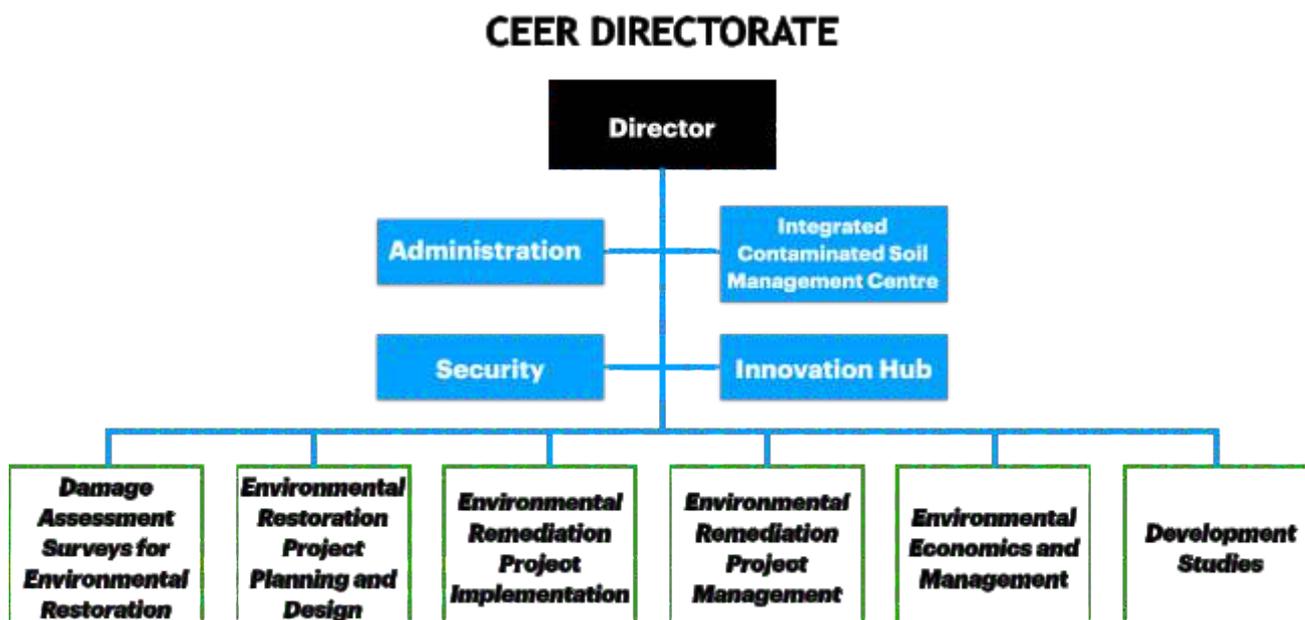


Figure 1 Proposed Organogram for CEER

#### 4.1 Guiding Principles

To bring about the expected environmental and socio-economic impact, CEER shall work within the framework of certain guiding principles based on lessons from similar existing centres on environment. Cognizant of the 2021 to 2030 United Nations (UN) Decade on Ecosystem Restoration, CEER will strategically position itself to contribute to this global effort to restore ecosystems by 2030 in line with the global target of restoring 350 million hectares of degraded terrestrial and aquatic ecosystems with the projected benefit of such global efforts generating about US\$9 trillion in ecosystem services, while freeing the atmosphere of between 13 and 26 gigatons of greenhouse gases (GHGs). Generally, the 17 UN Post-2015 Sustainable Development Goals (SDGs) shall continue to shape the research for development outlook of CEER.

#### 4.2 Functions of CEER

Based on the strategic focus, CEER will provide leadership in research and training in environmental remediation and restoration. It will also make appropriate evidence-based recommendations for continuous improvement of environmental remediation and restoration activities in the Niger Delta and beyond.

## 5 Proposed Programmes and Activities

The programmes for CEER shall provide a comprehensive and interdisciplinary research-based education in environmental remediation and restoration, equipping trainees with the knowledge and skills necessary to address hydrocarbon pollution and other environmental degradation. CEER will establish itself as a leading centre of excellence in environmental remediation and restoration, contributing to the sustainable development of Ogoni and similarly affected areas globally. It aims to become a model for environmental remediation and restoration that will attract research grants, donations, endowments and provide consultancy services to support visiting scholars and experts.

### 5.1 Core Curricula Framework

The core programmes and curricula of the CEER will focus on environmental remediation and restoration, particularly in hydrocarbon-pollution contexts. Capacity building initiatives will be achieved through the delivery of short courses, degree programmes, local, national and international workshops, webinars, roundtable discussions, seminars, conferences and professional certifications.

The curricula shall be delivered under six (6) broad thematic areas, namely: Damage assessment surveys for environmental restoration; Environmental restoration project planning and design; Environmental remediation project implementation; Environmental remediation project management; Environmental economics and management, and Development studies. Details are:

#### A. *Damage Assessment Surveys for Environmental Restoration*

- *Principles, Concepts, and Contexts of Environmental Restoration: Overview of environmental remediation and restoration, its importance, and application in various contexts, particularly in hydrocarbon-polluted areas.*
- *Damage Assessment Surveys: Purpose, Methods, and Anticipated Outcomes: In-depth training on conducting damage assessment surveys, including the purpose, methods, and expected results.*
- *Stakeholder Engagement, Community Entry Strategies, and Methods: Techniques for engaging stakeholders, entering communities, and conducting surveys in a culturally sensitive and effective manner.*
- *Data Sources Identification and Collection: Identifying and collecting relevant data for damage assessment, including sources and methods for obtaining accurate information.*
- *Data Analysis, Review of Findings, and Report Production: Training in analysing collected data, reviewing findings, and producing comprehensive reports that guide remediation and restoration efforts.*

#### B. *Environmental Restoration Project Planning and Design*

- *Setting Project Goals and Objectives: Establishing clear goals and objectives for environmental remediation and restoration projects, ensuring alignment with community needs and environmental standards.*

- *Project Design and Cost Estimation: Designing projects with a focus on effectiveness and sustainability, including accurate cost estimation and resource allocation.*
- *Project Funding Considerations: Identifying potential funding sources, including grants and partnerships, and developing strategies to secure necessary financial support from the identified sources.*
- *Project Commissioning: Processes for commissioning projects, ensuring all components are in place for successful implementation.*

### **C. Environmental Remediation Project Implementation**

- *Communications and Community Entry Strategies: Ongoing strategies for engaging stakeholders throughout the project, ensuring continuous communication and community involvement.*
- *Alternative Livelihoods Considerations for Impacted Communities: Developing programmes that provide alternative livelihoods for communities impacted by environmental degradation.*
- *Contract Development and Administration: Guidance on creating and managing contracts for remediation projects, ensuring legal and operational clarity.*
- *Quality Assurance and Quality Control (QA/QC) Mechanisms: Implementing robust QA/QC systems to maintain high standards throughout the project lifecycle.*
- *Project Monitoring and Evaluation Strategies: Techniques for monitoring and evaluating project progress, ensuring objectives are met and making adjustments as needed.*
- *Field Logistics Planning and Implementation: Practical training in planning and managing field operations, including logistics, equipment, and personnel.*
- *Database Management Systems: Establishing and maintaining effective database management systems to support project data collection, management, storage, and analysis.*

### **D. Environmental Remediation Project Management**

- *Soil, Sediment, and Groundwater Remediation Contract Supervision and Monitoring: Supervising and monitoring contracts specifically focused on the remediation of soil, sediment, and groundwater.*
- *Field Logistics Planning and Implementation: Advanced strategies for managing field operations, ensuring smooth execution of project activities.*
- *Health and Safety Considerations in Field Operations: Training on health and safety protocols to protect workers and communities during field operations.*
- *Quality Assurance and Quality Control of Fieldwork and Laboratories: Ensuring that all fieldwork and laboratory analyses meet rigorous QA/QC standards.*
- *Project Certification by Regulatory Agencies: Navigating the process of obtaining project certification from relevant regulatory bodies, ensuring compliance with environmental laws and standards.*
- *Site Closeout and Handover to Local Community: Processes for closing out projects and handing over responsibilities to the local community, ensuring long-term sustainability.*

- *Post-Remediation Long-Term Monitoring: Implementing long-term monitoring programmes to ensure the ongoing success and environmental safety of remediated sites.*

### **E. Environmental Economics and Management**

- *Principles of environmental economics and management.*
- *Understanding the concepts of environmental economics - relationship between economic principles and ecosystem integrity.*
- *Valuation of Environmental Goods and Services.*
- *Management of renewable resources and poverty.*
- *Biodiversity protection for sustainable future.*
- *Environmental policy and instruments for ecosystem conservation.*
- *Socio-economic factors and how they induce or hinder climate change.*
- *Environmental costs of production methods and sustainable development.*
- *Environmental ethics / eco-philosophy in balancing exploitation with nature for environmental sustainability.*
- *Market Failures and Externalities: Concept of market failures, types of externalities (positive and negative),*
- *Climate Change Economics and Policy.*
- *Environmental Risk Management and Cost-Benefit Analysis.*
- *Environmental Management and Corporate Social Responsibility (CSR).*
- *Global Environmental Governance and Policy.*
- *Future Directions in Environmental Economics and Management: Emerging trends in environmental economics (circular economy, green finance).*

### **F. Development Studies**

- *The concept of development studies.*
- *Sustainable Development and Growth.*
- *The concept of green growth and decoupling economic growth from environmental degradation.*
- *Understanding compliance requirements for relevant national, regional and international environmental and social laws and regulations.*
- *Relationship between poverty, environmental injustice and environmental degradation.*
- *Critical thinking to foster sustainable development.*
- *The sociology of development - causes and consequences of economic change.*
- *Social inclusion, gender sensitivity and community development.*
- *Environmental and Social Management Plan (ESMP) for Project Implementation: Purpose, scope, project risks and mitigation strategies.*
- *Advocacy as a strategy for community and sustainable development.*

## **5.2 Programme Affiliation**

CEER shall take necessary action to ensure that its programmes undergo robust peer-review and align with national and international standards. It shall, where necessary, seek affiliation with national and international bodies, ensuring compliance with appropriate regulatory bodies that are best suited for university and non-university institutions. CEER will also seek alignment with international bodies such as International Union for Conservation of Nature (IUCN) for global recognition.

## **6 Co-Financing, Collaboration and Sustainability Strategy**

There is increasing global commitment to fund research aimed at ecosystem remediation and restoration due to its various benefits including livelihood restoration. The proposed CEER would seek to key in to these global interventions as a responsive CoE. As an entity intended to enjoy funding for self-sustenance, CEER shall not rely solely on government or other seed funding but, shall explore grantsmanship and other contract researches through consultancy services to make CEER self-sustaining. A grants management and administration officer shall be required to support the Director for effectiveness.

Additional aspects shall be to increase beneficiation resulting from the Centre's activities through creating commercial acumen knowing that ideas alone are not enough to create socio-economic benefits and commercialize research results. This shall be achieved by engendering technopreneurship by creating technopreneurs to beneficiate and nurture research to reality as well as being able to create and add values to improve the livelihood of people in the society.

### **6.1 Funding and Co-Financing Options**

Funding is a critical element in ensuring the longevity of Institutions such as CEER. Statutory allocations for CEER are imperative. Such funding from HYPREP and the federal government must go beyond staff costs and maintenance of infrastructure and facilities to allocations that will spur scientific and technological enquiries, innovations and inventions. The ToR for CEER calls for Designs and Fabrications *enroute* to evolving alternative scenarios. This requires funding levels to enable these ambitions. Fees for services are also a veritable source of funding. Again, the opportunities that accrue through these channels would depend on established CEER Reputation.

Exploring and exploiting the co-financing landscape is critical to assessing supporting funds. Cutting-edge Institutions are awash with offers of funds from these external sources, which is hinged on the Reputation of such Institutions. CEER will seek to approach cutting-edge Foundations like The MacArthur Foundation, The Ford Foundation, Rockefeller Foundation and others who like to inject money into Institutions that will give them visibility and credibility in their quest for ending social disruptions, reinventing livelihoods, eradicating poverty, and affording social protection to the greatest number of peoples.

To explore strategic route for sustainable research financing, CEER will effectively and efficiently create access to funds for market-driven products and services with a robust investment profile where foreign direct investment (FDI) is routed through the Centre for continual growth and development. A sustainable revenue generation framework will be developed, which provides qualitative consultancy services, policy advice, business and enterprise development expertise to the public and private sectors of Nigeria and the Africa region. Form a structure that will attract inward investment and finance from government

and industry for expanding national commitment to sustainable enterprise development. The accommodation and other facilities at the Centre will serve as additional streams of internally generated revenue (IGR).

## **6.2 Collaboration Opportunities and Strategy**

Using the Triple Helix Plus (THP) partnership model, CEER will actively pursue collaboration through strategic partnerships with leading local and international higher educational institutions (universities, specialist institutes, polytechnics); government (MDAs, professional regulatory bodies) and industry (the oil and gas sector, professional associations, etc.).

By engaging these stakeholders, CEER will ensure that it maintains high academic and professional standards, and offers practical training relevant to the environmental remediation and restoration sector. CEER will actively engage in strategic partnerships for sustainable funding and business development; conduct research, development and innovation with impact; maintain increased presence through a robust communications strategy; upskilling graduates and other out-of-school persons for increased employability and competitive advantage; and propagating processes and systems in environmental and livelihood restorations that can be replicated and scaled up at different levels of need.

## **6.3 Sustainability Strategy**

Currently, sustainability is at the forefront of society's thinking and, globally, it has become the fundamental principle, which underpins rational societal development. In the context, it is the ability of an entity like CEER to continue functioning over time without degrading but, rather, with optimized outputs and outcomes. To achieve this, certain basic considerations such as relevance, scientific and technological contributions, and finance are paramount. CEER would seek to be and remain a beacon of light illuminating the paths of those who seek enduring solutions for remediation, restoration and environmentally sustainable development of hydrocarbon impacted territories.

Nigeria is a major global player in the Oil and Gas Industry. It is a dominant producer from petroleum fields in the prolific Niger Delta of which Ogoni land is a significant part. Petroleum exports accounts for a major component of Nigeria's foreign exchange earnings. Despite the ongoing debate about the much-vaunted Global Energy Transition (GET) aimed at phasing out the production or use of fossil fuels by the middle of this Century, all indications are that Oil and Gas Production will remain a major part of the Nation's drive towards sustainable development and its associated prosperity.

The Petroleum Industry Act, PIA (2021) points to the country's ambitions in this direction and provides explicit incentives for investors to move farther afield beyond the Niger Delta to the Inland Basins and the Deep Offshore to achieve higher production levels and deepen reserves of petroleum in the country. It is logical to conclude that, despite laudable efforts to live up to its commitments under the Paris Climate

Agreement through the delivery of its Nationally Determined contributions and pledges, Oil and Gas are going nowhere, at least, in the foreseeable future. So, based on the potential for accidental oil spills or other forms of environmental degradation, the continued existence of Institutions like CEER, which seeks to address environmental degradation, contaminations and restore impacted spaces (land, air, water), will never be in doubt.

#### **6.4 Scientific Reputation and Technological Contribution**

For its sustainability, however, it is critical for CEER to quickly establish, through productive engagement, its centrality to underpinning environmentally sustainable development in hydrocarbon impacted and spill prone areas and to accelerate a reputation as a preeminent Institution with recognized and differentiated capabilities in high impact research and quality education. The Centre, would leverage requisite technical expertise and intellectual curiosity, to seek and provide cutting edge tools and solutions carefully designed to improve productivity in environmental remediation and restoration projects as well as enhance efficiency of assessments and operations. It should be able to implement and manage data analysis to optimize work processes.

In this quest, reputation is everything. It will be established through benchmark publications of the Centre, the registration of patents from discoveries either single handedly at the Centre or through collaborative research with linkage partners. This reputation comes with pecuniary benefits through the sale of rights to patented ideas or through establishing start-ups to ventilate and give solidity to research findings from the Centre. Such start-ups will come handy and can be sold down the line and the proceeds deployed to assure the longevity of the Centre and fund further innovation.

## 7 Staffing and Recruitment Strategy for CEER

Initial staffing of CEER with competent staff is key. Such staff must bring to the table sterling academic and professional qualifications and cognate experience including international professional affiliations and craftsmanship, that would permit the CEER to assert itself nationally and internationally as a credible place for cutting edge knowledge of approaches and technologies in environmental remediation and restoration. CEER must continue to prove itself through consistent stellar performance of its mandate. It must stay in the top echelon of global Institutions at the frontier of knowledge - renewing the environment, rehabilitating the people, and rekindling hopes. Its achievements must be palpable with impacts beyond doubt.

### 7.1 Key Considerations for Staffing

CEER aims to serve as an assemblage of academia and industry's best brains and subject matter experts in environmental remediation and restoration. Recruited staff should consist of persons who are able to take ownership of the industry and lead within the subregion. This will enable CEER become an industry leader and to set international best practices, standards and standard operating procedures (SOPs). As CEER aims at being a Centre of first choice in environmental remediation and restoration, the staffing drive should include people with relevant certifications, accreditations and licensing from local and foreign regulatory bodies to enable the Centre provide needed industry services.

### 7.2 Staffing and Recruitment Options

There are several staffing options open to CEER, which includes temporary, contract-to-hire, short-term, long-term staffing, payroll services and strategic staffing. Each comes with its respective advantages and disadvantages. In a similar vein, there are multiple staffing strategies regularly adopted by international business organizations globally. These include ethnocentric, polycentric, regio-centric, and geocentric approaches. The CEER will at all times maintain a balance in its staffing and recruitment efforts and will ensure that the most competent staff are recruited lending credence to ethnocentricity as much as it is practicable to do so.

The processes of recruitment for all hierarchies of personnel, from the managerial cadre through the rank-and-file, should:

- I. *Be benchmarked to meet global best practices in terms of technical competence, conformity to workplace diversity and other necessary soft skills like effective communication and interpersonal skills that play dominant roles in the sustenance of modern-day institutions, businesses or organisations.*
- II. *Staff for all positions must be persons with requisite qualifications, experience and proven integrity.*

*III. Those to be recruited directly into the Department of Research and Training should possess requisite academic capabilities in their disciplines and areas of specialisation with impressive communication skills as evident from the quality of their publications and other works.*

*IV. The Centre Director, Deputy Centre Director and Heads of all the departments/units under CEER, shall constitute the Management Committee of CEER.*

### **7.3 Staff Capacity Development and Enhancement**

CEER shall maintain a robust staff development programme that shall ensure that its staff remain abreast with cutting edge technology in environmental remediation and restoration.

## **8 CEER Research, Internationalization Policy and Strategy**

As a Centre with the mandate for finding solutions to problems connected with environmental degradation and restoration, with local, regional and international coverage, CEER shall adopt the following strategy for global visibility and relevance. CEER shall maintain a global outlook and vision; host visiting scholars and students; recruit the right quality of staff and management, as mentioned earlier.

The significance of a successful implementation of the critical strategic elements of the internationalization policy and strategy of CEER shall form the building blocks for enabling the Centre to fulfil its global research mandate. The Centre shall focus on three strategic areas, namely: environmental remediation and restoration, improved ecosystem services, and livelihood support initiatives that shall deliver outcomes of local relevance with ripple effects for global impacts.

### **8.1 Internationalization Policy**

CEER shall be committed to establishing a global presence and fostering international collaboration in environmental remediation and restoration. The internationalization policy includes the following four (4) principles, namely:

- 1. Global Vision and Outlook: CEER global vision should seek to integrate international standards, practices, and perspectives in all its activities.*
- 2. Diversity and Inclusion: CEER should promote diversity by attracting international staff, scholars and partners, ensure gender sensitivity, social inclusivity and create a multicultural environment.*
- 3. Collaboration and Partnership: CEER should, actively, collaborate and partner with leading international institutions, organizations, and subject matter experts in environmental remediation and restoration to enhance its research portfolio, eco-innovation, and knowledge exchange.*
- 4. Sustainability and Impact: CEER's initiatives shall aim to address global environmental challenges and contribute to attainment of the 17 SDGs.*

### **8.2 Internationalization Strategy**

To operationalize the internationalization policy, the following ten (10) strategic objectives shall guide CEER's actions leading to positive impacts, namely:

1. *Development of a Global Vision and Outlook by establishing a clear international vision that will guide CEER's global initiatives whereby the Centre acts locally but, with global relevance.*
2. *Attract International Visiting Scholars by creating a diverse and inclusive multicultural learning environment using appropriate safeguarding policies that protect national and international staff and students including gender issues, and inclusivity for the underrepresented and those living with disabilities or differently abled persons.*
3. *International Staff, Management and Advisory Board with the objective to build a diverse team with global expertise and receive strategic guidance from an international advisory board.*
4. *Develop International Programmes and Curricula that reflect global standards and practices.*
5. *Develop International Partnerships and Associations with leading international organizations, research institutions, and universities.*
6. *Secure International Funding and Business to foster diversification of funding sources and attract local and global investments through grants, endowments and donations.*
7. *Promote International Research, Innovation, and Impact by conducting local researches that address global environmental issues thereby achieving significant international impact.*
8. *Enhance International Presence and Communication with the objective of increasing CEER's visibility and engagement with the international community. Develop communication strategies that highlight CEER's international initiatives and achievements.*
9. *Improve International Graduate Employability and Competitive Advantage by equipping graduates with skills and knowledge that meet international standards and enhancing their global employability.*
10. *Implement International Processes and Systems by adopting international best practices in administrative processes, quality assurance, and operational systems.*

### **8.3 Critical Strategic Elements**

The following four (4) items are critical success factors required to actualize the 10 strategic objectives and actions required to operationalize the internationalization policy. The critical strategic elements are:

1. *The presence of a solid Information Technology (IT) Policy and Technical Framework - Support*

*international collaboration, research, and communication and to ensure cybersecurity, efficiency, compliance and maintenance including effective e-waste management policy to protect the environment at the IT infrastructure.*

2. *Innovation Hub - Operate CEER as a centre for creativity, entrepreneurship, and cutting edge research.*
3. *A Repository of Quality Data - Creating a comprehensive quality data repository for research, evidence-based policy-making, and international collaboration.*
4. *Standard International Laboratory - Establish a world-class laboratory with international certification and collaboration.*

Figure 2 below depicts the relationship among the components for internationalising CEER to create the desired impact in line with the mandate of the Centre. The observed critical strategic elements for actualising the CEER internationalisation are essential to achieve the international policy and strategy.

The international policy and strategy when implemented shall help to create a veritable platform for attaining the CEER global research mandate with local relevance. Successful implementation of the critical strategic elements of the internationalisation policy and strategy are the required building blocks for enabling CEER to fulfil its global research focus for conducting strategic research in three key focus areas.



Figure 2 Relationship amongst the components of CEER internationalisation

## 9 CEER Design and Adaptability

The overall outlook of CEER has metamorphosed considerably between the initial design brief back in 2021 and the eventual design and ongoing construction works. To this end, there are variances between the physical infrastructure (as-built), and the recommended operationalization of CEER as recommended by the Technical Planning Committee in this report.

### 9.1 Harmonization of the As-Built CEER with TPC Recommendations

The TPC strongly recommends that as much as possible, the larger percentage of all of CEER's Physical Assets should be self-sustaining and able to generate funds to keep the Centre running for posterity.

To this end, the following recommendations are made:

- 1) *The Residential Accommodation provided for students and currently christened as 'Dormitories', should be adapted to provide Guests Chalets for use by researchers and participants at other events, and appropriate fees charged and collected.*
- 2) *A large proportion of liveable spaces currently called 'Staff Quarters' should also be adapted for use by corporately funded research Chairs and should house small research teams including international scholars on study missions.*
- 3) *The Auditorium and Hospitality / Catering services should be used together to host conferences apart from those organized solely by CEER and appropriate fees collected.*
- 4) *That during the full operationalization of CEER, other physical Assets that can be adapted should be identified and complimentary uses assigned to them, which will close the gap between the TPC recommendations on the vision and mission of CEER and its physical infrastructure.*

## **10 CEER 10-Year Implementation Plan**

### **Phase 1: Foundation (Year 1)**

- *Establish the international vision and communicate it across CEER.*
- *Formulate policies and guidelines for internationalization.*
- *Develop short term internationalisation programmes that enhance the profile and visibility of CEER.*
- *Engage with international partners for national, regional and global recognition.*
- *Develop CEER's communication strategy, materials, website, short videos, and documentaries.*
- *Initiate partnerships and begin outreach for international students and staff.*

### **Phase 2: Development (Years 2-3)**

- *Implement national and international short courses, programmes, curricula, research projects, and joint degree and articulation or credit-seeking programmes.*
- *Develop and launch internship and scholarship programmes for local and international students.*
- *Establish the national and international advisory board and recruit staff.*
- *Campaign for national, regional and international funding to support the activities of CEER.*

### **Phase 3: Expansion (Years 4-5)**

- *Expand national and international partnerships and collaborative researches.*
- *Secure national and international funding to support various CEER interventions.*
- *Develop business models for global investments to support start-up / spin-off companies resulting from research in identified livelihood interventions.*
- *Enhance global presence through active participation at international fora to showcase CEER outputs, outcomes and impacts.*

### **Phase 4: Integration and Sustainability (Years 6-10)**

- *Fully integrate national and international processes and systems across CEER.*
- *Improve CEER international initiatives based on feedbacks and best practices.*
- *Achieve global recognition and impact in environmental remediation and restoration research for development.*
- *Sustain existing and explore new sources of grants, endowments and donations to support the different CEER ecosystem restoration and livelihood interventions.*

## 11 Recommendations

The Technical Planning Committee (TPC), following extensive deliberations at its meetings and in consultation with relevant stakeholders on the establishment and operationalisation of the Centre of Excellence for Environmental Restoration (CEER) at Wiiyaakara in Khana Local Government Area of Ogoni in Rivers State, Nigeria, recommends as follows:

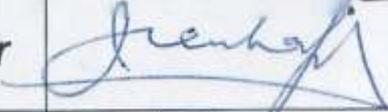
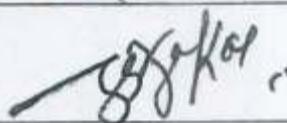
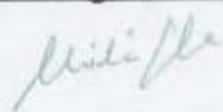
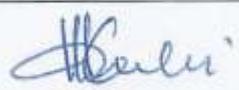
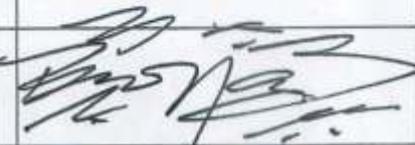
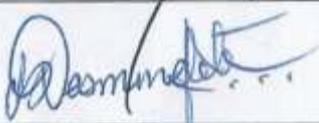
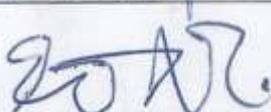
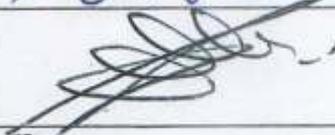
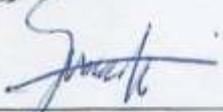
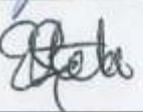
- 1) A clear legal framework for the establishment of the Centre of Excellence for Environmental Restoration (CEER) as an independent Centre of Excellence in Nigeria, is extremely desirable and should be pursued to a logical conclusion in due course.
- 2) Since HYPREP is a product of a 2016 Gazette of the Federal Ministry of Environment (FMoE), and CEER forms part of the 2016 Gazette based on UNEP's 2011 recommendations, which HYPREP is currently implementing, HYPREP is properly placed to run CEER within the confines of the existing Gazette, in the interim.
- 3) Until such a time when CEER shall have a Bill establishing it, or a separate gazette of the FMoE guiding its operations, a new Directorate for CEER should be created within HYPREP's current Organogram, CEER should be removed from the status of a Unit currently under HYPREP's Technical Services Directorate (TSD), and made to function as a Directorate. The CEER Directorate should be set up, as a matter of Urgency, and a competent Director be appointed.
- 4) CEER should ensure a global vision and outlook that integrates international standards, practices, and perspectives, promotes diversity and a multicultural environment able to collaborate and partner with leading international institutions, organizations and subject matter experts in environmental remediation and restoration.
- 5) CEER should align its activities with the 2021-2030 United Nations Decade on Ecosystem Restoration and continue to contribute to attainment of the global target of restoring 350 million hectares of degraded terrestrial and aquatic ecosystems.
- 6) The core research thrust, programmes and curricula of CEER will focus on environmental remediation and restoration, particularly in hydrocarbon-pollution contexts. Specific thematic areas shall include: environmental damage assessment surveys, environmental restoration project planning and design; environmental remediation project planning and management; environmental economics and management, and development studies.
- 7) The capacity building initiatives of CEER will be achieved through the delivery of short courses, degree programmes, local, national and international workshops, webinars, roundtable

discussions, seminars, conferences and professional certifications.

- 8) CEER should take necessary action to ensure that its programmes undergo robust peer-review to align with national and international standards. It shall, where necessary, seek affiliation(s) with national and international bodies, ensuring compliance with appropriate professional regulatory bodies that, are best suited for university and non-university institutions.
- 9) As an entity intended to attract funding from sundry sources for self-sustenance, CEER should not rely solely on government or other seed funding but, should explore grantsmanship and other contract research through consultancy services to make it self-sustaining.
- 10) CEER should create additional value and harness the internal revenue generating potentials of its physical facilities including the auditorium, hostels and guests chalets, and housing structures for public use, at a moderate fee as shall be reviewed from time to time.
- 11) Using the Triple Helix Plus (THP) partnership model, CEER should actively pursue collaboration through strategic partnerships with leading local and international higher educational institutions (universities, specialist institutes, polytechnics); government (MDAs, professional regulatory bodies) and industry (the oil and gas sector, professional associations, etc.).
- 12) CEER should explore strategic routes for sustainable research financing that, will effectively and efficiently create access to funds for market-driven products and services with a robust investment profile where foreign direct investment (FDI) is routed through the Centre for continual growth and development.
- 13) Staffing for CEER should be benchmarked to meet global best practices in terms of technical competence conformity to workplace diversity and other necessary soft skills like effective communication and interpersonal skills that play dominant roles in the sustenance of modern-day institutions, businesses or organisations.
- 14) A robust staff development programme to ensure that its staff remain abreast with cutting-edge technology in environmental remediation and restoration should be put in place.
- 15) The existing structural design and ongoing construction work for CEER should be adapted to suit the recommendations made by the Technical Planning Committee in this Report.
- 16) In order to promote peaceful co-existence for a prosperous Ogoni people, CEER should work

within three pillars of training and research namely, environmental protection, remediation, and restoration; livelihood support programmes for value chain actors, and supporting safe food including clean water production from restored areas for public health restoration.

## 12 Signature Page

S/NO	NAME	POSITION	SIGNATURE
1	Prof. Don Baridam	Chairman	
2	Prof. Joseph A. Ajenka	Member	
3	Prof. Ndowa E.S. Lale	Member	
4	Prof. Barineme Beke Fakae	Member	
5	Prof. Chidi Ibe	Member	
6	Prof. Roseline Konya	Member	
7	Prof. Iyenemi Ibimina Kakulu	Member	
8	Prof. Ben Naanen	Member	
9	Prof. Alubabari Desmond Nbeta	Member	
10	Prof. Eucharia O. Nwaichi	Member	
11	Dr. Evidence Ep-Aabari	Member	
12	Ms. Sornaatah Nubari Nke-ee	Member	
13	Prof. Ibisime Etela	Secretary	

## Appendices



*Figure 3 Aerial View of the Proposed CEER at Wiiyaakara, Khana LGA*



*Figure 4 Inauguration of TPC-CEER by HYPREP's PC, Prof. Nenibarini Zabbey*



*Figure 5 TPC-CEER members after the 2nd Plenary Meeting in Port Harcourt*



*Figure 6 TPC-CEER members after the 3rd Plenary Meeting in Port Harcourt*



*Figure 7 TPC-CEER members after the 4th Plenary Meeting in Port Harcourt*



*Figure 8 Aerial View of Construction Works at CEER Site, Wiiyaakara, Khana LGA*



*Figure 9 Construction Works of CEER Auditorium, Wiiyaakara, Khana LGA*



*Figure 10 Construction Works at CEER Site – Wiyaaakara, Khana LGA*



*Figure11. Submission of TPC - CEER Report to HYPREP Project Coordinator*

*Extraordinary*



# Federal Republic of Nigeria Official Gazette

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**ESTABLISHMENT OF THE HYDROCARBON POLLUTION  
REMEDIATION PROJECT (HYPREP),  
FEDERAL MINISTRY OF ENVIRONMENT, NOTICE 2016**



**ARRANGEMENT OF PARAGRAPHS**

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2. Objectives of HYPREP.
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**FIRST SCHEDULE**

**SECOND SCHEDULE**

**S. I. No. 18 of 2016**

**ESTABLISHMENT OF THE HYDROCARBON POLLUTION  
REMEDICATION PROJECT (HYPREP),  
FEDERAL MINISTRY OF ENVIRONMENT, NOTICE 2016**

[8th Day of December, 2016]

Commence-  
ment.

**PREAMBLE**

WHEREAS following the environmental pollution and degradation of the Niger Delta region, especially Ogoniland, due to Oil production activities, illegal activities, and outcries by the affected communities, international partners and civil society groups on the state of the environment ;

WHEREAS the Federal Government, in its effort to remedy the effects of the environmental degradation on the affected communities, commissioned the United Nations Environment Programme (UNEP) to carry out a study and detailed assessment of the Oil pollution in Ogoniland ;

WHEREAS UNEP carried out an environmental assessment of the Ogoniland and submitted the Report of the Assessment to the Federal Government on 4th August, 2011 ;

WHEREAS the Federal Government inaugurated a Presidential Implementation Committee (PIC) under the Chairmanship of the Minister of Petroleum Resources to review and make recommendations on the implementation of the UNEP Report ;

WHEREAS the PIC recommended the establishment of the Hydrocarbon Pollution Restoration Project (HYPREP) to initiate and develop work programmes aimed at restoring Ogoniland and other impacted host communities ;

WHEREAS the President, on the recommendation of the PIC, approved the establishment of the Hydrocarbon Pollution Restoration Project (HYPREP) under the Ministry of Petroleum Resources on 20th July, 2012 ;

WHEREAS the Federal Government and stakeholders have developed the Terms of Reference (ToR) for the implementation of the recommendations of the UNEP Report in Ogoniland, including the establishment of a Trust Fund to be utilized exclusively for the purpose of the clean-up and restoration of Ogoniland ; and

WHEREAS based on current realities and on the recommendation of an inter-ministerial committee headed by the Minister of Environment, the President approved the revocation of Notice of the Establishment of the Hydrocarbon Pollution Restoration Project Unit, Ministry of Petroleum

Resources, 2014 and the establishment of the Hydrocarbon Pollution Remediation Project (HYPREP) under the Federal Ministry of Environment.

NOW THEREFORE—

Establishment of HYPREP.

1. There is established the Hydrocarbon Pollution Remediation Project (HYPREP) under the Federal Ministry of Environment.

Objectives of HYPREP.

2. HYPREP is established to achieve the under listed objectives in Ogoniland and other impacted Communities—

(a) determine the scope, modalities and means of remediation of soil and ground water contamination in impacted communities as may be approved by HYPREP Governing Council and remedy them ;

(b) enhance local capacity for better environmental management and promote awareness of sound environmental management as well as ensure livelihoods and sustainable development ;

(c) ensure security and promote peace building efforts in impacted communities ; and

(d) strengthen governance, transparency and accountability in the region.

Functions of HYPREP.

3. HYPREP shall perform the following functions—

(a) investigate, map and evaluate hydrocarbon polluted communities and sites in Nigeria referred to it by National Oil Spill Detection Response Agency (NOSDRA) or the Federal Ministry of Environment in collaboration with the Department of Petroleum Resources (DPR) and make recommendations to the Federal Government ;

(b) implement the recommendations of the United Nations Environment Programme (UNEP) Report on Environmental Restoration of Ogoniland (UNEP Report) as directed by the HYPREP Governing Council ;

(c) initiate, and develop work programmes aimed at restoring all hydrocarbon impacted communities and sites referred to HYPREP ;

(d) undertake a comprehensive assessment and mapping of all environmental issues associated with hydrocarbon pollution, in collaboration with NOSDRA ;

(e) provide guidance data to undertake remediation of contaminated soil and ground water in Ogoniland and such other impacted communities as may be referred to it ;

(f) technically evaluate alternative technologies to be employed to undertake remediation of contaminated soil and ground water ;

(g) make recommendations for responding to future environmental contamination from hydrocarbons ; and

(h) ensure full environmental recovery and restoration of Ogoni ecosystem and ecosystem services for Ogoni people and other impacted communities.

4.—(1) There is established for HYPREP, a Governing Council to be known as HYPREP Governing Council.

Establishment  
and  
Composition  
of the  
HYPREP  
Governing  
Council.

(2) The HYPREP Governing Council shall consist of—

- (a) Minister of Environment as Chairperson ;
- (b) Minister of State for Petroleum Resources/Group Managing Director Nigerian National Petroleum Corporation ;
- (c) Minister of Budget and National Planning ;
- (d) Minister of Niger Delta Affairs ;
- (e) National Security Adviser ;
- (f) Managing Director of the Niger Delta Development Commission (NDDC) ;
- (g) Managing Director of Shell Petroleum Development Company of Nigeria (Ltd) and two alternates ;
- (h) one representative of a Non-Governmental Organization dealing with environmental issues ;
- (i) one representative of the 9 Oil Producing States on 2 year rotational basis ;
- (j) two representatives of Ogoni Community and two alternates ;
- (k) two representatives of other Niger Delta Communities and two alternates ;
- (l) one representative of the United Nations Environmental Programme (UNEP) as Observer ; and
- (m) the Project Co-ordinator of the HYPREP who shall be the Secretary to the HYPREP Governing Council.

(3) Members of the HYPREP Governing Council shall be appointed by the President.

(4) The supplementary provisions set out in the First Schedule to this Notice shall apply in relation to the proceedings of the HYPREP Governing Council and other matters therein specified.

5. The HYPREP Governing Council shall—

- (a) superintend the policies of HYPREP ;
- (b) provide the general policy guidelines relating to the functions of HYPREP ;

Powers and  
Functions of  
HYPREP  
Governing  
Council.

(c) guide and steer HYPREP on the strategic processes required for the execution of approved projects ;

(d) in accordance with the Terms of Reference setting out the process of funding, project selection, the management of the Ogoni Trust Fund established under paragraph 14 of this Notice and the roles and responsibilities of various governance structures, be responsible for the oversight of the implementation of HYPREP in line with the recommendations of the UNEP Report ;

(e) promote transparency, propriety and integrity in the operation of HYPREP ;

(f) ensure the protection of the interests of players, stakeholders and the public in HYPREP ;

(g) carry out periodic assessment of the operations of HYPREP and submit reports to the Board of Trustees ;

(h) review and approve Project Plan, budget provisions and Communication Plan for all phases of the execution of an approved Project ;

(i) monitor fund utilization by HYPREP to ensure completion of projects ;

(j) approve HYPREP's control framework and internal assurance plan ;

(k) appoint external auditors to review HYPREP's processes ;

(l) develop appropriate governance framework agreement for the execution of an approved project ;

(m) establish for HYPREP an operational structure under the supervision of the Project Coordinator as spelt out in paragraph 21 of this Notice ;

(n) approve all staff appointment as recommended by the Project Coordinator ; and

(o) perform such other functions as may be given to the HYPREP Governing Council by the Minister to achieve the objectives for which it was constituted.

Tenure of  
Office of the  
HYPREP  
Governing  
Council.

6.—(1) Members of the HYPREP Governing Council, other than the ex-officio members, shall hold Office—

(a) for a term of 4 years in the first instance and may be reappointed for a further term of 4 years and no more ; and

(b) on such terms and conditions as may be specified in their Letters of Appointment.

(2) The terms and tenure of office of the UN Observer shall be determined by the United Nations system.

7.—(1) Notwithstanding the provisions of paragraph 5 of this Notice, a member of the HYPREP Governing Council shall cease to hold office as member where the member—

Cessation of Membership of HYPREP Governing Council.

(a) resigns his appointment as a member of the Governing Council by notice, under his hand, addressed to the President ;

(b) becomes of unsound mind ;

(c) becomes bankrupt or makes a compromise with a creditor ;

(d) is convicted of a felony or of any offence involving dishonesty or corruption ;

(e) becomes incapable of performing his official duties, either arising from an infirmity of mind or body ;

(f) is replaced or resigns from the organization that nominated him ; or

(g) in the case of an ex-officio member, the President is satisfied that it is not in the interest of HYPREP or in the interest of the public for the person to continue in office and the President removes him from office.

(2) Where a vacancy occurs in the membership of the HYPREP Governing Council, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of the predecessor, provided that such successor shall represent the same interest as the predecessor.

8. The members of the HYPREP Governing Council, except the UN Observer and representatives of the Oil Companies shall be paid such sitting allowances as the Federal Government may, from time to time direct upon the recommendation of the Minister.

Allowance of Members of the HYPREP Governing Council.

9. HYPREP shall be funded through—

Funding of HYPREP.

(a) budgetary allocation, subvention and grants by the Federal Government ;

(b) payments from Joint Venture Partners (NNPC and IOCs) ;

(c) payments from Nigerian Oil Companies ;

(d) payments from Refineries ;

(e) grants-in-aid from national, bilateral multilateral agencies or individuals ;

(f) all monies received by HYPEP which may in any way become payable or vested in HYPREP by way of gifts or testamentary disposition ; and

(g) other monies which may from time to time accrue to the HYPREP.

Expenditure  
of HYPREP.

**10.** Except as otherwise provided in this Notice, HYPREP funds shall be applied towards—

(a) the cost of administration of HYPREP including the payment of salaries and other emoluments of its staff ;

(b) the payment of sitting allowances of members of the HYPREP Governing Council and Board of Trustee except the UN Observer and representative of the Participating Entities ;

(c) the development and maintenance of any property vested in or owned by HYPREP ;

(d) the payment of all consultancies, legal fees and cost of contracts administration ;

(e) the payment of all purchases made as approved by HYPREP ;

(f) maintaining general financial reserves subject to general or special directives relating to operation of HYPREP in accordance with the provisions of this Notice ; and

(g) any approved expenditure in connection with all or any of its functions under this Notice except as provided in paragraph 14 of this Notice.

Annual  
Estimate and  
Accounts.

**11.—(1)** The Board of Trustees shall cause the Project Co-ordination Office (PCO) to prepare a Fund utilization report for the previous quarter for funds drawn down pursuant to the approved HYPREP projects and the report shall accompany each subsequent funds draw down request.

(2) The Board of Trustees shall, not later than 31st March in each year, submit to the Minister, a report of funds received and disbursed in relation to Ogoni Trust Fund or any other Trust Fund established pursuant to paragraph 14 (5) of this Notice for the preceding year.

(3) The Board of Trustees shall cause the Escrow Bank of the Trust Fund to keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause the Escrow Account and the Sub-Accounts to be audited within 3 months after the end of each year by Auditors appointed by the Office of the Auditor-General of the Federation in accordance with the guidelines provided by the Auditor-General for the Federation.

(4) The Board of Trustees shall cause the PCO to prepare and submit to the Board of Trustees not later than 31st March in each year a report in such form as may be directed by the Board of Trustees on the activities of HYPREP during the preceding year for each approved HYPREP.

(5) The report referred to in sub-paragraph (4) of this paragraph shall include a copy of the audited accounts for the projects for that year and of the auditor's report thereon, which shall be submitted to the Minister for approval.

(6) The Board of Trustees shall cause HYPREP to open and maintain an escrow account with a designated bank for approved projects into which all funds made available shall be deposited by HYPREP.

(7) Deposits into, and payments out of the designated project bank account referred to in sub-paragraph (6) of this paragraph shall only be for the respective approved projects and not co-mingled with other monies of HYPREP.

12. The PCO shall prepare and submit to the HYPREP Governing Council—

Annual Reports.

(a) not later than 31st March in each year a report in such form as the HYPREP Governing Council may direct on the activities of HYPREP in the immediate preceding year and shall include in the report a copy of the audited accounts of HYPREP for that year and of the auditor's report thereon ; and

(b) an interim report at 6 months interval before the due date for the Annual Report.

13.—(1) Subject to the approval of the Governing Council, the HYPREP may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.

Power to accept Gifts.

(2) HYPREP Governing Council Members, Board of Trustees and Employees shall not accept any gift if the conditions attached by the person or organization making the gift are inconsistent with the objectives of this Notice, any other law, rule or order governing the code of conduct for public officers.

14.—(1) There is established a Trust Fund (in this Notice referred to as "the Ogoni Trust Fund") into which shall be paid the initial sum of One Billion Dollars (\$1,000,000,000) over a period of 5 years for the implementation of the UNEP report on Ogoniland in accordance with the approved work programme and value of work done, in the following ratio—

Establishment of the Ogoni Trust Fund.

(a) Joint Venture Partners 90 per cent to be made in accordance with their participating interests ;

(b) Refineries 5 per cent ; and

(c) Other Local Operators 5 per cent.

(2) HYPREP shall, subject to the approval of the HYPREP Governing Council apply the proceeds of the Ogoni Trust Fund towards—

(a) the remediation of Ogoniland ;

(b) the execution of programmes and projects approved in the work plan of HYPREP in respect of the Ogoni Remediation Project ;

- (c) the administrative cost associated with Ogoni Remediation Project ;
- (d) the payments of fees of experts or professionals appointed by HYPREP pursuant to the approval of the HYPREP Governing Council for Ogoni Remediation Project ; and
- (e) any expenditure connected with all or any of the approved mandates of HYPREP in relation to the Ogoni Remediation Project.

(3) Contributions to the Ogoni Trust Fund specified in sub-paragraph (1) of this paragraph shall be—

- (a) made into the designated account of the Ogoni Trust Fund by each Participating Entity ; and
- (b) obtained from all participating entities prior to obtaining any further contributions from the participating entities into the Ogoni Trust Fund.

(4) The Trust Fund shall be used only for the Ogoni Remediation Project.

(5) Upon the recommendation of the Governing Council, the Minister may establish any other Trust Fund under HYPREP as may be necessary, for any other approved HYPREP Projects, other than the Ogoni Remediation Project after due consultation and agreement with Fund Contributors.

(6) Any Trust Fund established pursuant to this paragraph shall be managed by the Board of Trustees established in paragraph 15 of this Notice.

(7) Contributions into any Trust Fund established under this paragraph by the Participating Entities or Fund Contributors shall only be for Petroleum Operations.

Establishment  
and  
Composition  
of Board of  
Trustees of  
the Ogoni  
Trust Fund.

15.—(1) The Ogoni Trust Fund shall be managed by a Board of Trustees answerable to the Minister.

(2) The Board of Trustees shall consist of the following—

- (a) Chairperson to be appointed by the President on the recommendation of the Minister ;
- (b) Minister of State for Environment ;
- (c) Minister of Finance ;
- (d) Minister of State for Petroleum Resources and Chairman of the Board of Nigerian National Petroleum Corporation ;
- (e) two representatives from Ogoniland ;
- (f) three participating International/Contributing Oil Companies (Shell, AGIP and Total) ;
- (g) one representative of other communities in the Niger-Delta ;
- (h) one representative of the Non-Governmental Organizations (NGOs) that are active in environmental matters ; and

(i) one representative of the United Nations Environmental Programme (UNEP) as an observer.

(3) The Chairperson of the Board of Trustees shall be a person of proven integrity and experience in financial management.

(4) The supplementary provisions set out in the Second Schedule to this Notice shall apply in relation to the proceedings of the Board of Trustees and other matters therein specified.

16. Members of the Board of Trustees other than representatives of the Oil Companies and the UN, shall be paid such sitting allowances as the Federal Government may, from time to time, direct upon the recommendation of the Minister.

Allowance  
of members  
of the Board  
of Trustees.

17. Members of the Board of Trustees other than the ex-officio members shall hold office—

Tenure of  
Office of  
Board of  
Trustees.

(a) on part-time basis for a term of 4 years in the first instance and may be reappointed for a further term of 4 years and no more ; and

(b) on such terms and conditions as may be specified in their Letter of Appointment.

18.—(1) Notwithstanding the provision of paragraph 17 of this Notice, a member of the Board of Trustees shall cease to be a member where the member—

Cessation of  
membership  
of the Board  
of Trustees.

(a) resigns appointment as a member of the Board of Trustees by notice, written by the member and addressed to the Minister ;

(b) ceases to be a representative of the entity the member represents ;

(c) becomes of unsound mind ;

(d) becomes bankrupt or makes a compromise with creditors ;

(e) is convicted of a felony or of any offence involving dishonesty or corruption ;

(f) becomes incapable of performing official duties either arising from an infirmity of mind or body ; or

(g) the President is satisfied that it is not in the interest of the Trust Fund or public for the person to continue in office as a member.

(2) Where a vacancy occurs in the membership of the Board of Trustees, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of the predecessor and the successor shall represent the same interest as the predecessor.

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Functions of the Board of Trustees.

**19.—(1)** The functions of the Board of Trustees are to—

(a) carry out financial oversight that ensures the use of financial controls and that funds are prudently utilized in accordance with established financial policies related to HYPREP ;

(b) liaise with and manage disbursement of the funds, gifts and grants-in-aid from national, bilateral and multilateral organizations, agencies and bodies, including Fund Contributors and Participating Entities, for any approved Project related to an established Trust Fund ;

(c) release funds to the PCO as approved by the HYPREP Governing Council ;

(d) carry out internal and external financial audit of allocated or disbursed funds ;

(e) ensure that funds are timely made available for the implementation of activities as may be approved by the HYPREP Governing Council ; and

(f) execute an escrow agreement with an Escrow Bank approved unanimously by the Board of Trustees ; and

(g) ensure that the PCO prepares a funding schedule for each Calendar Year at least prior to 30th September of the previous Calendar Year and each Funding Schedule shall set out the estimated cash requirements of HYPREP, for each quarter of the Calendar Year to which it relates, for the project execution based on the annual work programme and annual budget approved by the Governing Council.

(2) The escrow account to be opened pursuant to the escrow agreement (“Escrow Account”) referred to in sub-paragraph (1) (f) of this paragraph, shall provide and the Board of Trustees shall ensure that, within the Escrow Account, sub-accounts (the “Sub-Accounts”) are established in respect of each Fund Contributor to the related Trust Fund.

Appointment of Project Co-ordinator for HYPREP.

**20.—(1)** There shall be appointed by the Minister, a Project Co-ordinator for HYPREP (in this Notice referred to as “the Project Co-ordinator”).

(2) The Project Co-ordinator shall—

(a) be appointed based on advertisement and competitive selection process in line with international best practice ;

(b) possess a minimum of Masters Degree and be experienced in the field of Environmental Sciences ;

(c) be a person of proven integrity ;

(d) be responsible to the HYPREP Governing Council for the day-to-day administration of the Project Co-ordination Office ;

(e) hold Office for a term of 4 years in the first instance and may be reappointed for another term of 4 years and no more ; and

(f) be paid such remuneration as may be determined by the HYPREP Governing Council.

**21.—(1)** There shall be established a Project Co-ordination Office under the supervision of the Project Co-ordinator.

Structure of the Project Co-ordination Office.

**(2)** The HYPREP Co-ordination Office shall consist of the following Units—

- (a) Environmental Remediation ;
- (b) Livelihoods and Sustainable Development ;
- (c) Communication and Community Engagement ;
- (d) Security ;
- (e) Procurement ;
- (f) Finance and Administration ;
- (g) Legal Services ; and
- (h) Monitoring and Evaluation.

**22.** The Project Co-ordination Office (the PCO), shall—

Functions of the Project Co-ordination Office.

(a) provide leadership and requisite supervision to ensure the successful execution of the HYPREP ;

(b) be accountable for the overall delivery of the execution of the HYPREP, including annual plans, delivery by the contractors and within agreed budget ;

(c) develop project plan and budget provisions for the execution of the HYPREP ;

(d) supervise contractors to ensure timely and qualitative project delivery ;

(e) provide periodic risk and project updates to the HYPREP Governing Council and the Board of Trustees ;

(f) maintain repository of all project documents ;

(g) ensure compliance with existing applicable Laws and Governance or-Control Framework ;

(h) ensure that procurement and tendering processes are in line with the Public Procurement Act, 2007 and consistent with the international best practices ;

(i) manage and execute all aspects of contracting relations under the highest standards of integrity and ethical behavior and comply with all applicable Laws and Regulations ;

(j) ensure proper contract documentation and apply transparent and impartial procedures in the selection of contractors and management of contracts ;

(k) formulate procedures for the due diligence of third party contractors, agents, intermediaries and vendors ("Due Diligence Procedures for Contractors"), which shall be reviewed and approved by the HYPREP Governing Council ; and

(l) develop and execute a communications plan in collaboration with all stakeholders.

Appointment of the Legal Adviser and other Staff.

23.—(1) There shall be appointed by the HYPREP Governing Council a Legal Adviser who shall be the Secretary to the Board of Trustees.

(2) The HYPREP Governing Council may as it considers necessary, appoint such other staff—

(a) for HYPREP on contract basis for a period of not more than 2 years renewable for such further period not exceeding 2 years ; and

(b) on secondment from the State or Federal Civil Service in accordance with the Public Service Rules.

(3) The remuneration of staff of the HYPREP shall be determined by the Governing Council in accordance with the rules of remuneration of public officers in the Constitution.

Establishment of Central Representatives Advisory Committee.

24.—(1) There is established for the HYPREP a Central Representatives Advisory Committee (CRAC) to be approved by the Governing Council.

(2) The CRAC shall consist of the—

(a) the Project Co-ordinator as chairperson ;

(b) one representative each of—

(i) the state government of the impacted area where HYPREP is operational,

(ii) the IOCs,

(iii) Civil Society Organization,

(iv) Traditional Rulers, and

(v) UNEP ; and

(c) 6 representatives of Ogoni Communities and any other impacted community for which a trust fund is established pursuant to paragraph 14 (5) of this Notice.

**25. The Central Representatives Advisory Committee shall perform the following functions—**

Functions of Central Representatives Advisory Committee.

- (a) establish and maintain a primary contact between the HYPREP and the communities referred to in paragraph 24 (c) of this Notice ;
- (b) interface with all the stakeholders ;
- (c) communicate progress of the project, including employment and business opportunities to the community ;
- (d) prepare its communication or engagement budget under the supervision of the PCO ;
- (e) address grievances from the Communities ;
- (f) meet on a monthly basis ; and
- (g) convene sub-committees as may be required and approved by the PCO.

**26.—(1) Security for the HYPREP shall be provided by the Office of the National Security Adviser, the Military, Department of State Security, the Nigeria Police, and the Nigerian Security and Civil Defence Corps.**

Security.

**(2) The National Security Adviser shall provide the framework for the security arrangement.**

**27.—(1) A Monitoring and Evaluation Mechanism shall be established and outsourced to Experts and Civil Society Organizations to ensure independent feedback.**

Monitoring and Evaluation.

**(2) The Mechanism shall—**

- (a) develop measures and indicators to evaluate all HYPREP activities ;
- (b) ensure compliance with all extant laws and regulations governing the project ; and
- (c) ensure that the project outputs and outcomes meet the required standards and expectations of the HYPREP.

**28.—(1) In the event of any dispute that may arise in connection with HYPREP between impacted communities, oil companies, contractors and Government—**

Dispute resolution mechanism.

- (a) there shall be established a dispute resolution mechanism to assist in the resolution of the dispute ; and
- (b) parties to the dispute shall meet and attempt in good faith to resolve the dispute through negotiation.

**(2) Where the Parties to the dispute (which includes a community) fail to resolve a dispute through negotiation, they shall submit the dispute to**

mediation or conciliation to a Zonal Representative Committee who shall endeavour to resolve the dispute amicably between the parties.

(3) Where the dispute remains unresolved by the Zonal Representative Committee, Parties shall submit the dispute to the Central Representative Committee for resolution.

(4) Any Party to a dispute not satisfied with a decision of the Central Representative Advisory Committee shall submit same to the Governing Council who shall resolve the dispute.

(5) Notwithstanding the provisions of this paragraph, where a dispute involves a crime, the matter shall be reported to the Nigeria Police or any other Law Enforcement Agency for investigation and prosecution.

(6) Where a dispute remains unresolved after applying any of the ADR mechanisms referred to in this paragraph, any party to the dispute may submit the dispute for settlement by arbitration in accordance with the provisions of the Arbitration and Conciliation Act Cap A.18, Laws of the Federation of Nigeria, 2004.

(7) Parties shall respect and execute the decision of the arbitrators without delay unless such decision has been overturned on appeal.

(8) Each party shall bear its own cost of arbitration.

(9) The venue of any arbitration shall be the Regional Centre for International Commercial Arbitration, Lagos, Nigeria.

Revocation  
and Savings.

29.—(1) The Notice of the Establishment of the Hydrocarbon Pollution Restoration Project Unit, Ministry of Petroleum Resources, 2014 is revoked.

(2) Nothing in this Notice shall invalidate or otherwise or prejudicially affect anything done or purported to be done under the revoked Notice.

Interpretation.

30. In this Notice—

“*Fund Contributors*” shall mean companies, entities, including Participating Entities or individuals contributing to the Ogoni Trust Fund or any Trust Fund established pursuant to this Notice ;

“*Joint Venture Partners*” means NNPC and the International Oil Companies currently operating in Nigeria ;

“*Minister*” means the Minister responsible for Environment or any such person or officer so designated ;

“*Ministry*” means the Federal Ministry responsible for environment ;

“*HYPREP*” means the Hydrocarbon Pollution Remediation Project ;

“*International Oil Companies*” means Shell Petroleum Development Company of Nigeria Ltd (Shell), Nigeria Agip Oil Company Ltd (Agip) and Total Nigeria Ltd (Total) ;

*“Ogoni Trust Fund”* means the Trust Fund established pursuant to paragraph 14 of this Notice for the implementation of the UNEP Report recommendation in Ogoniland ;

*“Ogoni Restoration Project”* means the activities to be carried out in accordance with this Notice for the implementation of the UNEP Report recommendation in Ogoniland ;

*“Participating Entities”* means NNPC, International Oil Companies or entities contributing to the Ogoni Trust Fund ;

*“Petroleum Operations”* shall have the meaning ascribed to it in the Petroleum Profits Tax Act ;

*“President”* means the President of the Federal Republic of Nigeria ;

*“Project”* means such restoration work programme as may be approved by the HYPREP Governing Council at any given time ;

*“Public Officer”* means a person holding any office specified in Part II of the Fifth Schedule of the Constitution of the Federal Republic of Nigeria ; and

*“Two Alternates”* for the purpose of paragraph 4 (2) (g) of this Notice means Nigeria Agip Oil Company Ltd (NAOC) and Total Nigeria Ltd.

**31.** This Notice may be cited as the Establishment of the Hydrocarbon Pollution Remediation Project, Federal Ministry of Environment Notice, 2016. Citation.

FIRST SCHEDULE

[Paragraph 4 (4)]

SUPPLEMENTARY PROVISIONS RELATING TO THE HYPREP GOVERNING COUNCIL

Proceedings  
of the  
HYPREP  
Governing  
Council.

1.—(1) Meetings of the HYPREP Governing Council shall be held at least once every 4 months unless otherwise agreed by the HYPREP Governing Council.

(2) Notice of meeting of the HYPREP Governing Council shall be issued by the Chairperson to the members of the HYPREP Governing Council at least 14 days prior to the meeting of the HYPREP Governing Council.

(3) The notice shall specify the date, time and agenda, in detail, of the meeting and attach any supporting documents.

(4) The HYPREP Governing Council shall meet for the conduct of its business at such places in Nigeria and on such days as the Chairperson may appoint.

(5) Every meeting of the HYPREP Governing Council shall be presided over by the Chairperson and where the Chairperson is unable to attend a particular meeting, the Minister of Budget and National Planning shall preside at the meeting.

(6) Each member of the HYPREP Governing Council shall be entitled to require the Chairperson to include additional items on the agenda by written notice to the Chairperson and the other members of the HYPREP Governing Council not less than 7 days prior to the meeting of the HYPREP Governing Council and attach any supporting documents.

(7) For any meeting of the HYPREP Governing Council, the period of notices stipulated in this schedule may be waived with the consent in writing of all members of the HYPREP Governing Council.

(8) Each member of the HYPREP Governing Council shall have one vote on all matters for decision.

(9) Where a member is absent at any particular meeting of the HYPREP Governing Council, the member may cast his vote by proxy.

(10) One or more members of the HYPREP Governing Council may participate in and vote at a meeting of the HYPREP Governing Council by means of a video conference which allows all persons participating in the meeting to hear and communicate with each other.

(11) Any member of the HYPREP Governing Council who participates in a meeting of the HYPREP Governing Council under sub-paragraph (9) of this Schedule shall be deemed to be present in person for all purposes of the meeting and shall count towards the quorum.

(12) A member of the HYPREP Governing Council who is unable to attend a meeting of the HYPREP Governing Council may issue a proxy to any other person authorising such person to attend on his behalf and to cast his votes.

(13) Each proxy shall be executed in writing by the member of the HYPREP Governing Council and presented at the relevant meeting of the HYPREP Governing Council.

(14) A properly executed and delivered proxy shall remain valid for the period specified in the proxy and any appearance and voting by proxy shall satisfy the quorum and voting requirements.

(15) Each member shall, within 14 days after receiving drafts of minutes of any meeting, return the minutes with its comments to the Secretary who shall within 14 days thereafter forward the final draft to the members of the HYPREP Governing Council.

(16) The minutes of each meeting shall be approved by the HYPREP Governing Board of Trustees at the next meeting and copies thereof shall be furnished to all members of the HYPREP Governing Council.

2. Any member of the HYPREP Governing Council who has a personal interest in any contract or arrangement entered into or proposed to be considered by the HYPREP Governing Council shall resign with immediate effect.

Conflict of interest.

3.—(1) The quorum for a meeting of the HYPREP Governing Council shall be 7 members of the HYPREP Governing Council.

Quorum.

(2) If within 2 hours from the time appointed for the holding of a meeting of the HYPREP Governing Council, a quorum is not present, the meeting shall stand adjourned to the next day in the same week or if that day is a public holiday, to the next business day thereafter, at the same time and place as the original meeting, or to such other day and at such other time and place as the HYPREP Governing Council may determine.

## SECOND SCHEDULE

[Paragraph 15 (4)]

## SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD OF TRUSTEES

Proceeding  
of meetings  
of the Board  
of Trustees.

1.—(1) The Board of Trustees shall have the power to regulate their proceedings and make standing orders with respect to the holding of their meetings, notices to be given, the keeping of minutes of their proceedings, the custody and production for inspection of such minutes and such other matters as the Board of Trustees may, from time to time, determine.

(2) There shall be at least 2 ordinary meetings of the Board of Trustees in every calendar year and subject thereto, if the Chairperson is requested to do so by notice given to the Chairperson by not less than 6 other members, the Chairman shall convene a meeting of the Board of Trustees to be held within 14 days from the date on which the notice was given.

(3) Every meeting of the Board of Trustees shall be presided over by the Chairperson.

(4) The quorum of any meeting of the Board of Trustees shall consist of the Chairperson and six members representing different interests in the Trust Fund.

(5) The Board of Trustees shall meet for the conduct of its business at such places in Nigeria and on such days as the Chairperson may appoint.

(6) A question put before the Board of Trustees at a meeting shall be decided by consensus and where this is not possible, by majority of the votes of the members present and voting provided such majority includes at least 2 trustees (including the NNPC) representing the participating entities and the Chairman shall not have a casting vote except in the case of a tie vote.

(7) Where the Board of Trustees seeks the advice of any person on a particular matter, the Board of Trustees may invite that person to attend its meetings for such period as it thinks fit, but a person who is invited by virtue of this paragraph shall not be entitled to vote at any meeting of the Board of Trustees and shall not count towards the quorum.

(8) The Board of Trustees shall bear the cost of any person invited to its meeting pursuant to sub-paragraph (7) of this paragraph.

(9) The validity of any proceedings of the Board of Trustees shall not be affected by—

- (a) any vacancy in the membership of the Board of Trustees ;
- (b) reason that a person not entitled to do so took part in the proceedings ; or
- (c) any defect in the appointment of a member.

(10) Each member shall, within 14 days after receiving drafts of minutes of any meeting, return the minutes with its comments to the Secretary who shall within 14 days thereafter forward the final draft to the members of the Board of Trustees.

(11) The minutes of each meeting shall be approved by the Board of Trustees at the next meeting and copies thereof shall be furnished to all members of the Board of Trustees.

2. Any member of the Board of Trustees who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board of Trustees shall resign with immediate effect. Conflict of interest.

MADE at Abuja this 8th day of December, 2016.

AMINA J. MOHAMMED  
*Honourable Minister of Environment*



FEDERAL MINISTRY OF ENVIRONMENT  
**Hydrocarbon Pollution Remediation Project**  
**(HYPREP)**

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