



Strathmore
UNIVERSITY

SCHOOL OF HUMANITIES & SOCIAL SCIENCES
BACHELOR OF ARTS IN DEVELOPMENT STUDIES AND PHILOSOPHY
END OF SEMESTER EXAMINATION
BDP 3103: LAW, GOVERNANCE AND DEVELOPMENT

DATE: 30th October 2024

TIME: 08:00 – 10:00

Instructions

1. This examination consists of **FIVE** questions.
2. Answer **Question ONE (COMPULSORY)** and any other **TWO** questions.

QUESTION ONE:

Read the following excerpt and answer the questions that follow:

The oil firm [Shell](#) cannot be allowed to withdraw from the Niger delta before it takes responsibility for its toxic legacy of pollution and the safe decommissioning of abandoned oil infrastructure, a report says.

[Shell plc is preparing to divest](#) from the delta but a report warns that it must remain until it has cleaned up its legacy of pollution.

The report, by the [Centre for Research on Multinational Corporations](#) (Somo), says historical pollution remains a serious issue in the area and accuses Shell of trying to avoid responsibility despite the billions of dollars it has earned from the oil.

The allegations come as the Labour MP [Clive Lewis](#) said in the House of Commons that the departure of Shell, a British company, from the delta raised serious concerns that its environmental responsibilities and obligations could be evaded.

The report says there is a big transparency gap around the issue of funding for decommissioning. [Nigeria](#) has legal requirements for companies to set aside funds for decommissioning, but there is no means to establish how much funding companies have – or have not – set aside, the report said.

Researchers for Somo could not find any confirmation that Shell has set up a fund or funds to cover the decommissioning of the oil mining leases it has sold.

“Shell has pulled off the ultimate Houdini act,” said Audrey Gaughran, the executive director of Somo. “As the oil industry enters its final phase, whether that’s in the next five years or 25, Shell has sold its toxic assets and will not be left holding them when the music stops.

“Shell has profited from oil extraction for decades, and in doing so, has made the Niger delta one of the most oil-polluted places on Earth, leaving communities to face the dire consequences that will remain well beyond the lifetime of the industry.”

(Excerpt from: Sandra Laville (28 February, 2024). Shell must clean up pollution before it leaves Niger Delta, report says. The Guardian)

- a) **Based on the above excerpt, define** the following terms and briefly **discuss two** governance challenges pertaining to each of them:
 - i. Natural resources (5 marks)
 - ii. Human rights (5 marks)
 - iii. Financial capital (5 marks)
- b) Explain the following good governance principles using examples from the excerpt.
 - i. Transparent (5 marks)
 - ii. Rule of law (5 marks)
 - iii. Accountable (5 marks)

QUESTION TWO

- a) Define the term 'land governance.' (3 marks)
- b) Discuss any **three** challenges pertaining to land governance in Africa (12 marks)

QUESTION THREE

- a) Outline the provisions of any **two** articles of the UN Declaration on Human Rights. (6 marks)
- b) Using relevant examples, discuss any **three** transnational activities that violate human rights. (9 marks)

QUESTION FOUR

- a) Define the term 'Social capital.' (3 marks)
- b) Using relevant examples from any country, discuss any **two** measures that have been undertaken to observe each of the following:
 - i. Gender equality (6 marks)
 - ii. Indigenous rights (6 marks)

QUESTION FIVE

Discuss **any** three forms of financial crimes, using relevant examples from any country (15 marks)