

# Environmental Protection for Sustainable Development in Nigeria

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**Abstract:** This paper assessed environmental protection for sustainable development in Nigeria. It is a well-known fact that across the globe, there is a penchant to initiate policies and programmes that can protect the environment, and at the same time, engender sustainable development, given that a sustainable environment is the foundation of every meaningful development. Data for the study were drawn from published materials and Key Informant Interview (KII). The interviewees were made up of environmental activists and members of civil society organisations. Data for the study were analysed through content analysis, with attention to logical sequence of data. The study found that even though Nigeria parades a good number of environmental protection laws and policies, the challenge remains that there is little or no conscious effort at development, let alone sustainable development. The study recommended, among other things, the need for collective action towards sustainable development.

**Key words:** conservation, development, environment, environmental degradation, environmental sustainability, sustainable development,

## I. INTRODUCTION

The need to protect the natural environment, which may also be referred to as ‘the natural habitat’, is the determinant factor in the enactment and enforcement of environmental policies. To this end, McCormick (2001, p.21) averred that environmental policy is:

any action deliberately taken to manage human activities with a view to prevent, reduce, or mitigate harmful effects on nature and natural resources, and ensuring that man-made changes to the environment do not have harmful effects on humans or the environment.

Included here are issues related to the pollution of air and water, and in the course of managing waste, ecological system supervision, how to protect bio-diversity, and how to protect resources of nature, and wildlife and species whose continued existence might be in jeopardy. Given the ubiquitous environmental issues all over the world, it would be foolhardy to sweep such under the carpet, or be in denial of them. Thus, Eccleston and March (2010) opine that “*environmental policy embodies the commitment of the government (or organisations) to the laws, regulations and other policy mechanisms relating to environmental issues like air and water pollution, as well as waste management*”.

It has been pointed out by Banovac et al. (2017) that: “*the rationale for the involvement of the government in the environment is market failure in the form of forces beyond the*

*control of one person, including the free rider problem and the tragedy of the commons. The tragedy of the commons is the problem that, because no one person owns the commons, each individual has an incentive to utilise common resources as much as possible*” (Eccleston & Doub, 2012). In the absence of the state through its regulatory agencies, things provided by nature for the use of all are stretched, leading to the occurrence of tragedies of the commons like over-fishing and overgrazing inevitably occur.

According to Knill and Liefferink (2012): *in the European Union (EU), the very first environmental action programme was adopted by government representatives in July, 1973, during the first meeting of the Council of Environmental Ministers*”. In Nigeria, it was the incidence in which harmful waste was dumped in Koko, Delta State in 1987, that brought to the fore, the awareness and the urgent need to promulgate laws and policies to protect the Nigerian habitat. This discovery led to the passage of the *Harmful Waste Decree 42 of 1988*.

In keeping with Section 20 of the 1999 Constitution of the Federal Republic of Nigeria, the state is given the power to protect and see to the improvement of the environment. The state is also given constitutional power to secure the water, land, air, forest and wildlife in Nigeria. This implies that the basis of Nigeria’s environmental policy is the 1999 Constitution. Section 2 of the Environmental Impact Assessment Act of 1992 (EIA Act) provides that: “*the public or private sector of the economy shall not undertake or embark on, or authorise projects or activities without prior consideration of the effect on the environment*. Consequently, the Nigerian government has promulgated various laws and regulations to protect the Nigerian environment. Included here are: *Federal Environmental Protection Agency Act of 1988 (FEPA Act) repealed by the National Environmental Standards Regulation Agency (NESREA) Act 2007*. Pursuant to the FEPA Act, the following regulations were made:

- National Environmental Protection (Effluent Limitation) Regulations;
- National Environmental Protection (Pollution Abatement in Industries and Facilities Generating Wastes) Regulations; and,
- National Environmental Protection (Management of Solid and Hazardous Wastes) Regulations.

- Environmental Impact Assessment Act of 1992 (EIA Act).
- Harmful Wastes (Special Criminal Provisions etc.) Act of 1988 (Harmful Wastes Act).

The states of the federation and the Federal Capital Territory (FCT), are also at liberty to do likewise in their respective jurisdictions. The major essence of environmental protection is to ensure sustainable development. Wonah (2017, p.25) aptly captured this when he asserted that:

The state formulates and implements public policies in order to promote the welfare of the citizens. Environmental policy as a public policy is formulated and implemented by the state to protect and preserve the environment. The environment with its natural resources is supportive of man's survival here on earth. But the excessive exploitation of the natural resources coupled with unfriendly environmental practices such as gas flaring, bush burning, indiscriminate deforestation and dumping of refuse not only distorts the eco-system but also destroys the biodiversity necessary for the reinvigoration of the carrying capacity of the earth for development. Thus, development needs to be sustained. This means that while we presently exploit the natural resources of the environment, the needs of the future generation should not be compromised.

A major highlight of the above excerpt is that protecting the environment is essential for sustainable development. Sustainable development came to the limelight in the 1980s, when the term was used to depict growing concerns over the degradation of the environment, issues related to biophysical protection, and others. In short, the concept of sustainable development is one that encapsulates economic, environmental and social issues which stare contemporary society in the face. It was during this period that the 'Brundtland Report [World Commission on Environment and Development]' (1987, p.42) defined sustainable development as: "development that can meet the needs of the present generation without compromising the ability of future generations to meet their own needs". Development, in this scenario, is understood to mean a progressive movement from an unfavourable or undesirable condition, to a more favourable or desirable condition. Examining this synergy is the major thrust of this paper.

## II. THE CONCEPT OF ENVIRONMENTAL PROTECTION

Simply put, environmental protection refers to the act of conserving the natural environment, and if possible, repair damages already done, as well as reverse negative trends. Goal 13 of the SDGs refers to it as 'climate action'. Karamanos (2011) is of the view that environmental protection lays emphasis on providing solutions to problems that arise from the interaction between people, and environmental systems. Included here are issues like conservation, pollution, loss of biodiversity, land degradation or even environmental policy. From this perspective,

therefore, environmental protection is concerned with the prevention of degradation of the natural environment, having been under the effect of increasing population, technology and overconsumption. Collectively, these have impacted adversely on the environment, thereby putting the entire ecosystem at grave risk.

To Harding (2016), environmental protection is *the practice of protecting the natural environment by individuals, organisations and governments, with the intention of conserving natural resources and the existing natural environment and, where possible, to repair damage and reverse trends* (p.229). From this definition, we can deduce that environmental protection is a conscious act which is to be initiated by those living in, and invariably exerting pressure on the environment.

### *The Concept of Development*

Development can be qualitative or quantitative. Development means different things to different people. Nnoli (1981) is of the view that development must, as a matter of necessity, lead to positive change evidenced in the improved capacity of people to control their physical/material assets, ideology, intellectual resources, among others. These evidences of development must not be intermittent, but rather, it must be gradual and sustainable. This is because development, as a process, depicts continuity. Irrespective of how one looks at it, however, development must involve improvement on what already exists. For instance, development can be said to occur when the standard of living of people in a given society improves, when the capacity of people to thrive in a given environment has been enhanced, when innovative ways of doing things have been introduced and embraced, etc.

### *The Concept of Sustainable Development*

Sustainable development strives at maintaining equilibrium between two divides. Its aim is to meet people's immediate needs, while at the same time preserving the environmental natural resources in such a way that the need of future generation is not compromised. Wonah (2017) explained that: *the concept of sustainable development "presupposes that government policies as well as man's activities within the planet earth must draw the line between the immediate needs and that of the unborn generations. It preaches the development of a culture that is selfless and cares passionately about human welfare today and for generations to come"*. To achieve this, the United Nations (UN) came up with 17 sustainable development goals (SDGs) in 2015.

Orji (2012) examined how the implementation of sustainable development in Nigeria can be enhanced through legal strategies. He noted that: *despite an abundance of resources, attempts to reduce poverty and promote sustainable development have not become a reality in Nigeria*. He defined sustainable development as "development that is balanced between people's economic and social needs and the

preservation of natural resources and ecosystems to meet present and future needs” (p. 86). Furthermore, Orji noted that: *lack of political will, corruption, deficiency of proper coordination for sustainable development programs, and wasteful patterns of production and consumption have hindered any meaningful progress in Nigeria’s quest for sustainable development.*

#### *The Concept of Conservation*

Conservation, in relation to the environment, has to do with the responsible preservation and careful management of the environment and natural resources. Environmental conservation is the conscious practice of saving the environment through the prevention of species’ loss. It also involves the preservation of the ecosystem from harmful human activities and pollutants. Over all, conservation is helpful to both trees and animals. Conservation of the environment is a way of guaranteeing environmental sustainability.

#### *Environmental Damages*

By environmental damages, Vince and Moore (2008) are of the view that it involves the emission of hazardous waste into the environment in the form of spills, dumps, and other releases requiring clean-up that caused harm to humans or the environment. From this standpoint, environmental damage occurs as a result of industrial accidents. Through these accidents, harmful substances are released into the environment. These get absorbed and to a very large extent, cause damages to the environment. Among the things that can be adversely affected is drinking water.

Environmental damages can be mitigated through cleaning up the polluted environment. A ready instance here is the Ogoni clean up exercise. Even though the exercise appears to have been in limbo since it was constituted, it is a recognition that something needed to be done after years of neglect of the environment. The essence of the clean up is to remove contaminants from environmental media like surface or groundwater, soil, sediment, etc.

#### *Environmental Protection and Sustainable Development in Nigeria*

Environmental protection, in relation to sustainable development, is a product of environmental policy, and the Nigerian State has not been lagging behind on that score. The table below illustrates as much:

Table 1: National Environmental Regulations in Nigeria, 2009 – 2014

S/N	Year	National Environmental Regulations	Purpose
1	2009	Wetlands, River Banks and lake shores regulations	Ensure the conservation and sustainable use of wetlands for tourism and ecological aims
2	2009	Watershed, mountains, Hilly and catchments Area regulation	Protection of water catchment area
3	2009	Sanitation and waste control	A legal framework that enables a sustainable waste

			management and sanitation practices that are environment-friendly and reduce pollution
4	2009	Permitting and licensing system	Constant enforcement of environmental laws, regulations and standards
5	2009	Access to genetic resources and benefit sharing	Regulate access and use of generic resources to ensure the sustainability of endangered species
6	2009	Mining and processing of coal, ores and industrial minerals	Reducer pollution through mining processes.
8	2009	Ozone layer protection	Prevent the import, production, sale or use of substance that deplete the ozone layer.
9	2009	Food beverage and tobacco sector	Reduce pollution from industries involved in the production of food beverage and tobacco into the environment.
9	2009	Textile, wearing apparel, leather and footwear industry	Reduce pollution from associate industries in this field of production
10	2009	Noise standard and control	Regulate noise levels to ensure psychological wellbeing of all.
11	2009	Chemicals, pharmaceuticals soap and detergent manufacturing industries	Avoid and reduce, pollution from industries involved in the production of chemicals, pharmaceuticals, soap and detergent.
12	2011	Base metals, iron and steel manufacturing/recycling industries sector	Avoid and reduce pollution from industries involved in this sector.
13	2011	Coastal and marine/area production	Prevent degradation of coastal and marine environment through precautionary and anticipatory activities.
14	2011	Construction sector	Avoid and reduce pollution emanating from activities in this sector.
15	2011	Control of bush, forest fire and open burning	Avoid and reduce the impact of such activities that destroy the ecosystem through air pollution.
16	2011	Control of vehicular emissions from petrol and diesel engines	Ensure the protection and preservation of the air quality by pursuing reduction in vehicular emission.
17	2011	Desertification control and drought mitigation	Encourage effective use of areas affected by desertification and take steps to protect further spread.
18	2011	Domestic and industrial plastic, rubber and foam sector	Avoid and reduce pollution from industries in these manufacturing sector.
19	2011	Electrical/electronic sector	Reduce pollution from operators in this sector, by they used or new equipment
20	2011	Non-metallic minerals manufacturing industries sector	Reduce pollution from operation in this sector.

21	2011	Protection of endangered species in international trade	Protection of endangered species to avoid extinction by the prohibition of importation and trade.
22	2011	Soil erosion and flood control	Put to checks human activities that lead to erosion, flooding.
23	2011	Surface and ground water quality control	Preserve and restore the integrity of surface waters.
24	2011	Standards for telecommunications and broadcast facilities	Reduce and avoid negative impact of the activities of operators in these sectors to human health, general safety and welfare.
25	2013	Quarrying and blasting operations	Minimize the hazard of quarrying and blasting activities on human health and environment.
26	2013	Control of Alien and invasive species	Reduce the negative effects of alien and invasive species on the environment, human health and economy.
27	2013	Pulling and paper, wood and wood products	Eliminate pollution of our environment by operators in this manufacturing sector.
28	2013	Motor vehicle and miscellaneous assembly	Avoid and reduce pollution through waste from the activities of operators in this sector, ranging from new, used and end-of-life motor vehicles.
29	2014	Air quality control	Better control of air control quality in the environment, enhance human health and preservation of the ecosystem.
30	2014	Control of charcoal production and export	Preserve and protect the ecosystem of the nation's environment and reduce to the barest minimum, felling of trees to produce charcoal.
31	2014	Dams and reservoirs	Manage and reduce the health and environmental hazards and associated with dams and reservoirs, as well as disasters like dam breast, sediment load.
32	2014	Hazardous chemicals and pesticides	Safe guard the harmful effects of chemicals and pesticides on human health.
33	2014	Energy sector	Encourage energy efficiency and reduce pollution in this sector.

Source: Prepared by the researcher with insight from Benebo (2014).

It is not enough to have well-articulated environmental policies without requisite implementation roadmaps. Makinde (2005) is of the view that although Nigeria is adept in policy-making, a big lacuna exists when it gets to its implementation. This implementation failure, Makinde attributes to “corruption, lack of continuity in government policies”, as well as “inadequate human and material resources”. The implementation failure is demonstrated by the continued environmental woes in Nigeria. Indeed, the failings of the past and greater awareness of the complexity of environmental problems gave rise to a growing acceptance that environmental protection is best

achieved through the use of a multipronged approach. This requires the use of a combination of regulatory, economic, voluntary, and information instruments, where the policy mix is determined on the basis of the available evidence regarding cost-effectiveness (Encyclopaedia of Ecology, 2019).

Indeed, some global milestones that took place from the 1990's brought to the fore, the urgent need for all nations to: *safeguard the environment, and ensure sustainable development*. These global platforms include:

- United Nations Conference on Environment and Development (the Earth Summit) at Rio de Janeiro in 1992;
- Kyoto Protocol on Climate Change of 1997;
- Rotterdam Convention on the Prior Informed Consent (PIC) of 1998;
- World Business Council for Sustainable Development of 1995;
- Cartagena Protocol on Biosafety (The United Nations Millennium Summit) of 2000, held in New York;
- Stockholm Convention of Persistent Organic Pollutants of 2001; and,
- World Summit on Sustainable Development (WSSD) of 2002, held in Johannesburg, South Africa.

Nigeria is a signatory to several multilateral environmental agreements such as the United Nations Framework Convention on Climate Change (UNFCCC) of 1992, Convention on Biological Diversity of 1992, Human Rights and Environmental Protection of 1999, among others. These agreements put Nigeria in the global map of nations that must be intentional in their drive to pursue and attain sustainable development.

At the local scene, not much was done by the Nigerian government in the area of environmental protection prior to 1988. There were no major policies in place until the event of Koko Toxic Waste Saga of 1988. This saga led to the “*promulgation of the Harmful Waste Decree 42 of 1988, and further still, the creation of the Federal Environmental Protection Agency (FEPA), Decree 58 of 1988*” (Munn, 2010). Major highlights of the National Policy on Environment include:

- “environmental concerns should be at the core of major economic decision-making process;
- environmental remediation costs should be built into all major development projects;
- economic instruments should be used in the management of natural resources;
- the use of environmental-friendly technology should be applied; and,
- in carrying out of every major developmental project, environmental impact assessment must be done” (Ramjeawon & Bassey, 2014, p.6).

Going further, the government of Nigeria merged FEPA with other relevant Departments in Ministries, to form

the Federal Ministry of Environment in 1999. This merger gave a boost to the drive to achieve sustainable development. However, the trouble is that discussing sustainable development in the absence of development appears to be an aberration. This is the view expressed by a civil society activist:

Nigeria is far from pursuing sustainable development. The people must understand and be educated on their roles as citizens in keeping the environment clean and regulatory agencies must be intentional about this. Development should come before you talk about sustainability. Right now, we cannot talk about sustainability when we cannot keep our city clean, deforestation and logging is at its peak (Key Informant Interview, October 2019).

Another environmental activist that was interviewed noted that:

An environment that is healthy will not be littered with refuse, polluted with hydrocarbon emissions, gas flaring. The absence of electricity has contributed immensely to air pollution in Nigeria due to the emissions from power generating sets. All these make for an unhealthy environment which does not encourage sustainable development. Sustainable development and healthy environment are two sides of the same coin. A clean environment makes for development which we can then work towards its sustainability (Key Informant Interview, October 2019).

From the foregoing, the true position is that aside putting in place several environmental protection policy frameworks, conscious effort is yet to be made towards following up on these policies in order to ensure long-term development in the country.

### III. CONCLUSION AND RECOMMENDATIONS

That the environment, through hazardous industrial activities, among other things, is being degraded daily is beyond doubt. This has accelerated the process of climate change, leading to the raising concerns that sustainable development might have become a mirage. On the issue of climate change, the world appears to be on the same pedestal, demanding action to mitigate the devastating impacts of climate change. Expectedly, Nigeria is not left out. Nigeria is pursuing sustainable development, although more needs to be done.

The pursuit of development which places a high premium on a clean and healthy environment is achievable and possible to the extent that all key stakeholders join forces in focusing on our common heritage, which is the environment. It is only in a healthy and clean environment that true development and consequently, sustainable development can be achieved. An unhealthy environment will lead to almost every vice and hamper economic growth and social development. However, the quest for economic and social development appears to undermine the essential responsibility to the future, in order to maintain and sustain

the environment, where we can all live, free from pollution and disease.

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