

Climate Change for Sustainable Development:
**The Imperative of Indigenous Language
Approach as a Remedy**

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Abstract

Human activities have continued to increase the atmospheric concentration of greenhouse gases resulting in additional warming of the earth's surface and the general atmosphere. One of the major threats to the global order in the present century is climate change. Climate change is one of the most important menaces to earth's biodiversity, natural resources, poverty eradication etc., posing a threat to livelihoods and poverty reduction.

The abounding evidence of global climate change can no longer be ignored. There is therefore the need to reinforce the management of risk as well as proactive actions in addressing climate change issues. Considering the negative impact of the menace of climate change on development, the ecosystem and mankind, this work appraises those measures put in place to checkmate the rising tide of greenhouse gas emission. To this end, this paper will study Nigeria's environmental legal framework which will enable Nigeria's ecosystem to naturally adapt to climate change that will lead to sustainable economic development.

This paper found that Nigeria is ill-prepared to combat the challenges of climate change. Existing legal and institutional

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frameworks for the regulation of climate change in Nigeria are in fragmented forms while laws and implementation strategies for environmental protection concerning climate change in Nigeria are incoherent. This paper also found that there are no effective infrastructures to monitor and enforce climate change issues and that indigenous people are not well acquainted with the threats posed by climate change as a result of lack of effective communication posed by language barrier. This poses a challenge to the slogan of “acting for the long-term in a short-term world.” This paper concludes that there is an urgent need for a comprehensive framework that will create adequate awareness of the challenges of climate change, inclusively, to ensure proper understanding of citizens, so as to effectively regulate climate change in Nigeria. Hence, the indigenous language approach of this paper.

Introduction

The debate on climate change has been on the front burner in recent times, taking a centre stage in global discourse as a result of its effect on the human population. In July 2007, it was recorded¹ that more than 130,000 people in seven West African countries were severely affected by heavy flooding as a result of torrential rains. Climate change is not just one of the greatest challenges of our time² but it is also one of the most critical challenges ever to face mankind. The economic downturn experienced by the American economy was reported³ to have a climatic component. The African continent is worst hit, where increased evidence of warming over land regions has been highlighted,⁴ with infant mortality rate rated to be as high as 1,000 birth.⁵ Nigeria, in particular, is facing several climate-induced environmental trends which deepen poverty and destroys livelihood. The country is said⁶ to be losing about 1.6 km to the Sahara desert and 150 feet to the Atlantic Ocean on an annual basis. The mangrove which once served as a source of fuel-wood for indigenous people and a habitat for the biodiversity of the oil-producing areas is now unable to survive the oil toxicity of its habitat.

The violation of national and international environmental protection laws impact on the biological integrity of the planet. Countries have been called upon to take actions to strengthen resilience and adaptive capacity to climate-related hazards and natural disasters.⁷ Governments of the world were called upon to pursue a new development strategy that would guarantee continued economic growth and ecological stability.⁸ Also, countries have been urged to demonstrate their commitment to responsible business practice by signing the Caring for Climate Statement and to “act for the long-term in a short-term world.”⁹ A set of scenarios that world limit global warming to 1.5 degrees Celsius have been outlined.¹⁰ Strategies that will be understood by all and that ensure the participation of all citizens must be put in place for the actualisation of this quest.

Development patterns in Nigeria have reached unsustainable levels, manifested in widespread land degradation, erosion, deforestation, pollution etc. The economic and financial turmoil sweeping the globe is a true wake-up call for us to improve upon old patterns of growth and make a transition to a new era of greener, cleaner development patterns. As observed by Kikelomo *et. al.*,¹¹ Nigeria’s policy response so far are yet to impact the reduction of the country’s vulnerability to the impacts of climate change. Language barrier in the communication of the dangers posed by climate change is not helping matters. This makes it imperative for the Nigerian government to sit up and do the needful about the on-going concern over climate change if Nigeria is to avert the threats posed by this challenge.

Development is about sharing experiences and ideas to find better ways of doing things. Communication is vital in transmitting the dangers of climate change to the citizenry. It has been pointed out that information is better disseminated in a language that is familiar to the people in ways that will engage with their cultural context.¹² Language is an important tool in that communication process. There can be no true development without linguistic development.¹³ It takes the use of indigenous language for citizens to effectively express their needs, understand the plans and plight of government and collaborate to make those plans possible and fruitful.¹⁴ A development process that is based on imported official language can involve only a small part of the population.¹⁵ The language of the initiative and creative expression are therefore crucial to the attainment of the SDGs,

particularly the goal of climate change mitigation. Hence the language perspective of this work.

Climate Change and its Impact

Climate change is one of the most critical challenges facing mankind, with the potential of causing the worst forms of economic and security problems for humanity. It is one of the key challenges in the environment sector of Nigeria. Climate change is the response of the climate of the earth to altered concentrations of greenhouse gases.¹⁶ It refers to any significant change in measures of climate lasting for decades or more.¹⁷ It is described¹⁸ as a change of climate that is attributed directly or indirectly to human activities which alter the composition of the global atmosphere. These changes could be due to natural factors and processes as well as human activities like deforestation, desertification, reforestation, and burning of fossil fuels¹⁹ which change the atmospheric composition.

It has been asserted²⁰ that emerging scientific evidence point to the possibility of climate change, with its multiple impacts at diverse scales, affecting ecosystems in particular, which in turn affects livelihood and human well-being.²¹ Climate change poses a great challenge to mankind.²² It poses the risks of increased ill-health and death rates, food insecurity and breakdown of food system, loss of rural livelihoods and income, loss of marine and coastal ecosystems, loss of terrestrial and inland ecosystems,²³ flooding etc. as is being witnessed regularly in Nigeria and other parts of the world. It also poses serious threats to vital transport infrastructural services and operations.²⁴ This is particularly so in Africa and Nigeria in particular, where it is having an increasingly threatening reality and consequences on the people.²⁵ The effect of climate change is an increase in the temperature of the earth which affects both physical and biological systems.²⁶ Rising temperature is expected to result in increased evaporation which could cause some areas to become drier. Another effect of climate change is the rise of sea levels and this erodes beaches and coastal wetlands and increases the vulnerability of coastal areas to flooding from storm surges and intense rainfall. To avert this, countries are called upon to stabilise greenhouse gas concentration in the atmosphere to a level that will prevent dangerous atmospheric interference with the climate system.

Nigeria is strongly predisposed to the negative impact of climate change due to her fragile economy that is highly dependent on fossil fuel.²⁷ It has been pointed out that Nigeria is confronting a planetary emergency caused by global climate change.²⁸ In fact, reports²⁹ have it that Nigeria is at high risk of climate change, particularly in the southern part, and extreme risk in the northern part. In recent times, floods have led to the death of many children and adults while many houses and vehicles were submerged.³⁰

Given the speculated increase in population that is projected at 9.7 billion people come 2050,³¹ this makes it imperative to take the challenges posed by climate change more serious in Africa and most especially in Nigeria in the language that will ensure effective communication of its negative effect. Hence this study.

Development Defined

The word “development” cuts across all spheres of society. It refers to a set of desirable goals for society. The term “development” has been defined as “a comprehensive economic, social, cultural and political process which aims at the constant improvement of the well-being of the entire population and the individuals based on their active, free and meaningful participation in the development process and the fair distribution of benefits resulting there-from.”³² Development transcends economic prosperity to include psychological, social, political and environmental changes for the betterment and well-being of the society.³³ Man has been recognised as the centre of concern of all forms of development.³⁴ Emphasis is increasingly placed on the quality of life, health and educational standards and the general social well-being of the people³⁵ in the development circle. It has been proclaimed that “human beings are at the centre of concern for sustainable development and that they are entitled to a healthy and productive life in harmony with nature.”³⁶ Development should therefore be people-oriented. Development, therefore, ought to be of the people, by the people and for the people. Development is required³⁷ to be redirected to better meet the needs of the people. These include the need to ensure effective participation in the drive to combat climate change.

Considering the negative impact of climate change on sustainable development and man by extension, the Nigerian government ought to demonstrate more concern about how to produce the ideal citizen who is

not only conscious and aware of the dangers of climate change but also economically sufficient and intellectually competent and equipped to combat it.

Climate Change and Sustainable Development

Climate change which is both a political and social issue is one of the greatest challenges facing development,³⁸ with its devastating effects.³⁹ The performance of any economy is affected by climate change. Economic systems impact on the environment by using up resources, by emitting waste products, by changing the aesthetic function of natural and built-in environment and by altering the global life support on which we all depend. The use of fossil fuel, for instance, which is driven by the use and process of economic growth, affect climate globally.

Climate change is a development challenge which causes adverse impacts across the economy, society and environment. Continuing vulnerability to climate change poses significant threats to achieving long term development goals.⁴⁰ Nigeria's rainforest zones are fast becoming savannah belts and the desert is advancing at a fast rate towards the southern parts of the country from the North at a speed of one kilometre annually,⁴¹ thus throwing farming communities into joblessness. It has also been pointed out that presently, there is a reduction of the Harmattan season thus increasing the frequency and severity of droughts with the likelihood of causing crop failure, impoverishment, hunger and famine.⁴²

Agricultural sector plays a major role in greenhouse gas emissions. Now that the country is working towards boosting the agricultural sector of the economy, the country cannot afford to be ignorant of the impact of climate change on agriculture. Farming depends on the characteristics of rainfall and quality of the rainy season. Decreased rainfall will reduce production potentials of many crops which can lead to increased poverty and hunger, starvation and even death. Increased droughts will impact seriously on the availability of food. Other sectors of the economy will also be affected negatively by climate change. The impact of climate disruption of the oil industry is better imagined than felt. Poverty will be deepened, socio-economic livelihood will be disrupted, national livelihood will be constricted and the government's capacity to provide deliverables to Nigerians will be stretched.

The vision of transforming our world seeks to address the most pressing global challenges to sustainable development of which climate change is chief. The international community has been urged⁴³ to reconcile the challenges of mitigating and adapting to climate change to reduce pollution sources or enhance the sinks of greenhouse gases.⁴⁴ Developing countries, of which Nigeria is one, are recognized⁴⁵ as being particularly vulnerable to the adverse effects of climate change.

Nigeria is under obligation to protect the climate system for present and future generations⁴⁶ and to take precautionary measures to anticipate, prevent or minimise the causes of climate change and mitigate its adverse effects.⁴⁷ Nigeria is expected to put in place appropriate laws and policy measures to protect the climate system against human-induced changes. Such policies are expected to be integrated into national development programmes.⁴⁸ In the same vein, Nigeria is saddled with the responsibility of formulating and updating national programmes containing measures to mitigate climate change by addressing anthropogenic emissions to facilitate adequate adaptation to climate change.⁴⁹ She is also expected to take climate change challenges into account in formulating relevant social, economic and environmental policies and actions to minimise the adverse effects of climate change on the economy, public health and on the quality of the environment thereby mitigating the effect or adapt to climate change. This can be done more effectively if these challenges and policies are communicated in the native languages of the people.

Since economic development is essential for adopting measures to address climate change, Nigeria ought to seek ways of promoting a supportive and open economic system which will lead to sustainable economic growth and development that will better address the problems of climate change in the language and manner in which the entire citizenry will best understand. It is therefore imperative to adopt an all-inclusive strategy through the indigenous language approach to preserve the country's ecosystem in curbing the menace of climate change to enhance the attainment of sustainable development in Nigeria.

Mitigating Climate Change through Sustainable Development Since the discovery of the fact that humanity has the ability to make development sustainable to ensure that it meets the needs of the present without

compromising the ability of future generations to meet their own needs, sustainable development has become a very important priority for the world at large and should be taken as such in Nigeria in particular.

Ruthless urban development has been recognised⁵⁰ as a threat to the environment. There can be no protection of an ecosystem's balance unless its biodiversity is protected. Biodiversity protection is the preeminent criterion of the stability and vigour of the ecosystems. The principle of biodiversity protection provides legal protection for all variety of species like flora and fauna and their habitats. The earth's capacity to produce vital and reproducible assets must be preserved and where possible, restored⁵¹ to the global environmental balance. If the limit of carrying capacity is exceeded, it results in irreversible developments and the system becomes destabilised. The release of heat in quantities that exceed the environment's capacity to absorb them must therefore be curtailed if serious and irreparable damage to ecosystems is to be avoided.⁵² This requires effective enlightenment campaign to enable the masses to appreciate the devastating effect of climate change. It takes the use of indigenous language to effectively communicate the adverse impact of climate change.

The mitigation of climate change effect is imperative if sustainable development is to be achieved. The conservation of natural resources is the nucleus of the notion of sustainable development. Sustainable development consists of the conservation and recovery, where possible, of the adequate natural capital to support qualitative development policy and the inclusion of environmental, cultural, social and economic criteria in the planning and implementation of development decisions following the ecological order of a sustainable society. Sustainable development is seen as the balanced co-evolution of man-made systems and the ecosystem. The purpose of sustainable development is to allow co-evolution of both man-made systems and the ecosystem. For that to be achieved, the said system must maintain its equilibrium through the adoption of the principles of sustainable development.⁵³ The principles of sustainable development should be reflected in the nation's environmental and developmental policies to mitigate climate change and to attain sustainable development in Nigeria.

Global Response to Climate Change

The international community is making frantic efforts to lay a global solid foundation to combat climate change and enhance sustainable development. There are efforts at the international level to work-out details on legal and effective global cooperation that will bring about desired climate change and put a stop to threats on global social, political and economic development. Guiding principles requiring State parties to take into account the implementation of the objectives of the international conventions in the development of national law and policy have been laid down at the international level. Contracting state parties to the Kyoto Protocol, for instance, are required to implement and/or further elaborate policies and measures on the enhancement of energy efficiency. They are also to concern themselves with the protection and enhancement of sinks and reservoirs of greenhouse gases, sustainable agricultural practices, promotion of research and development etc. Carbon dioxide sequestration technologies and innovative environmentally sound technologies etc. are also to be looked into as a way of achieving the Protocol's quantified emission limitation and reduction commitments.⁵⁴ In the same vein, targets and timetables for quantified emission limitation and reduction objectives for industrialised parties to reduce their net emission of greenhouse gases have also been set.⁵⁵ Furthermore, a call has been made⁵⁶ for a sustained programme to invest in and deploy energy conservation, coupled with effective demand management to lay a foundation for a set of resilient low carbon economic environment. There was also a call to effectively integrate climate change into economic planning and management of member states as well as the provision of full support to the implementation of climate information for development.⁵⁷ Nigeria's response to these calls leaves much to be desired.

The international response to climate change began at the Rio Earth Summit in 1992, where the Rio Convention, including the adoption of the United Nations Framework on Climate Change (UNFCCC), was adopted. This Convention is primarily an international intergovernmental forum for regulating the global response to climate change.⁵⁸ The outcome document of the Rio+20 Conference, the Future We Want, underscores climate change as an inevitable and urgent global challenge, having long term implications for sustainable development of all countries. Commitment to protect the planet from degradation and to take further action on climate change was

undertaken in the 2030 Agenda for Sustainable Development. Goal 13 of the Sustainable Development Goals aims at taking urgent action to combat climate change and its impacts. Nigeria cannot be left out in the search for how to effectively mitigate climate change to have a smooth pathway to the attainment of sustainable development. This cannot be done in the absence of an enabling framework that recognises the role indigenous language plays in this regard. Nigerian laws/policies are still lacking in this regard. This has served to hamper the mitigation of climate change, and by implication, the attainment of the set SDGs.

Framework on Climate Change in Nigeria

Strategies to deal with climate change include legal and institutional frameworks, capacity building and the strengthening of institutions⁵⁹ etc. Although Nigeria has since ratified the UN Convention on Climate Change, there is no direct legislative instrument on climate change control in Nigeria. In February 2003, the first national conference to deliberate the Draft National Communication took place in Abuja but since then nothing is heard of this Communication. However, there are some statutes, administrative policies and measures which have positive impacts on greenhouse gas emission reduction and related issues. We shall now turn to Nigeria's environmental regulatory framework which will enable our ecosystem to naturally adapt to climate change to ensure that economic development proceeds in a sustainable manner.

Common Law Provisions

There are common law provisions which enable victims of environmental abuse to seek remedies under the laws of torts by pleading nuisance, negligence, and the rule in *Rylands v. Fletcher*. The tort of nuisance, which is the predominant method of environmental control, has contributed significantly to environmental protection. Public nuisance is a criminal offence which materially affects the reasonable comfort and convenience of a class.⁶⁰ Public nuisance is committed when a project/action obstructs or causes inconvenience or damage to members of the public. Where a statute confers a power to act rather than a duty, such a power must be exercised in such a manner as to prevent interference with private rights.⁶¹ Otherwise, such exercise of power will attract an action in public nuisance. Negligence is committed where a man brings dangerous things capable of escaping and

causing damage upon his premises.⁶²The rule in *Rylands v. Fletcher*⁶³ states that a person who for his purpose brings to his land and collects and keeps there anything likely to do mischief if it escapes must keep it at his/her peril. Failure to do so makes him/her prima facie answerable for all the damages which is the natural consequence of its escape.⁶⁴ The federal government commits the crime of public nuisance by allowing the pollution of the land as a result of activities in its oil industry, thus affecting the reasonable comfort and convenience of the lives of the people.

Statutory Provisions

i. The Constitution of the Federal Republic of Nigeria 1999

The Constitution provides that the State shall protect and improve the environment and safeguard the water, air and land, forest and wildlife of Nigeria.⁶⁵ Because we operate a Federal Constitution, there are multiple levels of regulation on matters of environmental pollution at the lower levels of governance. The National Assembly, however, has exclusive authority to regulate interstate water resources. The Constitution confers no right to a clean environment on Nigerians, neither does it place any duty on Nigerians to protect the environment. The Constitutional responsibility on the Nigerian government to safe-guard the environment cannot be judicially enforced as a result of the non-justiciability clause in that section of the Constitution. This has not made it easy to effectively checkmate government especially activities that lead to climate change in Nigeria.

ii. The Criminal Code

The Nigerian Criminal code imposes a duty on everyone not to violate the atmosphere. The Code makes it an offence for anyone who makes the atmosphere noxious to human health etc.⁶⁶ Any person who corrupts or fouls the water or spring, well, tank, reservoir or place to render it less fit for the purpose for which it is ordinarily used is an offender.⁶⁷ This Code is not intended to restore environmental integrity as it does not focus on the broader perspective of environmental protection nor issues on climate change. The penalty for violating this Code is six months imprisonment and this cannot serve as a deterrent to would-be offenders. Such a penalty makes it easier to violate the provisions of this Code and to pay the fines imposed. Such provisions cannot but encourage activities that promote climate change.

iii. **The Nigerian Urban and Regional Planning Decree (NURPD) 88 of 1992**

This decree was described⁶⁸ as the *nulli secundus* of Nigeria's environmental law. The decree states the need for development permits to be issued within the framework of a development plan for all forms of lands. It places a duty on all tiers of government to prepare physical environmental plans showing the different uses of land within the jurisdiction of the different levels of government⁶⁹ with adequate regard to the overall public interest. The provisions of this law are unable to effectively checkmate activities that can lead to climate change as a result of activities of corrupt officials saddled with the responsibility of issuing development permits.

iv. **The Environmental Impact Assessment (EIA) Decree 86 of 1992**

EIA is an important tool for sustainable development requiring contracting parties to introduce appropriate procedures requiring environmental impact assessment of its proposed project which are likely to have significant adverse effects.⁷⁰ Accordingly, it was stated that "environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority."⁷¹ Environmental Impact Assessment is a pre-requisite for all development projects in Nigeria⁷² and environmental auditing was made mandatory for all existing industries. In recognition of the fact that problems of environmental pollution transcend States and National frontiers, the Act takes care of areas within and outside Nigeria.⁷³ The goals of the Act include responsible use and exploitation of natural resources, sustainable productivity of the ecosystem, maintenance of the carrying/absorptive capacity of air, land and water, prevention of the degradation of environmental quality and use of appropriate technology.⁷⁴ This Act has not been able to succeed in ensuring that the likely environmental impact of projects on the environment is effectively taken into account.

v. **Oil in Navigable Waters Act Cap. O6 LFN, 2004**

This piece of legislation is traceable to the need to prevent pollution of the sea. The Act seeks to control and to prohibit the discharge of crude oil, fuel, lubricating oil and heavy diesel oil, into prohibited sea areas⁷⁵ and

territorial waters. The Act aims at reducing the incidence of pollution of the world's high seas, the Nigerian watercourses in particular. Indiscriminate disposal of industrial waste generated by oil is prohibited by the Act.

vi. **Oil Pipelines Act of 1956 Now known as the Oil Pipelines Act Cap 338 2004**

This Act was referred to⁷⁶ as the very first legislation concerning pollution from petroleum operations in Nigeria. The Act⁷⁷ prohibits alteration in the flow of water in any navigable waterway capable of obstructing or interfering with the free and safe passage of vessels, canoes or other crafts by the licensee of an oil pipeline. The licensee is also prohibited from constructing or depositing materials in or altering the flow of water required for domestic use, industrial or irrigational use, or constructing works or making deposits in any waterways that would cause flooding or erosion without prior permission in writing.⁷⁸ The rate of flooding all over the country is a pointer to the fact that this piece of legislation is not effective in combating erosion/flooding, let alone the checkmating of climate change.

vii. **Associated Gas Re-Injection Act 1997**

This Act was established to address the menace of atmospheric pollution through gas flaring in Nigeria. The purpose of the Act is to compel companies producing oil and gas in Nigeria to submit preliminary programmes for gas re-injection as well as detailed plans for implementation of gas re-injection.⁷⁹ The deadline to stop gas flaring has always been flouted simply by applying to the Minister of Petroleum Resources for permission to continue flaring of gas. The misuse/inappropriate exercise of this discretionary power has made gas flaring to be the order of the day in the oil-producing regions of Nigeria.

viii. **National Environmental Protection (Effluent Limitation) Regulations**

The above was enacted to limit and regulate gaseous and liquid waste discharges into the public watercourses, drains, seas, rivers and lakes. It requires industries to install and maintain anti-pollution equipment based on best available technology, best practical technology or uniform effluent standards for the detoxification of effluent and chemical discharges emanating from that industry. Facility operators are required by the

Regulation⁸⁰ to treat effluent to a uniform level following the Regulation before discharging same into public water, drain, rivers, seas etc. There is no adequate monitoring to ensure adherence to the requirements of this Act hence there is still unhealthy discharges into public watercourses in Nigeria.

ix. **National Environmental Protection (Pollution Abatement Industries and Facilities Generating Wastes) Regulations 1991**

The above prohibits the release of hazardous or toxic substances into the air, water or land of the country's ecosystem by any industry beyond limits approved by the Agency. If the set limit is to be exceeded, the permit regime must be obtained. The Regulation requires every industry or facility to establish a pollution-monitoring unit within its premises to minimise the incidence of industrial pollution. The regulation also stipulates that solid waste shall be disposed of in an environmentally safe manner. Appropriate abatement equipment are to be installed in the system of any industry or facility likely to release gaseous particulate, liquid or solid untreated discharges, in such a manner as to be determined by the appropriate Agency. In Nigeria as at today, the rate of industrial pollution remains high despite the provisions of these Regulations as hazardous/toxic substances are frequently released into Nigeria's ecosystems.

x. **Harmful Wastes (Special Criminal Provisions etc.) Act 1988
Now Cap H1 LFN 2004**

The Harmful Wastes (Special Criminal Provisions etc.) Act prohibits the carrying and dumping of harmful waste on any land, territorial waters, contiguous zones, exclusive economic zone of Nigeria or its inland waterway.⁸¹ The plethora of harmful substances on land and waterways testify to the fact that this Act is grossly ineffective in combating climate change.

xi. **Federal Environmental Protection Agency Cap F 10 LFN 2004**

This Agency⁸² was charged with the responsibility of protecting and developing the environment in general as well as advising the government on environmental policies.⁸³ The Director-General of the Agency is empowered to establish programmes for the prevention, reduction and elimination of pollution of the nation's air, land and inter-state water, as well

as programmes for the restoration and enhancement of the nation's environment.⁸⁴ FEPA has since been repealed.

xii. **National Environmental Standards and Regulations Enforcement Agency (Establishment) (NESREA) Act 2007**

This Act is established for the effective enforcement of standards, regulations and all national and international agreements, treaties, conventions and protocols on the environment to which Nigeria is a signatory.⁸⁵ The Agency is the enforcement arm for environmental standards, regulations, rules, laws, policies and guidelines.⁸⁶ The Agency is saddled with the responsibility of protecting and developing the environment, biodiversity conservation and sustainable development of Nigeria's natural resources in general, as well as environmental technology.⁸⁷ With regards to air quality and atmospheric protection, the Agency is empowered to "make regulations setting specifications and standards to protect and enhance the quality of Nigeria's air resources, to promote the public health or welfare and the natural development and productive capacity of the nations' human, animal, marine or plant life including, in particular: the most appropriate means to prevent and combat various atmospheric pollution; (a) control of atmospheric pollution originating from energy sources, including that produced by aircraft and other selfpropelled vehicles, industries, factories and power generating situations or facilities; standards applicable to emissions from any new mobile or stationary source which in the Agency's judgement causes or contributes to air pollution which may reasonably be anticipated to endanger public health or welfare; and the use of appropriate means to reduce emission to permissible levels" etc.⁸⁸ The ability or competence of the NESREA Act to enforce environmental standards/regulations is questionable, seeing the degree of environmental pollution resulting in climate change. Simply put, this Act is not effective in ensuring biodiversity conservation.

xiii. **National Policy on Environment**

The National Policy on Environment was put in place in 1989 to ensure that there is a balance between human needs and the carrying capacity of the environment as a demonstration of Nigeria's commitment to sustainable development. Integration of environmental cost into the production process and output prices is one of the strategies recognised in the National Policy on the Environment⁸⁹ for achieving sustainable development in the

management of the environment and natural resources and as a strategy to conserve natural resources.⁹⁰ The maintenance of regular environmental audit to ensure the adoption of environmentally sound practices in all mining operations, the promotion of safe and pollution-free operation in energy production and use, ensuring effective monitoring and assessment of environmental protection programmes in the petroleum industry are some of the strategies adopted by the policy to deal with issues of environmental pollution and degradation.⁹¹ The policy⁹² provides for a comprehensive approach to the pursuit of economic and social development in such a way as to secure for Nigerians a quality of environment adequate for their health and well-being, conserve and use the environment and natural resources for the benefits of present and future generations, restore, maintain and enhance the ecosystem and ecological processes essential for the functioning of the biosphere to preserve biological diversity and the principle of sustainable yield in the use of living natural resources and ecosystem etc.⁹³

Nigeria's National Policy on Environment reflects her sustainable development efforts aimed at improving the socio-economic, political and cultural conditions and the environment of the people without jeopardising the future. The policy emphasises development based on the proper management of the environment to meet present and future needs. Proper management of the environment is regarded⁹⁴ as including careful assessment of climate change and its impact on Nigerians and their environment. No doubt, this Policy has failed in its mandate to ensure proper management of the environment especially in the areas of enhancing the ecosystem and essential ecological processes for the proper functioning of the biosphere for the preservation of biological diversity as well as careful assessment of climate change and its associated impacts.

National Regulatory Agencies on the Environment

i. The Federal Ministry of Environment

The Federal Ministry of Environment was established to ensure environmental conservation, management, monitoring and protection. Also, the Federal Ministry of Environment engages in afforestation programmes in collaboration with the states. The Ministry made provision for 10 hectares of shelterbelt in each of the 11 arid zone states of northern Nigeria. Also, rehabilitation of oasis, stabilisation of dunes and sensitisation programmes

and awareness campaigns on climate change have been embarked upon by the ministry. There is no gain-saying the fact that the performance of this Ministry in the area of ensuring environmental preservation leaves much to be desired.

ii. Forestry Research Institute of Nigeria

The Forestry Research Institute of Nigeria (FRIN) has the mandate to look into research and technical manpower development. The Institute has two outfits covering the different ecological zones of Nigeria. In addition, it has 4 colleges which are engaged in technical manpower development for forestry and forestry-related sectors of the economy. In its bid to control climate change, the institute engages in staff training and the organisation of awareness workshop on climate change mitigation and control, development of (i) technology for the establishment of shelterbelts, (ii) nursery techniques for the mass production of quality indigenous/exotic timber and multi-purpose tree seedlings (iii) gully erosion technology. Adequate funding in the area of research and technical man-power development is required if this Ministry is to make the impact expected of it to ensure effective climate change mitigation.

iii. The Seven-Point Agenda⁹⁵

One of the things captured by this document is vision 2010, the objective of which is to move the nation towards political stability, economic prosperity and social harmony. The integration of climate change concern into national development plans is one of the strategies of the seven-point agenda. This strategy is to ensure the attainment of full compliance with pollution control standards in industries, generating plants etc. in addition to the elimination of gas flaring. The vision is to ensure that air is virtually free of pollutants and dangerous gases, minimisation of desertification and flooding, vegetation and soil are relatively free from gully erosion etc.⁹⁶ Proper management of the environment is taken⁹⁷ to include careful assessment of climate change and its impact on Nigerians and their environment. The Agenda seeks to build climate change risk assessment into all aspects of policy planning.⁹⁸ Lack of continuity of projects by successive governments has led to the abandonment of this Agenda.

iv. **Environmental Agenda 21 of Nigeria**

The UN Conference of Environment and Development held in Rio de Janeiro (Brazil) produced Agenda 21 which was a blueprint of action by governments requiring participating countries to fashion out a local version of the document to suit their respective peculiar situations and environmental conditions, including issues of climate change. Environmental Agenda 21 seeks to integrate environmental policies into development planning holistically at all levels of government and the private sector. It also seeks to intensify the transition to sustainable development etc. Environmental Agenda 21 outlines the stoppage of gas flaring by 2010 as one of the objectives of national oil and gas resources. To do this, it seeks to cooperate with international initiatives to reduce the emission of greenhouse gases subject to the national interest.

v. **National Economic Empowerment Development Strategies (NEEDS)**

NEEDS is a development strategy that provides the base for sustained development.⁹⁹ It is also a policy document established to address several areas of concerns including climate change challenges, waste production and disposals by adopting a private-public sector partnership scheme, deforestation, conservation of unique habitats and pollution and other problems to ascertain how much biodiversity has been lost as a result of oil and gas development. In recognition of the inadequacy and lack of enforcement of Nigeria's environmental laws, NEEDS seeks to establish a regulatory agency to enforce environmental laws, monitor industrial compliance, conduct environmental audit and impact assessments as well as set standards.¹⁰⁰ Just like the Seven-Point Agenda, the successive government are not committed to the implementation of this Strategy.

vi. **Millennium Development Goals (MDGs)**

One measure of progress towards sustainable development is the MDGs. The MDGs are 8 goals, which 192 United Nations member states agreed upon, to be achieved by the year 2015. The goals are eradication of extreme poverty and hunger, achieving universal primary education, promotion of gender equality and women empowerment, reducing child mortality, improving maternity health combating HIV/AIDS, malaria and other diseases, ensuring environmental sustainability and developing a global

partnership for development. To ensure environmental sustainability, the MDGs aims at integrating the principles of sustainable development into countries' policies and programmes and reverse the loss of environmental resources, reduce by half the proportion of people without sustainable access to safe drinking water and achieve significant improvement in the lives of at least 100 million slum dwellers by the year 2020.¹⁰¹

vii. **Nigeria Vision 20-2020 Economic Transformation Blueprint**

The above Vision, which is an encapsulation of the key principles and trusts of the National Economic Empowerment and Development Strategy (NEEDS) and the Seven-Point Agenda of Nigeria, is an articulation of the long term intent and plan for stimulating Nigeria's economic growth and launching the country into a path of sustained social development and rapid economic progress for the period 2009–2020 to accelerate the emergence of a truly prosperous and united Nigeria. This Blueprint Agenda was given the mandate of spearheading the development and implementation of the economic transformation plan of the nation. The Blueprint was designed by Nigerians and for the Nigerian populace, to place the Nigerian citizens and their welfare at the forefront of the Agenda, in the realisation of the role which Nigerian citizens play in the actualisation of the Agenda. The Vision prioritises and offers strategies to drive the full realisation of Nigeria's potentials and her energies as one of the leading economies in the world within a decade. The Vision was also designed with a view of positioning the country in its rightful place in the comity of nations by placing it among the top 20 economies in the world. It was also designed to reflect the collective interest of all Nigerians, using a bottom-up approach that is anchored on the understanding of the future needs of the country, as well as on the deep understanding of the aspirations of all Nigerians.

In recognition of the enormous human and natural endowments of the nation, the Vision is underpinned by the need to mobilise the resources of the nation to improve the lives of the people and to respond appropriately to the growing challenges of an increasingly smaller, mutually dependent and interconnected world more effectively and efficiently. By this Vision, the country is to be empowered to have a strong diversified, sustainable and competitive economy that collectively harnesses the talents and energies of its people and responsibly exploits its natural endowments to guarantee a

high standard of living and quality of life to its citizens. This Vision has two fundamental objectives of optimising human and natural resources to achieve rapid economic growth and translate that growth into equitable social development for all citizens. To this end, the social dimension of this Vision is stated to be the creation of a peaceful, equitable, harmonious and just society, where every citizen has a strong sense of national identity, while supported by an educational and healthcare system that caters for all and sustains a life expectancy of not less than 70 years. The environmental dimension of the Vision is the creation of a level of environmental consciousness that enables and supports the sustainable management of the nation's God-given natural endowments to ensure their preservation for the benefit of present and future generations. The actualisation of the fundamental objectives of this Vision, especially that of the social and environmental objectives, can be greatly enhanced if the indigenous languages of the Nigerian populace are given priority. This will go a long way in ensuring the creation of a peaceful and just society as well as the creation of environmental consciousness of the adverse effect of climate change and the strategies to combat the same.

Appraisal of the Legal Regime of Environmental Protection Against Climate Change in Nigeria

The legal regime on environmental protection to combat climate change is far from being effective. Most of these laws were put in place when the challenge of climate change was not as it is today. These laws cannot therefore effectively handle the present challenges of climate change. Fines imposed by these laws are grossly inadequate while the penalties stipulated are hardly enforced. By implication, individuals and companies find it easier to opt for payment of fines than complying with such regulations. To make matters worse, these laws contain no provision to enable communities sue and seek justice in times of a violation of environmental standards. In most cases, citizens are robbed of the right to participation in ensuring that challenges of climate change are mitigated.

Common law cannot meet the present-day quest for environmental protection in the area of climate change. Most importantly, it is not designed to address matters of ecological concern. This makes it impotent as a viable response to climate change. Common law provisions are grossly

impotent as a source of response to climate change challenges as they fail to lay down strict numeric limits for the discharge of substances into the environment. The fact remains that the primary function of common law is to protect private rights to the detriment of environmental amenities in most cases. These provisions operate only when the harm caused to ascertained individuals, not even the environment. Common law liability rules become relevant to environmental protection where damage to the environment is incidental to personal and property damage. The mechanism of common law for environmental protection is therefore inadequate and ill-equipped to effectively deal with the challenges of climate change.

Statutory environmental provisions are aimed at providing acceptable environmental behaviour. Statutory provisions are also inadequate to secure the protection of the environment against climate change and this has led to a dangerously advanced stage of environmental degradation as reflected in the level of flood and other climate change-related challenges in Nigeria. The language used in statutory regimes are often cloaked in ambiguity and uncertainty and this poses severe setbacks to the quest to mitigate climate change. Also, remedies provided in Statutory regime have failed in ensuring the security of the environment from environmental damage and in adequately combating climate change as fines imposed are grossly inadequate and stipulated penalties lack compelling provisions to stimulate compliance.

The trend in environmental law is for regulatory agencies to control/protect the environment. Institutions saddled with the responsibility of ensuring the protection of the environment against environmental hazards have failed in the realisation of their vision/mission to ensure the protection of the environment acceptably, as a result of lack of adequate/qualified man-power, absence of the right equipment as well as corruption. One of the factors responsible for climate change is the general inability of agencies responsible for safeguarding the environment to enforce appropriate laws and regulations. The will-power to do so should be taken as a thing of serious concern if we are to mitigate the effect of climate change in Nigeria. If laws cannot serve to checkmate the menace of climate change, it is time to look beyond laws. Hence, the need to turn to indigenous language approach in the fight against climate change.

Indigenous Language Approach to Combating Climate Change

Climate change remains a common concern of humanity as it poses irreversible threat to human societies. It is one of the greatest challenges of the present world. Global warming is causing long-lasting changes to our climate system with its irreversible consequences if care is not taken. Cooperation, the building of capacities and participation is very important in the search for an effective and appropriate response to climate change. The challenges which climate change pose requires the putting in place of long term green-house gas emission strategies, including the development and enhancement of indigenous capacities. This is particularly so, given the fact that there are some cultures of the world which recognises the protection of biodiversity as Mother Earth. In addressing issues bordering on climate change, indigenous/local people and communities, as well as people in vulnerable situations, cannot be over-looked. The establishment of indigenous capacity building initiatives is imperative. The need to strengthen knowledge, practices and efforts of local communities and indigenous people about addressing responses to climate change will go a long way in promoting voluntary mitigating initiatives, efforts/actions, including the implementation of policies/practices.

Human beings in all societies profit from and transmit experiences from one generation to the other.¹⁰² The transmission of such experience is done through the use of language. The success of the SDGs depends on the way the goals are interpreted, communicated, understood and implemented. Language, therefore, has a crucial role to play in all of these. Language, which is an element of culture and a central feature of any community remains a big challenge in the actualisation of the SDGs. Language is, therefore, an important tool for the actualisation of the SDGs, particularly the mitigation of climate change. Language is the expression of how people view the total content of their environment- physical, spiritual or natural. It is a basic requisite resource with which people negotiate social relations with others, as well as in the construction of their sense of the world¹⁰³ by shaping values, meanings and understanding.¹⁰⁴ This is particularly so in issues bothering on climate change.

Language is one of the material and spiritual influence that affects the existence and growth of man. It serves as a mediating factor which facilitates and contributes to a collective change process.¹⁰⁵ Language is a key

component for the creation of an inclusive, diverse and participatory knowledge society. Language has been identified¹⁰⁶ as an economic resource which can be used to promote sustainable development. It is part of the resources of a people which they can draw upon to increase the value of their potential contribution to productivity.¹⁰⁷ Language is the life-blood of any community.¹⁰⁸ It serves as a tool for communicating values, beliefs, ideologies and the attendant knowledge systems that are packaged therein.¹⁰⁹ National objectives and ideologies are best expressed in local languages of people. Language is an element of culture as well as the central feature of society as well as communication. It takes the activation of language and culture to ensure effective communication that guarantees an understanding of utterance at the point of discourse and the outcome of the conversation if such a conversation is to be fruitful.

For over half a decade of putting in place the SDGs, Nigeria is yet to reach any significant milestone in achieving the SDGs. Failure to explicitly articulate language in climate change mitigation strategies also serves as a set-back to strategies in the past to over-coming climate change challenges. If people and communities will have to adapt to protect lives and livelihoods from the impacts of climate change, there must be awareness creation of the disastrous effect of climate change and the communication of strategies to mitigate climate change effect via the indigenous language of the people.

It has been observed¹¹⁰ that an inclusive green economy which incorporates long-term resilience thinking in green economy approaches is needed to be communicated effectively to the entire citizenry. Information on climate change is better transferred in indigenous languages because it enables the people to better engage in the climate change discourse within their cultural context. Rural people need to be well informed to enable them appreciate the connection between their daily activities and the menace caused by global warming. As observed by Brundtland,¹¹¹ “unless we are able to translate our words into a language that can reach the minds and hearts of people, young and old, we shall not be able to undertake the extensive social changes needed to correct the course of development.”

Nigeria wishes to leave no one behind in her vision to become one of the best economies of the world. It takes communicating in indigenous language to reach out to the minds and hearts of the people. This will promote the effective participation of indigenous language speakers in climate

change mitigation strategies. Making use of indigenous languages in development effort will go a long way in reducing the challenges of communication barrier.

While illiteracy is acknowledged¹¹² as an obstacle to the economic, cultural and social development in African countries, education has been recognised¹¹³ as the foundation block for promoting development that is sustainable and creating a society of inclusiveness. Just as education matters in issues of development, even so, does language matter in the actualisation of the sustainable development goals, particularly as it relates to climate change mitigation. The mother tongue has also been identified as the best language through which effective and sustainable learning can take place. It makes indigenous language the foundation of learning to give a sense of inclusiveness to native speakers.¹¹⁴

Language is important for communication as well as ensuring effective participation in climate change mitigation. Education in indigenous language will help in maximising the potentials of indigenous people in contributing positively to the mitigating efforts of climate change. Not only will the neglect of language slow down the understanding of the threat posed by climate change, but it will also hamper the effectiveness of the strategies to combating the same. Neglect of knowledge will also lead to the exclusion of the linguistic ethnic minority in the success of strategies to overcome the challenges of climate change, thereby disempowering such people from contributing to the success of reducing the effect of climate change. The neglect of indigenous language will gradually lead to giving up of such languages, thereby limiting the ability of indigenous people to critical thinking and contribution of their quota to effectively address climate change challenges. For any action/strategy in the area of climate change mitigation to be effective, indigenous language should therefore be made the language of action.

Failure of many development endeavours in Africa has been attributed to a breakdown in communication.¹¹⁵ Implementation of sustainable socioeconomic development projects tends to become more successful if indigenous languages are used and the target population are allowed to participate. Failure of the MDGs was attributed to both weaknesses in stakeholders advocacy fright from the State to local community due to lack of materials produced in local languages which would have increased

awareness and strengthen implementation as well as a failure of language transfer as a result of language barrier between “experts” and the local people.¹¹⁶ This makes the indigenous language approach imperative

Conclusion

The ecosystem is one of the four systems dominating the present-day world. Habitats and ecosystem in Nigeria are currently under threat from a variety of stresses. Nigerian topography is sensitive to modest changes in climate and Nigeria’s ability to adapt to new climate conditions is highly constraint. It must be noted that the environment, ecology and humanity constitute one interconnected and independent web of life of which no one can exist independent of the other. Premium should of necessity be placed on each one of them in order to make for a better world. There is therefore the need to strengthen the Nigerian ecosystem to make it less vulnerable to damage or harm as a result of climate change. This can only be effectively achieved if a legal framework spelling out the dangers of climate change is put in place to check climate change and the dangers of climate change are effectively communicated to the populace through the indigenous language of the people.

It is crucial to attaining sustainable patterns of production and consumption to diminish the pressures on the ecosystem and secure economic growth. More than ever before, we need to take bold steps at making our environment greener and cleaner. The time has come for unity, particularly with the full participation of indigenous people, to combat climate change through the use of indigenous language. Now is the time to come together as a nation to fulfil our common goal of bringing deeper global emission reductions that will enhance a stable climate. All hands should be on deck to promote political, social, and sound economic system guided by a clear vision and codified by domestic laws that make the use of mother tongue imperative in communicating the devastating effect of climate change as well as the strategies to mitigate same.

Recommendations

We are all trustees of natural resources for future generations. If we are to leave the quality of life assets that are not less than those inherited by us to the next generation, the environment should be seen as a valuable and

essential input to the well-being of all. Environmental concerns must be properly integrated into economic policies at all levels. There should be a shift in the balance of the way economic progress is pursued. This will go a long way in stemming the tide of climate change and help foster sustainable development. If we are to attain sustainability, there should be an institutional commitment reflected in the adoption of laws and political processes that mandate sustainability. Nigeria should be ready to wage war against any economic system that alters the global life support on which we all depend.

Efforts should be made to adopt more effective plans and strategies that could mitigate the impact of climate change and to preserve the Nigerian ecosystem from the ills of climate change to attain sustainable development. Ruthless urban development is a threat to the environment. Nigeria should choose a development pattern that does not pose danger to future generations if sustainable development is to be achieved.

There is a need to integrate adaptation measures into policies. These measures include those responses to climate change that may be used to reduce vulnerability and empower or build the capacity of people to manage climate-related risks without suffering reversals in human development. Chief among these measures is the use of indigenous languages to create awareness of the dangers of climate change, as well as enhance measures to combat the same.

There should be strengthening of institutions and policies to ensure strict adherence to global environmental best practices in resource exploitation. Nigeria should emphasise the conservation of biodiversity, paying particular attention to forestation and reforestation of degraded land. There should also be the discouragement of indiscriminate destruction of mangrove forests in the process of resource exploitation. She should ratify and domesticate international climate change conventions and ensure that laws and strategies meant to mitigate climate change are communicated in the peoples' mother tongue and enforced with the necessary political will.

Teachers are change agents in any society. Language teachers have a great role to play in the fight against climate change by initiating language reforms in favour of indigenous languages for mass literacy in creating awareness of the dangers of climate change, and in advocating for the need/strategies to mitigate climate change. Efforts should be made to educate Nigerians in their indigenous languages about the devastating impact of

climate change with its negative impact on development. This will go a long way in encouraging the training of more teachers in the use of indigenous languages as a means of mitigating climate change thereby promoting effective inclusion in the Nigerian society.

Successfully limiting climate change to safe levels requires good climate change governance system, having a participatory, accountable, inclusive, transparent and responsive policy development approach in the drive towards the attainment of sustainable development. This is the surest way of ensuring that investments by both the public and private sectors are properly and equitably managed. It takes indigenous language-centred approach bring this to fruition.

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