

Municipal Laws In The Protection Of Women And Children: A Shield For The Mother And Child

It is now established (at least in theory) that every person irrespective of gender, age, religion or social class, has a **RIGHT TO LIFE**. It is this fundamental right, this individual inalienable right to existence that forms the foundation upon which the bulk of all other human rights are built. Environmental rights have evolved as unique specie of human rights and have been recognized and defined as 'the right of individuals and peoples to an ecologically sound environment and sustainable management of natural resources conducive to sustainable development.' By this definition alone, a particular region in the South would have the gunpowder necessary for legal victory. Unfortunately, though this right is supported by **Sec 20 of the 1999 Constitution (FRN)** which outlines provision for the state to protect and improve the environment and safeguard the water, air and land, forest and wildlife in Nigeria, no one can take the State to court for flouting it. This means it is not justiciable. Many international laws and declarations (that have been adopted by Nigeria) draw linkages between protection of human rights and protection of the environment. The 1972 United Nations Conference on the Human Environment declared that "man's environment, the natural and man-made, are essential to his well-being and to the enjoyment of basic human rights--even the right to life itself." Such a guarantee to a right to life or human dignity appears hypocritical - to a child whose only source of water supply is a well of brownish-yellow water or a near contaminated river course used for everything from laundry to drinking and cooking; to a woman whose farms have been torched by gas flares and fishes driven away by toxins; or to a mother and her children living around waste dumps and stagnant open gutters, in an apartment building crawling with people, and in sanitary conditions best imagined than experienced.

When it comes to environmental problems, the most vulnerable and worst-hit are women and children. Rapid, often unplanned urbanization and industrial pollution has become an affront to their existence and survival. When the environment is degraded in the rural, semi-urban communities and even in the densely populated urban centers, as is the current situation in Nigeria, women are most affected because of their cultural and socially defined roles and responsibilities. Due to their low adaptive capacity occasioned by poverty and their livelihoods are tied to the environment. In sum, any damage to the environment is damage to women as it affects their potential and their productivity, while their children are subjected to living under conditions that are not only a threat to their health but is unfavourable to them realizing their potentials.

As it concerns environmental sustainability and protection, the problem is as much with the impotency of existing laws as it is with the ignorance of many people on environmental



laws and matters. It is the goal of this piece to educate women, whose importance in nation building and environmental remediation cannot be downplayed; on current municipal laws on the environment that protects women and children.

The 1999 Constitution (FRN) is the apex law of the country. **Section 20** (mentioned above) outlines the state policy on environment. **Chapter IV of the Constitution, especially Sections 33 and 34** guarantee a right to life (with some exceptions) and human dignity. It is the opinion of this writer that no matter how lofty these rights may sound, it will remain a farce without a supporting healthy, sustainable environment to give it genuine expression.

The National Environmental Standards and Regulation Enforcement Agency (NESREA) Act 2007 is an embodiment of the rules and regulations that pertains to environmental protection and pollution prevention and control, particularly water pollution with effluent limitations for industries, and even noise pollution.

In light of urbanization and industrialization with all the hazards that follow, **the Environmental Impact Assessment Act** requires that the negative impacts that would be occasioned by public or private projects like constructions, drilling or mining on the environment must be ascertained, and either mitigated or the project be replaced or forfeited.

The Harmful Waste (Special Criminal Provisions) Act prohibits the dumping or depositing of harmful waste in the water, air or land; thus backing up the right to a healthy environment.

The city of Lagos is densely populated as are most Big cities in Nigeria. There are a lot of slums and shanties with poor housing structures and tyrannous landlords. Yet **the Urban and Regional Planning Act** exists to focus on a realistic planning to avoid overcrowding and poor environmental and sanitary conditions, including tree planting for environmental conservation.

Laws on the environment as it concerns oil exploration and exploitation exists to preserve and protect the land of its indigenous peoples.

The Petroleum Act and its regulations are to ensure pollution prevention and control in oil operations. It places restrictions and obligations on licensees for public safety and

environmental protection. **The Associated Gas Re-injection Act** prohibits gas flaring subject to certain (permit) conditions; the **Oil in Navigable Waters Act** and **The Sea Fisheries Act** prohibits the discharge of oil, poisonous or other noxious substances that may contaminate water sources and kill fishes. **The Oil Pipelines Act** places liability on the owners or managers of pipelines to pay compensation to anyone who suffers injury (economic or physical) from a break or leak in their pipelines.

The Water Resources Act is aimed at improving the quality of water sources as well as protecting fisheries, flora and fauna. **The Agriculture (control of importation) Act** and **Animal Diseases (control) Act** is to ensure the quality of food crops and the health and fitness of animals brought into the country for consumption.

These laws, at the federal level may not always have been implemented to the latter but they represent (at least) a theoretical commitment to building an environment that encourages development. In Lagos, solid waste management systems and laws are being enforced noticeably. *Laws on environmental sanitation at homes and streets (every last Saturday of the month) and in the marketplaces (every Thursday of the week), including bylaws on sewage disposal, covering of wells, cleaning of gutters with fines for violation, is to protect not just the environment but to facilitate health and safety of us all, especially our children whose future we must not compromise.*

Beyond Feminism and beyond Child rights, we must see, as the African Charter to which Nigeria is signatory proclaimed, that the right to a safe and healthy environment for development is a human right; one that must be truly recognized, respected and defended by every machinery of the State. Every woman and child has a fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being. Howbeit, every right has a corresponding duty. As women and mothers, we must do our bit in the little ways that count to ensure a better and healthier environment, even as we expect the State to do theirs. We must drop our nonchalance, and be eager to know, learn, tell others and effectively participate in healing and rebuilding our environment for us today, our children tomorrow and future generations.

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REFERENCES

- The Constitution of the Federal Republic of Nigeria (1999)
- The Laws of the Federation (2004)
- elri-ng.org/newsandrelease
- achpr.org/English/state_reports/Nigeria
- ohchr.org/English/issues/environment/fpip/articles/assessing_womens_rights_in_nigeria

Social, Economic and Political Causes of An Unhealthy Environment

Health is often regarded as a by-product of medical care. However access to medical care alone can not guarantee good health, especially when people leave the healthcare setting to return back to the very environmental conditions that contribute to their ill health. Such is the plight of several millions of people who work and live in an unhealthy environment. The root causes of an unhealthy environment are quite numerous but they are all influenced by social, economic and political factors. Our understanding of the Environment is very crucial as different people hold different views about the environment and this could contribute to the creation of an unhealthy environment either consciously or unconsciously.

Uchebu (2008) defines the **Environment** as the nature in which people, plants and animals live, which is divided into the **Physical Environment** and the **Non-physical Environment**. The physical environment includes Land, Air (Terrestrial), Water (Aquatic) while the Non-Physical environment refers to the Social environment and Economic environment. Therefore we must understand that our environment is animate in the sense of being alive and responsive to various human activities. Man has doubtless been interfering with her local environment over the years and her influence is quite evident. According to **Crutzen (2002)** "Human kind has emerged as a globally significant and potentially intelligent force capable of reshaping the future of the planet." Furthermore, the Italian geologist **Antonio Stoppani (1873)** described Man's activities as a "new telluric force, which in power and universality may be compared to the greater forces of the Earth."

According to **Awake magazine** "Mankind is currently sitting on a Time bomb on account of environmental effects either in form of weaponry and or pollutions and hazards such as flooding, drought, soil erosion, deforestation, earthquakes, radio-chemical hazards e.t.c. The activities of man continue to lead to an unhealthy environment this is evident in the recent nuclear crisis that occurred in Japan recently.

SOCIAL FACTORS

Globally, socially disadvantaged people with inadequate access to resources suffer more health challenges and die younger than people in more privileged social positions. Though the greatest share of health challenges is attributed to deplorable living conditions, health policies are dominated by disease focused societies that largely ignore the social environment.

Social factors that lead to an unhealthy environment include inadequate housing,

rapid urbanization, low per capital income, infrastructural decay and lack of basic access to quality healthcare delivery. These factors place a heavy strain on the environment.

Any one is capable of creating an unhealthy environment either as an individual through wasteful private consumption or as an organization through industrial pollution. Though political regulations, laws and pressure groups may try to safeguard our environment, such measures may not be able to deliver the desired results as only a change in attitude and actions towards a sustainable environment which is based on the understanding that whatever we do that affects the environment ultimately affects us can alleviate the situation.

POLITICAL FACTORS

Environmental issues have remained the central issue of the Twentieth and Twenty-first centuries. Given the level of information available in public space, most Governments seem to be aware of the underlying causes of an unhealthy environment but very few have put in place effective policies to provide and sustain good health conditions for all.

Though most Governments have signed and ratified various international Treaties and Conventions, implementation has been quite slow and given this pace, realization of the United Nations Millennium Development goals may be unrealizable due to lack of political will. The inability of government to monitor the activities of industries and be firm in implementing various environmental policies is of great concern. It must be said that the role of government is to provide policies that encourage sustainable development, enforce these policies, provide good quality healthcare delivery, basic infrastructures and enforce good working conditions.

According to the **World Health Organization**, In every Country, peoples Health could be improved by reducing the environmental risks including pollution, hazards in work environment, ultra-violet radiation, noise, agricultural risks e.t.c and In over 23 countries worldwide, more than 10% of deaths are due to just two environmental risk factors: Unsafe water, including poor sanitation and hygiene; and Indoor air pollution due to use of fuel wood for cooking. These are clearly avoidable situations if only the government had the right political will. This is corroborated by **Susanne Weber Mosdorf, World Health Organization Assistant Director General for Sustainable Development and Healthy environments** who said that "One Sixth of Disease Burden could be prevented by efficient environmental improvements."



ECONOMIC FACTORS

According to the **World Health Organization report (2007)**, Low income countries suffer the most from Environmental Health Factors, losing 20 times more healthy years of life per person per year than High income countries. Thus, we have citizens with low per capita income resorting to placing huge demand on environmental resources without caring to sustain the environment. No matter the strength of regulation by the government to curb environmental abuse, if the standard of living is not improved the burden on the environment will continue to increase. For instance, low income household would continue to use fuel food for cooking, fishermen would continue to utilize dangerous chemicals like DDT due to lack of access to soft loans to purchase fishing trawlers, e.t.c

Nevertheless, Low income household could still improve the quality of their environment when the level of Environmental advocacy and enlightenment is increased and the government becomes more alive to its responsibility.

Taking the case of Nigeria, there are several distinct ecological zones. These ecological zones range from the Savannah type in the North to the Forest belt in the South. Each of these Ecological zones reacts differently to the activities of Man by virtue of their unique stress capabilities.

The **Sahelian Savanna** is highly susceptible to desert encroachment due to overgrazing by low income Nomads; the Sudan Savannah can barely cope with human pressures resulting from a rapidly growing population, bad agricultural practices like bush burning and utilization of fuel wood for cooking by low income households.

The **Guinea Savanna** is not left out from the pressure as it act as a buffer zone between the encroaching desert and the forest belt due to felling of trees by furniture makers, ineffective legislation by government and lack of government commitment in establishing a green belt via tree planting to resist the encroachment.

The **Rain Forest** is also under tremendous pressure arising from overexploitation of forest products and other economic activities that result in large expanse of land being used for building construction, plantations e.t.c.

To compound this further, the Niger Delta region is experiencing large scale exploration, exploitation and processing

activities by Multinational Oil Firms, which has left attendant impact on the environment. Cases of Oil Spillage, Gas flaring, depletion of arable lands, water pollution, deterioration of the entire aquatic habitat and prevalence of respiratory induced infections and water diseases is on the rise in the region.

The Eastern part of Nigeria is not left out as it is plagued with heavy soil and gully erosion. All solutions by government have proved abortive in stemming the tide.

Flooding in the Low lying belt of the mangrove and fresh water swamps is aided by uncontrolled logging which results in loss of biodiversity and ultimately creates an unhealthy environment.

In conclusion, I am advocating for a paradigm shift in the way we all perceive and treat the environment and do argue that Government policy and Leadership among stakeholders

continually remain innovative in improving the quality of the environment.

In addition, Government must imbibe the consciousness of saving humanity and preserving the planet by being pro-active and putting effective policies in place and establish efficient monitoring mechanisms

Finally, an Unhealthy environment is preventable if we all as individuals adjust our attitude and behavior towards the environment.

References

- World Health Organization Report (2007) www.who.int
- World Health Organization Report (2007) www.euro.who.int
- Population Environment Network (2011) www.populationresearchenvironment.org
- www.wiki.answers.com

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Environmental Tit-Bits

WATER IS ESSENTIAL TO LIFE. PARTICIPATE IN WORLD WATER DAY

What is the one natural substance that is MOST vital to life on Earth? Water. Without water, life is impossible for most creatures and plants. Clean water is essential to life, and as the Earth's population grows, water is becoming more and more a limiting factor to human life. Concentrating populations in cities places additional demands on our ability to supply growing urban areas with adequate fresh, clean water. Water is becoming our most valuable resource, especially in urban areas.

Today, half of the planet's population lives in urban areas and the world's cities and towns are growing at an unprecedented rate. According to the United Nations (World Urbanization Prospects: The 2009 Revision), the urban areas of the world are expected to absorb all the population growth expected over the next four decades while at the same time drawing in some of the rural population. Globally, the level of urbanization is expected to rise from 50 per cent in 2009 to 69 per cent in 2050.

As cities and towns grow, their demand for water increases too which creates a need to make more water available. Therefore water scarcity and the inability to develop resources and systems sufficiently and quickly are becoming increasing constraints to urban development.

As water demand grows, water scarcity is becoming an increasing constraint to urban water management in many settings. Increasingly, sustainable water management requires cities to plan with the whole river-basin in mind. Lack of treatment of city wastes results in increasingly polluted water bodies downstream. This results in environmental degradation, higher costs in water treatment and negatively affects public health and welfare, agriculture and the prospects of exports.

Cities of the future offer the opportunity for integrated urban management. For water management, this could mean adoption of more efficient water treatment technologies, increased reuse of water and wastes, better optimization of the interdependency between water and power generation and improved demand management.

Future urban environments can take better advantage of economies of scale and scope (thereby increasing efficiency and promoting equity through lower costs of provision), reduce the costs of water provision, improve access to services in adjacent rural areas, design sustainable tariff and subsidy schemes and minimize environmental and downstream pollution.

These tasks need to be given more priority because all of society will benefit significantly.

The global commemoration of World Water Day 2011 will comprise three interactive panels composed of high-level dignitaries:

i) The African Caucus

The African Caucus will bring together African Ministers, Mayors, civil society organizations, representatives of development banks and the private sector to discuss a range of opportunities for tackling urban water and sanitation challenges facing the continent.

ii) Water and Cities Debate

The Water and Cities debate will hear how prominent mayors, a high-level representative of the international association ICLEI - Local Governments for Sustainability, representatives of development banks and international organizations are working with local governments to discuss water and sanitation challenges confronting local governments, water and sanitation situation in a rapidly urbanizing world.

iii) The Global Forum

The Global Forum will comprise high-level dignitaries, heads of United Nations agencies, the African Ministers' Council on Water (AMCOW) and prominent personalities from the media and private

IWWA
Integrated Waste Management in Western Africa

OBJECTIVES OF THE IWWA INITIATIVE

- TO ESTABLISH AND PROMOTE INTEGRATED SOLID WASTE MANAGEMENT SYSTEMS (IOWMS) IN WESTERN AFRICAN COUNTRIES BY EMPOWERING ALL STAKEHOLDERS PARTICIPATING IN THE WASTE MANAGEMENT CHAIN THROUGH THE REINFORCEMENT OF INSTITUTIONAL AND LEGAL FRAMEWORKS AND OPEN TRANSFER OF KNOWLEDGE AND TECHNOLOGY.
- TO ESTABLISH AND PROMOTE INTEGRATED SOLID WASTE MANAGEMENT SYSTEMS (IOWMS) IN WESTERN AFRICAN COUNTRIES BY EMPOWERING ALL STAKEHOLDERS PARTICIPATING IN THE WASTE MANAGEMENT CHAIN THROUGH THE REINFORCEMENT OF INSTITUTIONAL AND LEGAL FRAMEWORKS AND OPEN TRANSFER OF KNOWLEDGE AND TECHNOLOGY.

WHAT IS IWWA?

IWWA AIMS TO ESTABLISH AND PROMOTE INTEGRATED SOLID WASTE MANAGEMENT SYSTEMS (IOWMS) IN WESTERN AFRICAN COUNTRIES BY EMPOWERING ALL STAKEHOLDERS PARTICIPATING IN THE WASTE MANAGEMENT CHAIN THROUGH THE REINFORCEMENT OF INSTITUTIONAL AND LEGAL FRAMEWORKS AND OPEN TRANSFER OF KNOWLEDGE AND TECHNOLOGY.

EXPECTED RESULTS

- TO ESTABLISH AND PROMOTE INTEGRATED SOLID WASTE MANAGEMENT SYSTEMS (IOWMS) IN WESTERN AFRICAN COUNTRIES BY EMPOWERING ALL STAKEHOLDERS PARTICIPATING IN THE WASTE MANAGEMENT CHAIN THROUGH THE REINFORCEMENT OF INSTITUTIONAL AND LEGAL FRAMEWORKS AND OPEN TRANSFER OF KNOWLEDGE AND TECHNOLOGY.

WORK PLAN OVERVIEW

CONSORTIUM

TO ESTABLISH AND PROMOTE INTEGRATED SOLID WASTE MANAGEMENT SYSTEMS (IOWMS) IN WESTERN AFRICAN COUNTRIES BY EMPOWERING ALL STAKEHOLDERS PARTICIPATING IN THE WASTE MANAGEMENT CHAIN THROUGH THE REINFORCEMENT OF INSTITUTIONAL AND LEGAL FRAMEWORKS AND OPEN TRANSFER OF KNOWLEDGE AND TECHNOLOGY.

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Environmental Tit-Bits

sector. It will summarize the outcome of the WWD 2011 global celebrations based on inputs from the regions and provide policy guidance based on a variety of approaches and ideas for accelerating efforts in reaching the Millennium Development Goal targets for water and sanitation.

Greenway, ENN, based on materials provided by the UN World Water Day Organization.

<http://www.worldwaterday2011.org/>

PLASTICITY OF PLANTS HELPS THEM ADAPT TO CLIMATE CHANGE

Spring. Each plant responds in different ways to temperature changes. (Credit: Fernando Valladares)

ScienceDaily - An international study, with Spanish participation, has shown that the phenotypic plasticity of plants, which enables them to change their structure and function, helps them to adapt to environmental change. This research will make it easier to anticipate plants' response to current climate change.

The study, which has been published in *Trends in Plant Science*, provides an overview of plants' molecular and genetic mechanisms, which is important for ecologists, physiologists and molecular biologists, since it covers the prime requirements for anticipating plants' response to global change.

The results show that plants in natural and agricultural systems have "the capacity to adapt to a changing environment without requiring any evolutionary changes, which always happens over several generations," Fernando Valladares, one of the authors of the paper and a researcher at the National Museum of Natural Sciences (CSIC), said.

All plant species exhibit a greater or lesser degree of plasticity. Various studies suggest that species from more heterogeneous and changing environments have greater degrees of plasticity. For example, plants from these environments have great root plasticity in order to be able to take better advantage of fertile and damp areas and to avoid sterile, dry ones," Valladares explains.

Plants' pigmentation, root length, leaf mass and efficiency of water use are some of the leading indicators used to study the phenotypic plasticity of plant organisms.

"The differences in plasticity and its mechanisms allow us to better understand why various plant species grow where they do. This will enable us to project their most likely ranges in climate change scenarios," the researcher says.

LESS PRODUCTIVITY, GREATER SURVIVAL

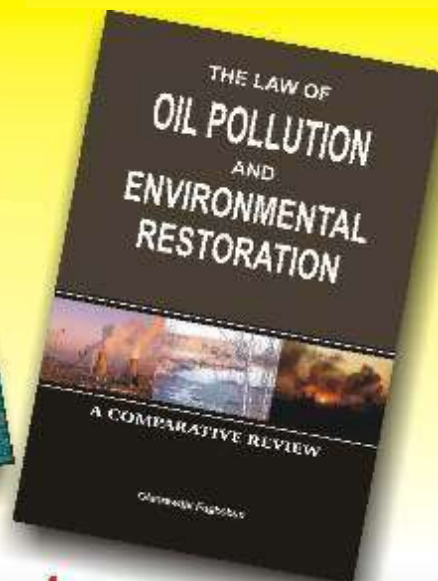
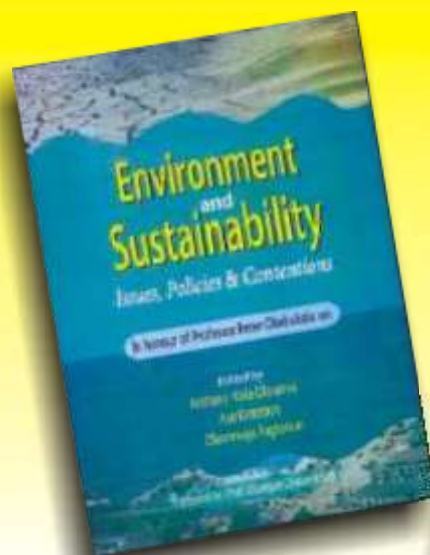
The advantages of plants changing their structure and function in the face of environmental change "could lead to the selection -- in the case of crops -- of more plastic varieties, which may not necessarily be the most productive, nor have the most easily-predictable productivity," the scientist stresses.

According to Valladares, the next step is "to understand the mechanisms that underlie plasticity, such as epigenetics -- non-genetic factors that determine an organism's development -- and how this impacts on the biological efficacy of wild species or on the long-term yield of agricultural species."

Source: The above story is reprinted (with editorial adaptations by ScienceDaily staff) from materials provided by **Plataforma SINC**, via AlphaGalileo.

Journal Reference:

1. A.B. Nicotra, O.K. Atkin, S.P. Bonser, A.M. Davidson, E.J. Finnegan, U. Mathesius, P. Poot, M.D. Purugganan, C.L. Richards, F. Valladares. **Plant phenotypic plasticity in a changing climate.** *Trends in Plant Science*, 2010; 15 (12): 684 DOI: 10.1016/j.tplants.2010.09.008



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PROFILES

We welcome on board, our new members to the ever increasing ELRI family. They include:

Bonuola Oluwakemi Akanke is a legal practitioner with the Firm of Wall & Ace Legal Practitioners. She is a firm believer in giving back to the environment; kemi's interest in the environment stems from her belief that sustainable development is the only way to ensure that nature does not turn its back on humans.

Kemi is an avid reader and writer, and hopes to contribute articles to the research institute's newsletter and contribute in her own little way to spread the news, that if we do not take care of our environment? Who will?

Wura Carew, a Nigerian citizen and a graduate of the University of Ibadan and Nigerian Law School, Lagos. She has had a stint with the Farming and Real Estate sectors. She currently works as a Legal practitioner with the Law Firm, Wall and Ace Legal Practitioners, Lagos.

Sandra Mbakwe is a practicing lawyer with the law firm of Wall & Ace LP. Her passion for the environment is based on the conviction waste can be better managed believes that the environment is suffering because of lack of a waste management policy particularly in Nigeria.

Sandra hopes to have an NGO one day in support of the environment, and feels that being a member of the ELRI is a step in the right direction. Her favorite mantra is "Our environment does not need us, we need our environment".

Benjamin Ile is a legal Practitioner with Matrix Solicitors, Lagos. He believes that many of the problems in this world, particularly in Nigeria such as flooding, erosion result from environmental degradation and seeks ways in which these hazards may be mitigated. Amongst his interest in the environment, Benjamin has a preference for promotion of Environmental Impact Assessment as a strategy for the protection of environment.

Tomiwa Adeniji is a legal practitioner with the Law Firm of Wall & Ace Legal Practitioners, Lagos.

He is an ardent crusader for the protection of the environment and believes that the environment should be put in the category of national security and non-conservation of