

ELRI newsletter

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- Visit to Honourable Commissioner for The Environment
- European Commission 7th Framework Programme Capacity Building Workshop on Implementation of Integrated Solid Waste Management (ISWM) Regulatory Policy for Nigeria on 13th October, 2011 at Adeyemo Bero Hall, Alausa, Ikeja.

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SPECIAL FOCUS ON WOMEN, CHILDREN AND THE ENVIRONMENT

Environmental Degradation and The Plights of Vulnerable Groups In Nigeria

Nigeria is one of the most resource endowed Countries on Earth and has the largest concentration of black people with a population figure of about 150 million people. However, the Country is rated as low in human-development ranking 142nd behind Countries like Togo, Benin, Yemen, Madagascar, Lesotho etc. according to the 2010 Human Development Report. The reason for this unfortunate state of things is failure of successive governments at all levels to manage sustainably

and productively the country's vast human and natural resources. This failure mostly manifest in environmental degradation and its implications for poverty, health and general well being of the people.

On all fronts the environment is abused, misused and overused with dire consequences for quality of life and well being of citizens. We destroy the earth crust, pollute the waters, soil and air in reckless exploration for natural resources so much that communities in the oil producing areas are largely unable to neither farm or fish nor have

access to water for domestic use. Oil spills and gas flaring continue to violate the integrity of the environment and subverts the quality of life of people in the Niger Delta area. We lose our forests because we fell trees for timber, for buildings, for agriculture and for firewood indiscriminate and without replanting. Today the frontline states in Northern Nigeria are fast becoming deserts as the Sahara encroaches at the size of a football field daily. The Lake Chad once the 2nd largest lake in the world and supported fishing,

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FROM THE EXECUTIVE DIRECTOR'S DESK



Prof. Olanrewaju Fagbohun

If you take a long hard look at women and children, what do you see? Children represent the future of our world and boundless human potential, and it is only mothers who are themselves healthy and in a position to provide a healthy, clean

and safe environment that can preserve their child's right to life. It is for this reason that the World Health Organization (WHO) has consistently urged decision-makers at international, regional and national levels, together with non-governmental organizations, communities and families to join efforts in recognizing and addressing key environmental hazards. As noted by WHO, this may include policy action, advocacy, prevention, and grassroots participation.

In this edition of ELRI News, our focus is on the environment and health for children and their mothers. The statistics are most disturbing. According to WHO, of the more than ten million child deaths annually, more than 3 million children under the age of five die each year from environment-related causes and conditions. Diarrhoea kills an estimated 1.6 million children each year as a result of unsafe water and poor sanitation; malaria traceable to poor water management and storage, inadequate housing, deforestation and loss of biodiversity kills an estimated one million children mostly in Africa; indoor pollution associated with widespread use of biomass fuels kills one million children annually; while unintentional physical injuries attributable to drowning, fires, falls, poisonings, traffic incidents and other household or community environmental hazards kill close to half a million.

For many mothers, the consequence of poverty is that they

are constantly exposed to degraded rural and urban environments and health-damaging environmental risks such as lead in air, mercury in food and other chemicals, pesticides, solvents all of which render them susceptible to infertility, unexplained miscarriage and birth defects. In many situations women are often unaware of the health implications of the activities in which they are involved, and it is not until the impact emerge much later (often with irreversible effects) that the grim realities dawn on them. It is hoped that the issues treated in this edition will deepen knowledge and understanding, and also bring to fore a number of the low-cost solutions.

Our deep appreciation goes to Mobil Nigeria for providing the funds for the publication of this edition. Your support is what has enabled us to do this situation analysis of children and women and thereby rekindle hope for promotion of the rights of children and for mothers to be able to fulfill their role.

To our readers, we thank you for keeping faith with us. If you have suggestions on what you want to read in future editions of ELRI News, please send your notes/comments to "The Editor, ELRI Newsletter, 12 Oyinkan Abayomi Drive, Ikoyi, Lagos or via email editorelrinews@elri-ng.org. We also will be glad to receive environmental related news submittal from you. Since the last edition of ELRI News, our planet has been plagued by a number of environmental disasters: crude oil leaks, earthquakes, tsunami, tornadoes, volcanic eruptions and unprecedented devastating flooding. It is just like there is one disaster or emergency after another. To the victims of these disasters, and to all those making efforts to alleviate their suffering, we dedicate this edition.

Best wishes,

ELRI Briefly

VISION

ELRI aspires to be recognized as a credible facilitator of superior scholarship and leadership in providing local and global information on environmental law, and the promotion of environmental rights in certain key areas for the benefit of individual citizens, indigenous communities and broader public policy.

MISSION & OBJECTIVES

ELRI's mission and objectives is to achieve the following among others:

- Advance environmental protection and governance in Nigeria by influencing actions and initiatives that can serve as catalyst for the enhancement of environmental law and policy;
- Provide objective, non partisan analysis of law and policies, and deliver educational programs for the improvement of environmental protection and governance;
- Provide information services, advices and publication on environmental practices and programs as it affects sub-Saharan Africa;
- Provide training tools and support to citizens, organizations, government agencies, businesses, environmental managers, communities, indigenous peoples and other relevant stakeholders;
- Engage in sponsored research and related project pertaining to harmonization of laws and issues such as environmental justice, risk assessment and risk communication.

ORGANIZATIONAL STRUCTURE

The ELRI structure is made up of the Governing Board, an Executive Committee, a Secretariat and Specialized Committees as may be required for specific purposes.

GOVERNING BOARD

The Governing Board consists of a Chairman and other Principal Members, one of whom is the Executive Director of ELRI.

EXECUTIVE COMMITTEE

The Executive Committee is responsible to the Governing Board to which its reports concerning all its activities. The Executive Committee meets as many times as necessary for the effective discharge of its activities. The Executive Committee is the implementing organ of the decisions of the Governing Board.

SECRETARIAT

The Secretariat operates under the supervision of the Executive Committee. The Secretariat carries out the day-to-day execution of activities of ELRI under the direction of the Executive Director. The Secretariat is made up of all staff of ELRI.

SPECIALIZED COMMITTEE

Specialized Committees may from time to time be set-up for the effective discharge of the activities of the Institute.

ELRI Pays Courtesy call on Honourable Commissioner for The Environment, Lagos State

The Environmental Law Research Institute (ELRI) paid a courtesy call on the **Honourable Commissioner for The Environment, Lagos State** on the 15th of September, 2011. Members of ELRI Executive Committee led by the Executive Director, Professor Lanre

Fagbohun were received by the Honourable Commissioner Mr. Tunji Bello and the Permanent Secretary Dr. Mrs. Titi Anibaba at the Honourable Commissioner's office.

The visit which ended with the presentation of a plaque to the Honourable Commissioner by the Institute is expected to further the strategic relationship between the Ministry of Environment and ELRI.

This is wishing the Honourable Commissioner a successful tenure.



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transport, irrigation and drinking for communities in the four bordering countries has today shrunk to 1300km from 25000km in 1963.

Recently, organisers of the annual Lagos housing fair revealed that only about 20% of capital cities in Nigeria have city plans. Even where they do, it is often abandoned or distorted due to corruption and impunity. Illegal permits to build on drainage channels and encroach on areas reserved for biodiversity conservation and recreation as well as the proliferation of shanty settlements emerging even along river banks compounds the environmental problems confronting Nigerian cities, towns and rural areas. Flooding and its heavy toll on lives, livelihoods and properties is a common occurrence across the Country.

The failure of the state to guarantee basic social amenities such as electricity frustrates agric based livelihoods, entrepreneurs and artisans. The scandalous skyrocketing prices of cooking gas and kerosene increases demand for firewood. Consequently, rural-to-urban drift escalates and increases pressure on inadequate facilities in the urban areas. Communities such as Makoko and Badia are examples of places where people live under subhuman conditions and lack access to basics amenities such as water and sanitation; primary healthcare; adequate shelter and solid waste management. In all of these, vulnerable people including women, children, aged and people with disabilities (PWD) suffer as the cycle of poverty and deprivation is deepened. Women are vulnerable not only because of their physiological peculiarities which impose the biological task of child bearing and weaning on them as well as predispose them to certain health risks precipitated by dirty or polluted environment but also because of societal stereotypes which support gender based division of labour and other discriminatory practices. Women fetch waters and hew firewood; they cook the food and keep the home; nurture children and yet play increasing roles in providing sustenance for the family including working on the farms, trading in the markets as well as other endeavours. Women are forced to invest more time in search of basic needs such as water and energy for cooking thus depriving them the opportunity to engage in better remunerative occupations as well as limiting their voices in decision making.

Children are vulnerable mostly because they are dependent and physiologically more susceptible to many childhood diseases which are exacerbated by poor environmental conditions and poor access to water and sanitation. Children, particularly the girl child are required by societal norms to assist women with household chores which are made more burdensome due to earlier identified factors. In the incident of flooding for instance, children's education and recreation is often compromised. Increasingly, in violation of international labour laws as well as their fundamental human rights as declared in the International Convention on the Rights of the Child (CRC) and domesticated in the Child Rights Act of Nigeria, children are compelled to engage in all sorts of occupation to support the family whose livelihoods are lost or constrained by impacts of environmental abuse.

All these are compounded by the threat of climate change related risks. Climate change is a risk multiplier and Nigeria is susceptible to its vagaries not only because of our geographical realities which expose us to desertification in the North and Coastal erosion in the South as well as diminishing food production among others, but also because of our failure to plan and properly manage our environmental and human resources.

The most critical challenge therefore, for the new administrations both the states and federal is to address the identified factors precipitating environmental degradation and deepening poverty. They should fast track the provision of basic social amenities that affects quality of life such as access to health care, electricity, energy, safe water and adequate planning for sanitation and other solid waste management. Importantly, the fight against corruption is critical to national development and attainment of Millennium Development Goals, Vision 20:2020, NEEDS, SEEDS, and LEEDS. There is the need to strengthen institutions crucial to poverty eradication and environmental protection as well as create and empower critical national institutions such as the National Climate Change Commission whose bill is currently awaiting presidential assent.

Mr. Suleiman Arighabu
Heda Resources

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OUR HOMES: The Need For A Safe Environment

How healthy is the air in our homes? This is a question most people do not avert their minds to, yet air pollution is a serious environmental problem that occurs not only outdoors but also indoors. Unfortunately, more attention is paid to addressing outdoor air pollution than indoor air pollution. Indoor air pollution refers to gas or air particles released into a home, office or school by indoor sources. Consideration of indoor air quality is important. According to the World Health Organisation (WHO) report, the average human man being spends up to 85% of his time indoors. Furthermore, WHO estimates that indoor air pollution in developing countries account for 2.2 to 2.5 million deaths annually. Generally, there are four principal classes of indoor pollutants derived from: a) Combustion, e.g., carbon monoxide, aerosols, volatile organics, sulphur and nitrogen oxides from cooking stoves as well as the use of firewood and coal for cooking and tobacco (environmental tobacco smoke [ETS]); b)

nausea and a scratchy throat. The long-term effect includes cancer, heart diseases and aggravation of chronic respiratory diseases such as asthma. In developing countries, studies have linked exposure to indoor air pollution from dirty fuels with at least four major categories of illness; acute respiratory infections (ARI) in children; chronic lung disease such as asthma and chronic bronchitis; lung cancer, still births and other problems at birth.

In view of the fact that most people spend more of their time indoors than outdoors, which invariably leads to longer exposure to these indoor air pollutants, there is an urgent need for government environmental agencies, environmental organizations, civil societies, industries, the public and other stakeholders to work together towards renewing the vigour for creating awareness on the adverse impacts of indoor air quality. For Nigeria, there is no gainsaying the fact that action needs to be taken in establishing standards and guidelines that will regulate indoor air pollutants. Already, Nigeria

specifications and standards to protect and enhance the quality of Nigeria's air resources. In addition, the government needs to formulate policies that will control the sources of indoor air pollution. The reality however, is that there is lack of knowledge about the conditions of the air quality inside the nation's buildings. Acquiring this knowledge is the key to a successful enactment, implementation and enforcement of any legislation or regulation. Consequently, this writer suggests that the Federal Ministry of Environment takes a cue from the practice in other western and European countries where Indoor Air Quality professionals are licensed for the purpose of measuring and monitoring indoor air quality in buildings in line with established guidelines. Above all, realising that many Nigerians are likely to be ignorant of the health hazards posed by indoor air pollutants, governmental environmental agencies need to organise enlightenment campaigns in order to educate the citizenry about this problem, the importance of proper ventilation in their homes and the need to make well informed choices in purchasing products for household use.



Building materials, furnishings (these items are often made with glues or other chemicals which slowly evaporate into the air over time) and chemical products, like pesticides, disinfectants, air fresheners, cleaning fluids, volatile organic compounds, formaldehyde and asbestos; c) Radon this is gas that percolates from under the ground into buildings through pores and cracks in concrete; d) Biological processes like mould, mildew and mites. In developing countries, other sources of indoor air pollution are second hand refrigerators, freezers, air conditioners (when their coolant fluids release chlorofluorocarbons (CFCs)) into the air within the enclosures where these items are kept and lanterns.

Poor indoor air quality can cause long-term and short-term health problems. The short-term problems include headaches, fatigue, dizziness,

has in place such guidelines and standards for environmental pollution control which prescribe permissible levels of gaseous emissions into the air. Emissions of such gases beyond the levels are considered hazardous to public health. These standards became part of the National Environmental Protection (Effluent Limitations) Regulations 1991, a regulation made pursuant to the then FEPA Act. Unfortunately, the guidelines deal basically with gaseous emissions from industries with no specific reference to potential emissions in the home. Although, some gases emitted by indoor sources are covered by the regulation, others like CFCs and radon are not included. In view of these lacunas and for purposes of clarity, it is suggested that a separate regulation prescribing standards for indoor gases should be drawn up pursuant to section 20 of the NESREA Act which empowers NESREA to make regulations setting

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INTRODUCTION

Across the world, women are treated unequally and less value is placed on their lives because of their sex. Women's differential access to power and control of resources is central to this discrimination in all institutional spheres, most regrettably, the environment. Within the environment, women and children often face discrimination in the distribution of household resources including food and other natural resources, sometimes leading to higher malnutrition and mortality indicators. Due to their lower social and economic status, as well as their physiological needs, women and children are often more vulnerable to nutritional problems occasioned by depletion in environment resources. This situation contributes to children and women's diminished ability to gain access to other assets later in life and undermines attempts to eliminate gender inequalities.

In essence, the effect of this lack of protection has left women and children as victims in the face of environmental hazards, which ultimately leads to a vicious circle of poverty and under nutrition. Considering the role women have in the household, with regard to their relevance, gender inequality in access to and control of resources may well result in misallocation of scarce resources, increased health care costs, lowered productivity, and poor human development trends.

WOMEN & CHILDREN IN THE FACE OF ENVIRONMENTAL HAZARDS

In the 21st century, the future of our economies and international security is inextricably linked to several environmental challenges ranging from energy constraints to climate change, biodiversity conservation to oil pollution. In the next few years, the choices that we make will help determine the kind of world that we will leave to our children and grandchildren. It is a general knowledge that the quintessence of the problems faced around countries in the world is rooted in our addiction to oil – it constrains our economies, shifts wealth to hostile regimes, and leaves most nations dependent on unstable regions. These urgent dangers are eclipsed only by the long-term threat of climate change, which – unless we act – will lead to drought and famine, devastating weather patterns and terrible storms on our shores, and the disappearance of national coastline at home which ultimately takes its worst hit on women and children.

INTERNATIONAL ENVIRONMENTAL EFFORTS IN THE PROTECTION OF WOMEN AND CHILDREN

Although international law guarantees equal enjoyment of all human rights, women and children continue to face inequalities in virtually all societies. In addition, natural disasters often exacerbate discrimination and inequalities, further impeding progress towards gender equality and the full enjoyment by women and children of their human rights. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted in 1979 to reinforce the provisions of existing international instruments aiming to eliminate discrimination against women and achieve gender equality. This convention has been ratified by 183 States, yet it has been obeyed mostly in the breach than in its enforcement as women are still not elected into decision making positions, positions where they can make

International Laws In The Protection of Women and Children In The Environment



contributions towards their protection in the environment.

Similarly, the Convention on the Rights of the Child (CRC) provides for a comprehensive framework of children's rights, as well as mechanisms of accountability. The Convention recognizes children's right to be free from abuse and neglect, sexual exploitation, trafficking, abduction, torture, deprivation of liberty and other forms of maltreatment at all times, and provides for special protections during times of environmental conflict.

However, for all the progress that has been made, bad implementation and non-ratification of these international instruments by most countries of the world has sadly crippled women and children's environmental protection crusade.

PARTNERING ON-BEHALF OF OUR PLANET

As we face the global environmental challenges of the 21st century, we must not disregard the devastating effects it has on women and children. History reminds us that when the big fishes (Men) in the environment sneeze, the small fries (Women and Children) catch cold. We can seize boundless opportunities for the people of the earth through enactment of specific international environmental laws for the protection of women and children. We can spark the dynamism of our economies through long term investments in renewable energy that will give life to new businesses and industries, with good jobs for women and children that pay well and cannot be outsourced. We must acknowledge that just as we work to reduce our country's domestic environmental problems, we must forge international solutions to ensure that every nation is doing its part. This international coalition can only be strengthened through the mechanism of existing and effective international environmental laws with emphasis on women and children. International Environmental Protection laws should encompass activities for women and children which would be fine-tuned into these three broad categories:

- **Responsive action** – activities undertaken in the context of an emerging or established pattern of abuse and aimed at preventing its recurrence, putting a stop to it and/or alleviating its immediate effects;
- **Remedial action** – activities aimed at restoring women's and children's dignity and ensuring adequate living conditions through effective remedy and reparation, including supporting due process of law and justice for victims while combating impunity; and
- **Environment building** – activities aimed at creating or consolidating an environment conducive to full respect for the rights of women and children.

- (http://www.humanitarianreform.org/humanitarianreform/Portals/1/cluster%20approach%20page/clusters%20pages/Gender/Gender%20Toolkit/E_GH_02_Legal.pdf).

To achieve the agitated environmental emancipation desired for women and children, the world must unite as one in a bid to battle the environmental scourge on women and children. There is urgent need to take actions over inactions, the future over the past in order to secure the protection of women and children in the environment. It is therefore recommended that existing international environmental laws should be harmonized and strengthened to ensure compliance and enforcement on member states. Hence, an international environmental legal framework that would encompass the following is highly recommended;

- Protection of women and children from physical harm during environmental disasters;
- Protection of women and children from exploitation and gender-based violence;
- Protection of women and children from psycho-social distress caused by environmental hazards;
- Protection from abuses related to forced displacement by unsustainable environmental activities;
- Protection from denial of women and children's access to environmental and natural resources.

CONCLUSION

For over three decades, we have listened to growing chorus of warnings about the world's energy dependence and other environmental problems. Yet dependence on oil has only grown, even as the world's resources are disappearing. This time must be different. This time we cannot fail. To control our own destiny, the world must develop new forms of energy and new ways of using it. The international community must live up to its legal obligations to safeguard women and children. This is not a challenge for government alone – it is a challenge for all of us. The pursuit of a new energy economy and other environmental innovations must be reasonably proportionate to environmental protection accorded to women and children. All of these can be achieved through harmonization of existing international environmental laws and treaties with emphasis on ratification and domestication of these laws for effective implementation and compliance. This renewed drive requires a sustained, all-hands-on-deck effort because the foundation of international environmental protection lies in the hands of a united world – in the power of wind and solar; in new crops and new technologies; in the innovation of scientists and entrepreneurs, the dedication and skill of our workforce and over and above all, adequate international environmental laws that guarantees protection of women and children. These are the resources we must harness to move beyond our environmental challenges and create a new hybrid economy.

thenetu-Geoffrey Chinedu

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