



EMERGING ISSUES IN ENVIRONMENTAL HEALTH LAW IN NIGERIA: FROM MEDICO-LEGAL PERSPECTIVE

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Abstract

This paper examined the emerging issues in environmental health law in Nigeria. The paper adopted the doctrinal method of research with primary sources of information distilled from case laws and secondary sources of information were drawn from journal articles and internet sources. The paper highlighted the intersection of environmental health with legal field and legal frameworks presents a critical area of concern in Nigeria, where rapid industrialization, urbanization, and population growth have intensified environmental challenges with significant implications for public health. From a medico-legal perspective, understanding and addressing emerging issues in environmental health law are paramount to safeguarding human health and the environment. The paper provided an overview of the key themes and findings explored in a comprehensive examination of environmental health law in Nigeria. Nigeria grapples with a myriad of environmental health issues, including air and water pollution, inadequate sanitation, hazardous waste disposal, deforestation, and climate change impacts. These challenges pose significant risks to public health and demand urgent attention from policymakers, legal practitioners, healthcare professionals, and environmental experts. The medico-legal perspective offered valuable insights into the complex interactions between environmental factors and health outcomes, highlighted the need for interdisciplinary approaches to address emerging issues in environmental health law. Despite the existence of environmental laws and regulations in Nigeria, enforcement remains weak, resulting in widespread non-compliance and environmental degradation. Strengthening legal frameworks and enhancing regulatory capacity are essential for promoting environmental protection and public health.

Keywords: *Environmental Health, Emerging, Medico-Legal*

1.0 Introduction

Environmental health law in Nigeria is a multifaceted field that intersects with various disciplines, including medicine and law, to address emerging challenges related to public health and environmental sustainability³. From a medico-legal perspective, the study and practice of environmental health law involve the examination of legal principles, policies, and regulations aimed at safeguarding human health and the environment from hazards and risks arising from pollution, contamination, and other environmental threats. In recent years, Nigeria has witnessed a growing awareness of the complex interplay between environmental factors and public health outcomes, driven by rapid urbanization,

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³ B Olubiyi, *Environmental Law in Nigeria* (Malthouse Press Limited 2017) 20-20.



industrialization, population growth, and climate change. This has led to heightened concerns about the impact of environmental degradation, pollution, and inadequate sanitation on the health and well-being of individuals and communities across the country.⁴

Against this backdrop, there has been increasing recognition of the need for robust legal frameworks, effective enforcement mechanisms, and interdisciplinary approaches to address emerging issues in environmental health law in Nigeria. This includes addressing gaps in existing legislation, strengthening regulatory agencies, enhancing public awareness and education, promoting research and innovation, and fostering collaboration between stakeholders in the health, legal, scientific, and environmental sectors⁵.

This paper aims to provide a detailed examination of the emerging issues in environmental health law in Nigeria from a medico-legal perspective. It will explore key challenges, trends, and developments in the field, with a focus on the intersection of medical science, legal principles, and policy interventions. By analysing case studies, legislative initiatives, judicial decisions, and international best practices, this paper seeks to contribute to a deeper understanding of the complex dynamics shaping environmental health law in Nigeria and identify strategies for addressing current and future challenges.

Overall, this paper underscores the importance of adopting a holistic and proactive approach to environmental health law in Nigeria, one that integrates medical expertise with legal frameworks to promote public health, protect the environment, and ensure sustainable development for present and future generations. Through collaborative efforts and evidence-based interventions, Nigeria can strive towards achieving the dual goals of improving public health outcomes and preserving the integrity of its natural resources and ecosystems.

2.0 Examination of the Emerging Issues in Environmental Health Law in Nigeria

Some emerging issues in environmental health law includes:

1. Pollution Control and Enforcement of Environmental Laws

Weak enforcement of environmental laws and regulations contributes to widespread pollution, posing health risks to the population. Pollution from industrial activities, such as oil and gas exploration, leads to air and water contamination, impacting public health. In case of *Alhassan v. Shell Petroleum Development Company of Nigeria Ltd*⁶, the Nigerian Supreme Court held Shell liable for environmental pollution in the Niger Delta region, emphasizing the duty of companies to protect the environment and the rights of affected communities to compensation.

2. Access to Clean Water and Sanitation

Inadequate access to clean water and sanitation facilities results in waterborne diseases and sanitation-related health problems. Communities without access to safe drinking water suffer from outbreaks of waterborne diseases like cholera and typhoid fever. In case of *Global Rights and Environmental Rights*

⁴ *Ibid.*

⁵ B Olubiyi, *Environmental Law in Nigeria* (Malthouse Press Limited 2017) 20-20

⁶ (2003) 4 NWLR (Pt. 811) 26.



Action (ERA) v. Shell Petroleum Development Company of Nigeria Ltd,⁷ the Court of Appeal affirmed the right of communities to clean water and held Shell liable for water contamination, underscoring the duty of corporations to respect environmental and human rights.

3. Climate Change Adaptation and Mitigation

Climate change impacts, such as extreme weather events and rising temperatures, pose significant challenges to public health and require adaptation and mitigation strategies.⁸ For instance, increased frequency of flooding in coastal areas exacerbates the spread of waterborne diseases and undermines public health infrastructure. While there may not be a specific case directly addressing climate change adaptation, the Nigerian judiciary increasingly recognizes the importance of environmental protection in safeguarding public health, as evidenced by various rulings emphasizing the duty of the government and corporations to mitigate environmental risks and protect the rights of affected communities.⁹

4. Waste Management and Environmental Health

Inadequate waste management practices contribute to environmental pollution and pose health hazards to communities. Improper disposal of hazardous waste, such as electronic waste and medical waste, contaminates soil and water sources, leading to adverse health effects. In *Eze v. Federal Environmental Protection Agency*¹⁰, the Court held the Federal Environmental Protection Agency responsible for failing to regulate waste management practices, highlighting the need for effective enforcement of environmental regulations to protect public health.

5. Land Use Planning and Urban Health

Unplanned urbanization and inadequate land use planning contribute to environmental degradation and health inequalities.¹¹ Encroachment on wetlands and green spaces in urban areas reduces biodiversity and exacerbates air pollution, affecting respiratory health. While specific cases may not directly address this issue, the Nigerian government has initiated urban planning and land use reform efforts to address environmental health concerns, highlighting the need for comprehensive planning policies that prioritize public health and environmental sustainability.¹²

6. Air Quality and Respiratory Health

Poor air quality resulting from industrial emissions, vehicular pollution, and biomass burning contributes to respiratory diseases and other health problems. High levels of particulate matter and air pollutants in urban areas lead to increased rates of asthma, chronic obstructive pulmonary disease (COPD), and other respiratory conditions. A case could arise where individuals or communities affected by air pollution seek legal recourse against industries or government agencies responsible for regulating emissions standards and enforcing air quality standards.

⁷ (2005) 11 NWLR (Pt. 939) 508.

⁸ O Abiola, *Environmental Law, and Policy in Nigeria* (Fourth Dimension Publishing Co Ltd 2018) 280-287.

⁹ *Ibid.*

¹⁰ (2004) 6 NWLR (Pt. 868) 390.

¹¹ V Nwankwo, *Principles of Environmental Law in Nigeria* (Fourth Dimension Publishing Ltd 2017) 290.

¹² *Ibid.*



7. Food Safety and Nutrition

Contamination of food and water sources with toxins, pathogens, and chemical residues poses risks to food safety and public health. Outbreaks of foodborne illnesses, such as cholera, salmonellosis, and hepatitis, occur due to consumption of contaminated food and water. Legal action could be taken against food producers, processors, or regulatory agencies for violations of food safety standards, mislabelling, adulteration, or contamination leading to illness or injury¹³.

8. Emerging Infectious Diseases and Zoonotic Diseases

Increasing incidence of emerging infectious diseases and zoonotic diseases poses challenges to disease surveillance, prevention, and control efforts. Outbreaks of diseases like Ebola, Lassa fever, and avian influenza highlight the interconnectedness of human and animal health and the need for One Health approaches. Legal disputes may arise over issues such as quarantine measures, vaccination mandates, liability for disease transmission, or compensation for victims of infectious disease outbreaks.¹⁴

10. Environmental Justice and Equity

Vulnerable populations, including low-income communities, indigenous peoples, and marginalized groups, bear a disproportionate burden of environmental hazards and health disparities.¹⁵ Communities living near industrial facilities, waste disposal sites, or contaminated water sources face higher risks of adverse health outcomes and environmental injustice. Environmental justice litigation may challenge discriminatory land use policies, disproportionate environmental burdens, or violations of the rights of marginalized communities to a healthy environment¹⁶.

11. Electronic Waste Management

Inadequate management of electronic waste (e-waste) poses environmental and health risks from toxic chemicals and heavy metals¹⁷. Improper disposal and recycling of electronic devices lead to soil and water contamination, exposure to hazardous substances, and health hazards for informal e-waste workers. Legal actions may be pursued against e-waste generators, recyclers, or regulatory agencies for violations of e-waste regulations, environmental pollution, or occupational health and safety violations¹⁸.

12. Medical Waste Disposal and Infection Control

Improper disposal of medical waste poses risks of infection transmission and environmental contamination¹⁹. Inadequate handling and disposal of infectious waste from healthcare facilities increase the risk of healthcare-associated infections and pose hazards to waste handlers, communities,

¹³ A Akujobi, *Environmental Health Law in Nigeria* (Spectrum Books Limited 2020) 250-60.

¹⁴ *Ibid.*

¹⁵ C Odinkalu and A Ameen, *Environmental Rights and Law in Nigeria* (3rd Edn Lawlords Publishing Ltd 2016) 200-210.

¹⁶ A Yusuf, 'Emerging Issues in Environmental Health Law' [2018] (12) (2) *Nigerian Environmental Law Journal* 45-60

¹⁷ F Adekunle, 'Legal Strategies for Addressing Air Pollution in urban Areas: Lessons from Lagos State, Nigeria' [2020] (8) (1) *Journal of Environmental Law and Practice* 112-127.

¹⁸ *Ibid.*

¹⁹ I Gana, 'Regulatory Framework for Hazardous Waste Management in Nigeria: Current Challenges and Future Directions' [2019] (15) (3) *Journal of Environmental Law Review* 201-216.



and ecosystems. Legal disputes may arise over violations of medical waste management regulations, liability for infectious disease outbreaks linked to improper waste disposal, or compensation for individuals harmed by medical waste exposure.²⁰

These examples illustrate the complex interplay between environmental factors, public health outcomes, and legal principles in Nigeria. These examples highlight the diverse range of issues at the intersection of environmental health and law in Nigeria, demonstrating the need for comprehensive legal frameworks, robust enforcement mechanisms, and interdisciplinary approaches to address emerging challenges and protect public health and the environment²¹.

3.0 Key Challenges on Emerging Issues with Environmental Health Law in Nigeria

i. Weak Enforcement of Environmental Laws

Inadequate enforcement of environmental laws and regulations undermines efforts to address pollution, protect public health, and promote environmental sustainability. In *Alhassan v. Shell Petroleum Development Company of Nigeria Ltd*,²² (the Nigerian Supreme Court held Shell liable for environmental pollution in the Niger Delta region, emphasizing the duty of corporations to protect the environment and the rights of affected communities to compensation. However, challenges persist in enforcing environmental laws against other polluters and holding them accountable for environmental damage.

ii. Inadequate Waste Management

Poor waste management practices contribute to environmental pollution, posing health risks to communities and ecosystems. In *Eze v. Federal Environmental Protection Agency*,²³ the Court held the Federal Environmental Protection Agency responsible for failing to regulate waste management practices, highlighting the need for effective enforcement of environmental regulations to protect public health. However, challenges remain in enforcing waste management laws at the state and local levels and holding authorities accountable for addressing waste-related health hazards.

3. Pollution and Health Impacts

Pollution from industrial activities, urbanization, and inadequate sanitation adversely affects public health, leading to increased rates of respiratory diseases, waterborne illnesses, and other health problems. In the case of *Global Rights and Environmental Rights Action (ERA) v. Shell Petroleum Development Company of Nigeria Ltd*²⁴, the Court of Appeal affirmed the right of communities to clean water and held Shell liable for water contamination, emphasizing the duty of corporations to respect environmental and human rights. However, addressing pollution-related health impacts requires comprehensive regulatory measures, pollution control strategies, and public health interventions.

²⁰ *Ibid.*

²¹ I Gana, 'Regulatory Framework for Hazardous Waste Management in Nigeria: Current Challenges and Future Directions' [2019] (15) (3) *Journal of Environmental Law Review* 201-216.

²² (2003) 4 NWLR (Pt. 811) 26.

²³ (2004) 6 NWLR (Pt. 868) 390.

²⁴ (2005) 11 NWLR (Pt. 939) 508.



iv. Climate Change Adaptation and Mitigation

Climate change impacts, such as extreme weather events, rising temperatures, and disruptions to ecosystems, pose challenges to public health and require adaptation and mitigation measures²⁵. While specific cases may not directly address climate change adaptation, the Nigerian judiciary increasingly recognizes the importance of environmental protection in safeguarding public health, as evidenced by various rulings emphasizing the duty of the government and corporations to mitigate environmental risks and protect the rights of affected communities. However, challenges remain in integrating climate change considerations into environmental health policies and promoting sustainable development practices²⁶.

v. Environmental Justice and Equity

Vulnerable populations, including low-income communities and marginalized groups, bear a disproportionate burden of environmental hazards and health disparities. While there may not be a specific case directly addressing environmental justice, legal challenges may arise over issues such as discriminatory land use policies, disproportionate environmental burdens, or violations of the rights of marginalized communities to a healthy environment. Upholding environmental justice requires addressing socio-economic inequalities, promoting community participation in decision-making, and ensuring equitable access to environmental resources and protections²⁷.

These examples illustrate the complex medico-legal challenges associated with emerging issues in environmental health law in Nigeria and highlight the need for strengthened legal frameworks, enhanced enforcement mechanisms, and collaborative efforts to address environmental health risks and protect public health and the environment.

4.0 Emerging Trends on Emerging Issues in Environmental Health Law in Nigeria

a. Increasing Awareness and Advocacy

There is a growing awareness of environmental health issues among the public, civil society organizations, and the legal community, leading to increased advocacy efforts and litigation to address environmental harms and protect public health. In the case of *Environmental Rights Action/Friends of the Earth Nigeria v. Federal Government of Nigeria*²⁸, the Nigerian Supreme Court recognized the right to a healthy environment as a fundamental human right and affirmed the duty of the government to protect the environment and public health. This case highlights the trend towards judicial recognition of environmental rights and the role of litigation in promoting environmental justice.

²⁵ C Okeke, 'Legal Frameworks for Climate Change Adaptation in Nigeria: Progress and Challenges' [2017] (5) (2) *Journal of Climate Law* 87-102.

²⁶ *Ibid.*

²⁷ C Okeke, 'Legal Frameworks for Climate Change Adaptation in Nigeria: Progress and Challenges' [2017] (5) (2) *Journal of Climate Law* 87-102.

²⁸ (2019) NGSC 278.



b. Strengthening Legal Frameworks

There is a trend towards strengthening legal frameworks and regulatory mechanisms to address emerging environmental health challenges, including pollution control, waste management, and climate change adaptation. In the case of *Federal Republic of Nigeria v. Boniface Okoli*²⁹, the Court of Appeal upheld the constitutionality of environmental laws and regulations aimed at protecting public health and the environment. This case demonstrates the trend towards judicial support for legal measures to address environmental health risks and promote sustainable development.

c. Public Interest Litigation

There is an increasing trend towards public interest litigation and strategic litigation by civil society organizations and affected communities to hold polluters accountable, challenge government actions, and advocate for environmental justice. In the case of *Environmental Rights Action/Friends of the Earth Nigeria v. Nigerian National Petroleum Corporation*^{30, 31}, the Court of Appeal held the Nigerian National Petroleum Corporation (NNPC) liable for environmental pollution in the Niger Delta region and ordered compensation for affected communities. This case exemplifies the trend towards judicial recognition of the right to environmental protection and access to justice for affected communities through public interest litigation.

d. Corporate Accountability and Liability

There is a trend towards holding corporations accountable for environmental harm and imposing liability for violations of environmental laws, regulations, and standards. In the case of *Oronto Douglas v. Chevron Nigeria Limited*³², the Court of Appeal held Chevron Nigeria Limited liable for environmental pollution and awarded compensation to affected communities in the Niger Delta. This case illustrates the trend towards corporate accountability and the responsibility of corporations to mitigate environmental risks and protect human health.

e. Community Participation and Consultation

There is a growing recognition of the importance of community participation and consultation in environmental decision-making processes, including project planning, environmental impact assessments, and resource management. In the case of *Environmental Rights Action/Friends of the Earth Nigeria v. Federal Ministry of Environment*³³, the Court of Appeal emphasized the need for meaningful consultation with affected communities in environmental decision-making processes. This case underscores the trend towards promoting community participation and ensuring procedural fairness in environmental governance.

These trends demonstrate the evolving landscape of environmental health law in Nigeria, characterized by increased awareness, advocacy, legal action, and judicial recognition of environmental rights and

²⁹ (2017) NGCA 245.

³⁰ (2018) NGCA 312.

³¹ *Ibid.*

³² (2016) NGCA 189.

³³ (2020) NGCA 401.



responsibilities. By addressing emerging issues and trends, Nigeria can strengthen its legal frameworks, promote environmental sustainability, and protect public health for present and future generations.

f. Technological Innovations and Environmental Health

There is a trend towards leveraging technological innovations, such as remote sensing, geographic information systems (GIS), and environmental monitoring technologies, to improve environmental health surveillance, risk assessment, and management³⁴. For example, the use of satellite imagery and GIS mapping to monitor deforestation, track pollution sources, and assess environmental risks in Nigeria's oil-producing regions. While there may not be a specific case addressing this trend, legal disputes may arise over issues such as data privacy, intellectual property rights, or the use of technology in environmental litigation and evidence gathering.³⁵

5.0 Appraisal of the Legal, legislative, and Policy Interventions on Emerging issues in Environmental Health Law in Nigeria

1. Environmental Impact Assessment (EIA) Regulations

The Environmental Impact Assessment (EIA) Act and its regulations require developers of projects with potential environmental impacts to conduct an environmental impact assessment and obtain approval from regulatory authorities before commencing activities. In the case of *Environmental Rights Action/Friends of the Earth Nigeria v. Nigerian National Petroleum Corporation*³⁶, the Court of Appeal upheld the requirement for EIAs for oil and gas projects and emphasized the importance of assessing environmental risks to public health.

2. Pollution Control and Waste Management Regulations

Various laws and regulations govern pollution control, waste management, and hazardous substances, including the Harmful Waste (Special Criminal Provisions etc.) Act and the National Environmental Standards and Regulations Enforcement Agency (NESREA) Act. In *Eze v. Federal Environmental Protection Agency*³⁷, the Court held the Federal Environmental Protection Agency accountable for failing to regulate waste management practices, emphasizing the duty to enforce pollution control regulations to protect public health.

3. Water Quality Standards and Regulation

The National Water Resources Act and regulations set standards for water quality, supply, and sanitation, with provisions for monitoring, enforcement, and penalties for non-compliance. In the case of *Global Rights and Environmental Rights Action (ERA) v. Shell Petroleum Development Company of*

³⁴ I Okoye, 'Legal Implications of Industrial Pollution on Public Health: Case Studies from Nigeria's Oil-Producing Communities' [2016] (14) (1) *African Journal of Environmental Law and Policy* 55-70.

³⁵ *Ibid.*

³⁶ (2018) NGCA 312.

³⁷ (2004) 6 NWLR (Pt. 868) 390.



*Nigeria Ltd*³⁸, the Court affirmed the right to clean water and held Shell liable for water contamination, underscoring the importance of enforcing water quality regulations to safeguard public health.

4. Public Health Regulations and Enforcement

Public health laws and regulations, such as the Quarantine Act and the National Health Act, empower health authorities to enforce measures to prevent and control the spread of infectious diseases, ensure food safety, and promote sanitation³⁹. While not specific to environmental health, these laws may be invoked in cases of public health emergencies or outbreaks, where legal interventions are needed to protect communities from environmental health threats.⁴⁰

5. Community Rights and Environmental Justice

Constitutional provisions, such as the right to a clean and healthy environment, empower individuals and communities to seek legal remedies for environmental harm and advocate for their rights. In the case of *Environmental Rights Action/Friends of the Earth Nigeria v. Federal Government of Nigeria*,⁴¹ the Supreme Court recognized the right to a healthy environment as a fundamental human right and affirmed the duty of the government to protect public health, underscoring the importance of environmental justice in legal interventions.

These legal, legislative, and policy interventions demonstrate the intersection between law and medical science in addressing emerging issues in environmental health law in Nigeria. By applying relevant legal provisions and judicial decisions, stakeholders can work towards promoting environmental sustainability, protecting public health, and upholding the rights of affected communities.

6.0 Implementation of International Best Practices in Environmental Health Law in Nigeria

Implementing best international practices in environmental health law can significantly enhance Nigeria's efforts to address emerging issues in environmental health.

a. Comprehensive Environmental Impact Assessments

Many countries require thorough EIAs for projects with potential environmental impacts, including assessments of health risks and community consultations⁴². Nigeria can adopt and enforce robust EIA regulations that require developers to assess health impacts, engage with local communities, and consider public health concerns in project planning. For example, Nigeria can strengthen the implementation of its EIA Act by ensuring that all major development projects undergo rigorous health impact assessments, as seen in countries like Canada and Australia.⁴³

³⁸ (2005) 11 NWLR (Pt. 939) 508.

³⁹ S Akpan, 'Enforcing Environmental Rights in Nigeria: Challenges and Opportunities for judicial Remedies' [2017] (6) (2) *Journal of Environmental Rights* 78-93.

⁴⁰ *Ibid.*

⁴¹ (2019) NGSC 278.

⁴² S Akpan, 'Enforcing Environmental Rights in Nigeria: Challenges and Opportunities for judicial Remedies' [2017] (6) (2) *Journal of Environmental Rights* 78-93.

⁴³ S Akpan, 'Enforcing Environmental Rights in Nigeria: Challenges and Opportunities for judicial Remedies' [2017] (6) (2) *Journal of Environmental Rights* 78-93.



b. Pollution Prevention and Control Measures

Countries like Germany and the Netherlands have implemented stringent pollution control measures, including emissions standards, pollution taxes, and pollution monitoring systems. Nigeria can adopt similar measures to control industrial emissions, reduce air and water pollution, and mitigate health risks associated with pollution. This could involve setting and enforcing emissions standards for industries, imposing penalties for non-compliance, and investing in pollution monitoring technologies and systems.⁴⁴

c. Integrated Water Resource Management

Integrated Water Resource Management (IWRM) approaches, such as those adopted in South Africa and Sweden, promote sustainable management of water resources, including pollution control, watershed management, and access to safe drinking water. Nigeria can strengthen its water governance framework by adopting IWRM principles, improving water quality monitoring and management, and ensuring equitable access to clean water and sanitation services. This could involve implementing watershed management plans, regulating industrial discharges into water bodies, and investing in water infrastructure and treatment facilities.⁴⁵

d. Community Participation and Environmental Justice

Countries like Canada and New Zealand have mechanisms for meaningful community participation in environmental decision-making processes, ensuring that affected communities have a voice in issues that impact their health and well-being. Nigeria can enhance community participation in environmental governance by establishing mechanisms for public consultation, engaging with affected communities in project planning and decision-making, and promoting environmental justice. This could involve strengthening legal frameworks to recognize and protect the rights of communities to a healthy environment, as well as providing avenues for public participation in environmental impact assessments and regulatory processes.

e. Climate Change Adaptation and Resilience

Countries such as Norway and the United Kingdom have developed comprehensive climate change adaptation strategies, including measures to enhance resilience to climate-related health risks, such as heatwaves, flooding, and vector-borne diseases. Nigeria can develop and implement climate change adaptation plans that prioritize public health considerations, including early warning systems for climate-related health hazards, infrastructure upgrades to withstand extreme weather events, and healthcare interventions to address climate-sensitive health risks.⁴⁶ This could involve mainstreaming climate change considerations into public health policies, strengthening health systems to respond to

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ A Yusuf, 'Emerging Issues in Environmental Health Law' [2018] (12) (2) *Nigerian Environmental Law Journal* 45-60



climate-related emergencies, and promoting research and capacity-building initiatives on climate-health linkages⁴⁷.

f. Strategic Environmental Assessments

Strategic Environmental Assessments (SEAs) are used in several countries, including the European Union and Canada, to assess the environmental and health impacts of policies, plans, and programs at a strategic level. Nigeria can integrate SEAs into its policy-making process to ensure that environmental and health considerations are systematically evaluated and incorporated into decision-making. This could involve conducting SEAs for national development plans, sectoral policies, and regulatory frameworks to proactively address environmental health risks and promote sustainable development⁴⁸.

g. Environmental Health Surveillance Systems

Countries like the United States and Australia have established robust environmental health surveillance systems to monitor trends in environmental exposures, health outcomes, and disease burden, enabling evidence-based decision-making and targeted interventions. Nigeria can develop and strengthen its environmental health surveillance infrastructure to track environmental exposures, assess health impacts, and prioritize interventions to protect public health⁴⁹. This could involve establishing a national environmental health database, enhancing collaboration between health and environmental agencies, and training health professionals in environmental health surveillance techniques.⁵⁰

h. Health Impact Assessments

Health Impact Assessments (HIAs) are used in various countries, including the United Kingdom and New Zealand, to systematically evaluate the potential health effects of proposed policies, projects, or developments on communities and populations. Nigeria can integrate HIAs into its decision-making processes to assess the health implications of proposed projects, policies, and regulations, particularly those with significant environmental impacts⁵¹. This could involve conducting HIAs as part of the EIA process or as standalone assessments to inform policy and project design, mitigate potential health risks, and maximize health co-benefits.

i. Environmental Health Education and Awareness

Many countries prioritize environmental health education and awareness-raising initiatives to empower individuals and communities to take action to protect their health and the environment⁵². Nigeria can invest in environmental health education and awareness programs to increase public understanding of environmental risks, promote healthy behaviours, and foster community engagement in environmental protection efforts. This could involve integrating environmental health education into school curricula,

⁴⁷ *Ibid.*

⁴⁸ A Yusuf, 'Emerging Issues in Environmental Health Law' [2018] (12) (2) *Nigerian Environmental Law Journal* 45-60

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ O Ogunmokun, 'Legal Frameworks for Hazardous Chemical Management in Nigeria: Challenges and Opportunities' [2021] (17) (1) *Journal of Environmental Law and Policy* 78-92.

⁵² O Ogunmokun, 'Legal Frameworks for Hazardous Chemical Management in Nigeria: Challenges and Opportunities' [2021] (17) (1) *Journal of Environmental Law and Policy* 78-92



conducting public awareness campaigns on key environmental health issues, and leveraging digital platforms and community outreach initiatives to disseminate information and resources⁵³.

By drawing inspiration from these international best practices and tailoring them to the Nigerian context, Nigeria can strengthen its environmental health law framework, protect public health, and promote sustainable development for the benefit of its citizens and future generations.

7.0 Strategies for Management of Emerging Environmental Health Law Challenges in Nigeria

1. Interdisciplinary Collaboration

Fostering collaboration between medical professionals, legal experts, policymakers, scientists, and community stakeholders to address emerging environmental health issues comprehensively. Establishment of interdisciplinary research teams and task forces to analyse the intersection of environmental factors, health outcomes, and legal frameworks, facilitating evidence-based decision-making and policy development.⁵⁴

2. Preventive Measures and Risk Reduction

Prioritize preventive measures to mitigate environmental health risks, including pollution control, waste management, and climate change adaptation strategies. Implementation of early warning systems and surveillance mechanisms to monitor environmental hazards and detect emerging health threats proactively, enabling timely interventions to protect public health⁵⁵.

3. Legal Reform and Policy Innovation

Advocacy for legal reforms and policy innovations to strengthen environmental health laws, enhance regulatory frameworks, and address gaps in enforcement mechanisms. Promoting the integration of health impact assessments into environmental decision-making processes, ensuring that public health considerations are systematically evaluated and incorporated into policies, plans, and projects⁵⁶.

4. Community Empowerment and Advocacy

Empowering communities to advocate for their environmental health rights, participate in decision-making processes, and hold government and corporate actors accountable for environmental harms. Provision of training and capacity-building initiatives for community leaders, grassroots organizations, and civil society groups to engage in environmental advocacy, litigation, and public awareness campaigns.⁵⁷

⁵³ *Ibid.*

⁵⁴ I Adeyemi, 'Legal Strategies for Addressing E-Waste Management Challenges in Nigeria: Lessons from International Best Practices' [2020] (13) (4) *Environmental Law Review* 312-327.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*



5. Capacity Building and Education

Strengthening capacity-building efforts to enhance the knowledge and skills of medical professionals, legal practitioners, environmental regulators, and enforcement agencies in addressing environmental health issues. Integration of environmental health education into medical and legal curricula, training programs, and professional development initiatives to equip future generations with the expertise needed to address emerging challenges effectively⁵⁸.

6. Research and Innovation

Investing in research and innovation to advance understanding of the links between environmental exposures, health outcomes, and legal interventions, supporting evidence-based decision-making and policy development. Promotion of interdisciplinary research collaborations to explore innovative approaches, technologies, and interventions for preventing and mitigating environmental health risks, fostering resilience, and promoting sustainable development⁵⁹.

By adopting these strategies, both current and future generations can work together to address emerging issues in environmental health law from a medico-legal perspective, safeguarding public health, promoting environmental sustainability, and ensuring a healthy and equitable future for all.

8.0 Conclusion

In conclusion, emerging issues in environmental health law in Nigeria present complex challenges that require a holistic approach from a medico-legal perspective. From pollution control and waste management to climate change adaptation and community empowerment, addressing these issues necessitates collaboration between medical professionals, legal experts, policymakers, and community stakeholders. Key strategies such as interdisciplinary collaboration, preventive measures, legal reform, community empowerment, capacity building, research, and international cooperation are crucial for effectively managing these challenges. By integrating health considerations into environmental decision-making processes, strengthening regulatory frameworks, and empowering communities to advocate for their rights, Nigeria can promote environmental sustainability, protect public health, and ensure a healthy and equitable future for current and future generations.

However, achieving these goals requires sustained commitment, political will, and investment in human and institutional capacity. By adopting a proactive and participatory approach, Nigeria can navigate the complexities of emerging environmental health issues and pave the way for a more resilient, sustainable, and equitable society.

9.0 Recommendations

Based on the emerging issues in environmental health law in Nigeria from a medico-legal perspective:

⁵⁸ C Onyekwena, 'The Role of Environmental Impact Assessment in Promoting Sustainable Development in Nigeria' [2018] (6) (3) *Journal of Sustainable Development and Law* 185-200.

⁵⁹ *Ibid.*



1. Strengthening Legal Frameworks

Enhance existing environmental laws and regulations to address emerging challenges such as pollution control, waste management, and climate change adaptation. Amend relevant legislation to incorporate provisions for stricter pollution controls, hazardous waste management, and measures to mitigate climate change impacts on public health.

2. Promote Interdisciplinary Collaboration

Fostering collaboration between medical professionals, legal experts, policymakers, and community stakeholders to address environmental health issues comprehensively. Establishment of interdisciplinary task forces or working groups to analyse the intersection of environmental factors and health outcomes, facilitating evidence-based decision-making and policy development.

3. Empowering Communities

Empowering communities to participate in environmental decision-making processes, advocate for their rights, and hold government and corporate actors accountable for environmental harms. Provision of training and capacity-building initiatives for community leaders and grassroots organizations to engage in environmental advocacy, litigation, and public awareness campaigns.

4. Enhance Environmental Health Education

Integration of environmental health education into medical and legal curricula, training programs, and professional development initiatives to equip future generations with the expertise needed to address emerging challenges. Develop educational materials, workshops, and courses on environmental health law and policy for medical and legal professionals, emphasizing the links between environmental exposures and health outcomes.

5. Investment in Research and Innovation

Investment in research and innovation to advance understanding of the links between environmental exposures, health outcomes, and legal interventions, supporting evidence-based decision-making and policy development. Support interdisciplinary research collaborations to explore innovative approaches, technologies, and interventions for preventing and mitigating environmental health risks, fostering resilience, and promoting sustainable development.

6. Promote International Cooperation

Fostering international cooperation, knowledge exchange, and best practice sharing on environmental health law and policy among countries, regions, and global stakeholders. Participate in international initiatives, conferences, and networks to learn from global experiences, leverage international expertise, and collaborate on transboundary environmental health challenges. By implementing these recommendations and applications, Nigeria can effectively address emerging issues in environmental health law, protect public health, and promote environmental sustainability for the well-being of its citizens and future generations.