



Legal Frameworks and Challenges for Environmental Protection in Nigeria: An Appraisal of Enforcement Mechanisms

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ABSTRACT

Environmental protection in Nigeria is hindered by numerous challenges, despite the existence of a robust legal framework. This paper examines Nigeria's environmental legal frameworks, focusing on enforcement mechanisms, institutional weaknesses, and existing gaps. Using a doctrinal research methodology, it analyses key legal instruments, including the Nigerian Constitution, the Petroleum Industry Act (PIA), and the National Environmental Standards and Regulations Enforcement Agency (NESREA) Act. The study highlights persistent challenges, such as inadequate funding, insufficient staffing, and corruption, which undermine regulatory agencies like NESREA and hinder their capacity to enforce environmental laws effectively. Additionally, the paper addresses the non-justiciability of certain constitutional provisions, which prevents citizens from directly seeking judicial intervention for environmental violations. Another key challenge discussed is the lack of public awareness regarding environmental rights, which limits citizens' ability to hold polluting industries accountable. The research identifies a critical enforcement gap, especially in the oil and gas sector, where regulatory bodies like NESREA have no jurisdiction over petroleum operations, exacerbating inefficiencies. The paper also emphasizes that overlapping responsibilities between agencies further complicate enforcement. It suggests practical solutions to improve environmental governance, including strengthening regulatory agencies through better funding, expanding NESREA's jurisdiction to include the oil and gas sector, harmonizing agency roles, combating corruption, and increasing public awareness. Judicial reforms, such as the establishment of specialized environmental courts and the recognition of enforceable environmental rights, are also recommended. Ultimately, the study advocates for a holistic approach that integrates institutional reforms, public engagement, and judicial efficiency to ensure sustainable environmental management in Nigeria.

Keywords: Environmental protection, legal frameworks, regulatory agencies, oil and gas sector.

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1 INTRODUCTION

Environmental laws play a pivotal role in promoting sustainable development and safeguarding natural ecosystems from degradation. For a country like Nigeria, endowed with vast natural resources, the effective enforcement of these laws is crucial not only for preserving biodiversity but also for ensuring long-term economic stability (Edemadide, 2023). Despite the existence of robust legal frameworks designed to protect the environment, Nigeria continues to face significant challenges in enforcing these regulations. This paper critically examines the legal frameworks governing environmental protection in Nigeria, with a particular focus on the enforcement mechanisms in place, the challenges that hinder their effectiveness, and the gaps that remain in achieving environmental sustainability (Ibid, 2022). One of the key challenges facing the enforcement of environmental laws in Nigeria is the weakness of the institutional frameworks responsible for monitoring and implementing these laws. Regulatory bodies such as the National Environmental Standards and Regulations Enforcement Agency (NESREA) have struggled with inadequate funding, understaffing, and a lack of technical expertise, significantly limiting their capacity to enforce compliance.

Additionally, the overlapping jurisdiction of multiple agencies, such as NESREA and the Department of Petroleum Resources (DPR), further exacerbates the enforcement dilemma, creating confusion and inefficiency. The persistent issue of corruption also undermines efforts to enforce regulations, with industries often evading penalties through illicit means (Ijaiya, and Joseph, 2013). Another major obstacle is the non-justifiability of certain environmental rights as enshrined in the Nigerian Constitution. This has rendered the judiciary largely ineffective in intervening in cases of environmental violations, limiting citizens' ability to seek legal redress.

The limited public awareness of environmental laws and their importance compounds the problem, as citizens often remain unaware of their rights or how to hold polluters accountable (Edo, et al. 2022). Despite these challenges, there are considerable prospects for improving the enforcement of environmental laws in Nigeria. Strengthening regulatory institutions through better funding, technical capacity building, and clearer delineation of roles among agencies can enhance the effectiveness of environmental governance. Additionally, greater public engagement and education on environmental issues, coupled with the creation of specialized environmental courts, can contribute to more robust enforcement mechanisms (Akerele, 2024).

This paper contributes to existing knowledge by offering a comprehensive analysis of the current environmental law enforcement frameworks in Nigeria. It explores both the strengths and weaknesses of these frameworks, identifies the gaps in enforcement, and suggests pragmatic solutions for improvement. By highlighting these issues, this paper provides valuable insights into the challenges faced by Nigeria in its pursuit of sustainable environmental governance and offers recommendations for strengthening the legal and institutional frameworks necessary to safeguard the country's natural heritage.

2 LITERATURE REVIEW

2.1 Legal Framework for Environmental Protection in Nigeria

The legal framework for environmental protection in Nigeria is an intricate network of laws and regulations designed to safeguard the nation's natural resources and mitigate environmental degradation. Nigeria, a country rich in natural resources, particularly in the oil and gas sector, faces significant environmental challenges, exacerbated by industrial activities that cause pollution and habitat destruction. In response, the government has established various legal instruments to regulate environmental management, protect ecosystems, and enforce sustainable practices (Akinbile & Lawal, 2015). The Constitution of the Federal Republic of Nigeria (1999), which serves as the supreme law, mandates the protection of the environment, yet the non-justiciable nature of environmental rights presents a barrier to enforcement (Obi & Rustad, 2011). In the oil and gas sector, the Petroleum Industry

Act (PIA) 2021 seeks to regulate petroleum operations and mandates compensation for environmental damage, though enforcement remains a challenge. Additionally, the National Environmental Standards and Regulations Enforcement Agency (NESREA) Act (2007) addresses the management of hazardous waste and pollution but is hindered by weak enforcement mechanisms and jurisdictional overlaps with other regulatory bodies (Adebayo, 2017). Other key laws such as the Harmful Waste (Special Criminal Provisions) Act (2004), the Oil in Navigable Waters Act (2004), and the National Oil Spill Detection and Response Agency Act (2006) are designed to combat specific environmental threats such as toxic waste dumping, oil spills, and pollution from offshore activities. The Environmental Impact Assessment (EIA) Act (2004) also mandates environmental impact evaluations for major projects, promoting public participation in decision-making. Despite these legal protections, the actual enforcement remains weak, and significant gaps in implementation persist (Ibid, 2022).

This section critically examines the core legal instruments governing environmental protection in Nigeria, identifying their strengths and weaknesses while assessing their role in addressing the country's environmental challenges. By exploring the gaps in enforcement and suggesting areas for improvement, this analysis provides a comprehensive view of Nigeria's environmental legal landscape.

2.1.1 The 1999 Constitution of the Federal Republic of Nigeria (As Amended)

Section 20 of the 1999 Constitution of the Federal Republic of Nigeria mandates the state to protect and improve the environment for the benefit of present and future generations. However, this provision is enshrined in Chapter II, titled "Fundamental Objectives and Directive Principles of State Policy," which, by virtue of Section 6(6)(c), is rendered non-justiciable (Anamoji, 2025). This means that courts are prohibited from entertaining suits aimed at enforcing these objectives, including environmental protection mandates (Ekponyong & Ekpo, 2023). The non-justifiability clause has been a significant barrier to enforcing environmental rights in Nigeria. In the landmark case of *Centre for Oil Pollution Watch v. NNPC* (NWLR, 2018). The Supreme Court of Nigeria held that Section 20, though a directive principle, is justiciable when read in conjunction with Section 4(2), which grants the National Assembly the power to make laws to give effect to such principles. The Court further recognized that the right to a clean and healthy environment is implicit in the right to life guaranteed under Section 33 of the Constitution (Anamoji, 2025). Additionally, Nigeria's obligations under international instruments, such as the African Charter on Human and Peoples' Rights (ACHPR), have influenced the interpretation of environmental rights.

Article 24 of the ACHPR guarantees the right of all peoples to a general satisfactory environment favourable to their development. According to the African Commission on Human and Peoples' Rights, (2001), in the case of *Social and Economic Rights Action Center (SERAC) v. Nigeria*, found Nigeria in violation of the Charter due to environmental degradation caused by oil extraction activities in the Niger Delta (Anamoji, 2025). Furthermore, the African Charter (Ratification and Enforcement) Act, Cap A9 LFN 2004, domesticated the ACHPR, making its provisions enforceable in Nigerian courts. This has provided an avenue for litigants to seek redress for environmental violations through the enforcement of the Charter's provisions (*Centre for Oil Pollution Watch v. NNPC*). While Section 6(6)(c) of the Nigerian Constitution limits the justifiability of environmental rights, judicial activism and Nigeria's international obligations have paved the way for the enforcement of these rights. The evolving jurisprudence reflects a growing recognition of the importance of a healthy environment as a fundamental human right (Ekponyong & Ekpo, 2023).

2.1.2 The Petroleum Industry Act 2021

The Petroleum Industry Act (PIA) 2021, Nigeria's landmark legislation aimed at regulating the oil and gas sector, is pivotal to managing petroleum operations and mitigating their impact on the environment and local communities. The PIA consolidates and replaces outdated regulations, creating a

framework for environmental protection and ensuring that the oil and gas industry operates in a sustainable manner, with due regard for the welfare of affected communities (Okoro & Arinze-Umobi, 2023).

2.2 Protection of the Environment and Compensation for Damages

One of the core provisions of the PIA is the establishment of a clear set of responsibilities for licensees and lessees involved in petroleum operations (Petroleum Industry Act, 2021).

. Under this section, the mandates is that petroleum operations must be carried out in a way that does not cause harm to the environment, particularly to objects of cultural or economic significance, such as sacred trees and lands that hold commercial value. Subsections (2)(a)-(c) and (3)-(5) of section 101 explicitly prohibit the destruction of valuable property, including trees of cultural or commercial value, buildings, and other structures situated within the licensed or leased area. This provision is particularly significant as it aims to prevent unnecessary environmental degradation caused by oil exploration and extraction activities, which often result in the destruction of ecosystems and damage to the livelihoods of local communities. These protections extend to the land itself, ensuring that the surface area, as well as any rights held by individuals lawfully occupying the land, are not unduly harmed by petroleum operations (IBID, 2022).

Moreover, the PIA mandates that where damage is done whether to property, land, or sacred sites the responsible licensee or lessee is required to provide fair and adequate compensation to those directly affected by the damage. This provision reflects the Act's emphasis on corporate responsibility and its intention to safeguard the interests of affected communities. The amount of compensation is to be determined by the Petroleum Commission, ensuring a standardized and regulated approach to compensation, which is critical in addressing the historical injustices faced by communities in the oil-producing regions of Nigeria, particularly in the Niger Delta (Borha & Olujobi, 2023). In the event that a licensee or lessee fails to pay the determined compensation within thirty (30) days, Section 101(5) allows the Petroleum Commission to impose sanctions in line with the regulations prescribed under the PIA. This includes fines or other penalties, thus strengthening the accountability framework for petroleum operators and incentivizing compliance with environmental and compensation obligations (PIA, 2021).

2.2.1 Radioactive Materials and Ionizing Radiation

Another crucial provision is Section 225, which addresses the storage, transportation, and use of radioactive materials and other equipment generating ionizing radiation during petroleum operations. The PIA mandates that all petroleum operations involving such materials must be in strict compliance with the Nuclear Safety and Radiation Protection Act and any other relevant legislation. This provision reflects Nigeria's commitment to maintaining high standards of safety and environmental protection, particularly in industries like oil and gas, where the risk of contamination from hazardous substances including radioactive materials can pose serious threats to both human health and the environment (PIA, 2021). This requirement also ensures that operators must implement stringent safety protocols when handling or storing materials that have the potential to cause long-term damage to the environment and human populations. Adherence to international safety and environmental standards is essential to prevent accidents or environmental disasters related to radiation exposure, a concern that has gained increasing attention globally (Akinsola, et al., 2025).

2.2.3 Offences and Penalties

Section 228 outlines the various offences related to violations of the provisions in the PIA. It specifies the illegal activities that petroleum operators can engage in, including non-compliance with environmental protection measures, improper waste disposal, and failure to restore damaged land or

property (PIA, 2021). Section 229 then prescribes the penalties for these offences, ranging from fines to the suspension or revocation of operating licenses. The penalties provided under this section are designed to deter reckless or negligent behaviour and ensure that operators comply with the stringent requirements of the PIA. This reinforces the notion that oil and gas operators must take full responsibility for the environmental and social impacts of their activities (Akinsola, et al., 2025).

The Petroleum Industry Act (PIA) 2021 is a comprehensive piece of legislation designed to address many of the long-standing challenges in Nigeria's oil and gas sector. By incorporating provisions for environmental protection, community compensation, and penalties for non-compliance, the Act aims to create a more sustainable and socially responsible framework for the industry. However, effective enforcement of these provisions is crucial to the success of the PIA. Continuous oversight by the Commission, the authority, along with the active participation of local communities and other stakeholders, will be vital to ensuring that the benefits of Nigeria's oil wealth are shared equitably and that the environment is protected for future generations (Akpan & Ranjan, 2021).

2.3 The National Environmental Standards and Regulations Enforcement Agency Act 2007 (NESREA)

Section 7 and 8 (i)-(k) to enforce compliance with the regulations on the importation, exportation, production, distribution, storage, sale and disposal of hazardous chemicals and waste. S. 27 expressly prohibit any unlawful discharge of hazardous substances into the environment, and when such occurred it is punishable with fine exceeding 1m or 5yrs imprisonment and additional ₦50,000 fine for every day the offence continue.

2.4 The Harmful Waste (Special Criminal Provision) Act 2004

The law come into being as a result of the 1988 koko toxic waste incident in Delta State. It prohibits dumping, transporting, importing, selling carrying and buying of harmful waste within Nigeria's Territory. This prohibition covers the waters and air and land of Nigeria. S.1(2) defines the offences and S.6 Spelt of the punishment and S.7 also.

2.5 The Oil in Navigable Waters Act 2004

This was made in furtherance of the treaty that Nigeria sign that is International Convention for the Prevention of Pollution of the Sea by oil. The act prohibits the discharge of crude oil, lubricating oil and diesel into the sea area. It is an offence expressly declared by this act for any person to discharge oil or oily mixture into waters from any vessel or any place on land or another vessel. S.1(1), S.3 prohibit discharge of oil into Nigerian water.

2.6 The National Oil Spill Detection and Response Agency Act (NOSDRA), 2006

The National Oil Spill Detection and Response Agency (NOSDRA) was established to manage and mitigate the environmental impact of oil spills in Nigeria, particularly in the oil-rich Niger Delta region (National Oil Spill Detection and Response Agency Act, 2006). As part of its mandate, Section 26 of the NOSDRA Act (2006) grants the agency significant powers to make regulations aimed at addressing the challenges associated with oil pollution and its aftermath. This provision is pivotal in allowing NOSDRA to play an active role in not just responding to oil spills but also in preventing and managing the long-term effects of such incidents (Adebayo & Lawal, 2021). Among the Mandate of this law is to undertake surveillance, reporting, alerting and other response activities as they relate to oil spillage. To coordinate the implementation of the National Oil Spill Contingency Plan (NOSCP) set out by the government and to coordinate the removal of hazardous substances issued by the federal Government. S.6 reporting oil spills. Case of SHELL Vs. BODO COMMUNITY (London High Court of Justice, 2015).

. This case involved the Bodo community in Nigeria, who filed a lawsuit against Shell for the environmental damage caused by oil spills in their region. The claim centred on the environmental harm caused by Shell's oil operations, including the spill's long-lasting effects on the community's health, land, and livelihood. Shell eventually reached a settlement with the Bodo community, agreeing to compensate them for the damage caused by the spills. The case was significant for its focus on corporate responsibility and the environmental impacts of oil extraction (IBID, 2022). Also, the act imposed an obligation to clean up an impacted site as practicable as possible and with remediation imposed on an oil spiller and noncompliance attracts a sanction of one million.

2.6.1 Oil Spill and Oily Waste Management Regulations 2011

Section 26 of the NOSDRA Act authorizes the agency to create and enforce regulations for the management of oil spills, including their detection, reporting, and response. This section empowers NOSDRA to draft rules and procedures that ensure that oil spill response activities are handled effectively, in compliance with national and international standards. The regulation-making power enables NOSDRA to tailor specific operational guidelines that address the various complexities of oil spills, such as the type of oil, the geographical area affected, and the extent of damage caused to the environment and local communities.

NOSDRA's regulatory role is critical in ensuring that the oil and gas industry adheres to environmental standards. By exercising the powers conferred on it by Section 26, the agency plays an important part in holding oil operators accountable for their actions, ensuring the swift and effective cleanup of oil spills, and minimizing long-term environmental damage. The agency also acts as a key player in fostering a culture of environmental responsibility within Nigeria's petroleum sector (Borha, & Olujobi, 2023). Moreover, by making these regulations, NOSDRA ensures that Nigeria meets its international obligations, such as the International Convention on Civil Liability for Oil Pollution Damage (CLC), which mandates countries to have systems in place for oil spill preparedness and response.

2.7 The Environmental Impact Assessment Act 2004 (EIA).

The act made provisions for the evaluation of the potential negative or positive impacts of a proposed project on the environment, it also deals with the considerations of the effects on the environment of both the public and private projects. The aim of this act, is to regulate the massive environmental degradation of caused by oil and gas operations by oil firms and to stop the persistent the persistent agitation of the oil producing communities in Nigeria, as it also create the right to public participation in the decision-making process. S. 2(1)-(4) make it a priority for consideration of the public private sector and environmental effects or impacts before the execution of oil and gas projects at an early stage. S.13 States instances where an Environmental Impact Assessment is required. S.60 creates a legal liability and S.62 provides for the offences and penalties.

2.8 The Oil Pipelines Act 2004

The act was enacted in 1956 for combating oil pollution and other impacts of oil operations. The act make provision for licences to be granted for the establishment and maintenance of pipelines, supplementary to oilfields, oil mining and purposes that are ancillary to such pipelines. The act requires the owner of a pipeline to pay compensation to anyone who suffers injury, damages, or loss as a result of leakage or damage to the pipeline. But Section 11(5)(c) prohibits polluters from compensation if the harm is caused by the victims (This section need to be repealed).

2.9 The National Environmental Protection (Pollution Abatement in Industries and Facilities Producing Wastes) Regulations 1991

The regulation prohibits the release of substances into the air, land or water as the case may be of Nigeria beyond the approved limits set by the agency. Regulation 4 and 5 oblige oil and gas companies or industries to report any discharge if it occurs and to submit a comprehensive list of chemicals used for production to the agency.

2.10 The Federal Solid and Hazardous Waste Management Regulations 1991

The regulation makes it an obligation for industries to identify solid hazardous wastes which are dangerous to public health and the environment and to research into the possibility of their recycling. Regulations 20 require notification of the agency of any discharge and regulation 108 stipulates the penalties for noncompliance with the regulations.

3 METHODOLOGY

3.1 International Instrument which Regulates Environmental Protection in Nigeria

This can be translated into treaties and agreement Nigeria signed and ratified. But under here I will just mention only convention.

3.1 Stockholm Convention on Persistent Organic Pollutants

This was adopted in 2001 and commences operation in 2004 with 152 signatories and 179 parties. The aim is to save God human health and environment from harmful chemicals with detect with deteriorating effect on human health aquatic lives and wildlife which can be transported by wind and water to another country. The challenge of the convention is the lack of funding to adequate store eliminate persistent organic pollutant waste (Olujobi, 2022).

3.2 The Basel Convention on the Control of Trans-boundary Movement of Hazardous Wastes and their Disposal 1989

Came into force on May 5th, 1992, being the first legislative response by the international community to combat the challenges of trans-boundary movement of hazardous West. The treaty was enacted after the cocoa incidents of dumping of 8000 barrels of toxic waste from Italy by an Italian firm at cocoa village in Nigeria in 1988. The aim is to eliminate the movement of hazardous waste between nations to prevent the transfer of hazardous waste from developed countries to developing nations and to protect human health and the environment against the adverse effects of hazardous waste (UN, 2020).

4 DISCUSSION

4.1 Challenges in the Enforcement of Environmental Laws

4.1.1 Institutional Weaknesses

In Nigeria, several agencies responsible for enforcing environmental laws are plagued by chronic issues such as insufficient financial resources, inadequate staffing, and a lack of specialized technical skills. These limitations severely constrain their ability to effectively oversee environmental compliance and monitor the activities of industries that impact the environment. As a result, these agencies struggle to carry out their duties of ensuring that environmental regulations are followed, thereby compromising the overall effectiveness of the country's environmental governance (Adebayo, 2017).

4.1.2 Jurisdictional Overlap

The allocation of responsibilities among different regulatory bodies, such as NESREA (National Environmental Standards and Regulations Enforcement Agency) and DPR (Department of Petroleum Resources) now under the commission, often results in confusion and inefficiencies in environmental

governance. This fragmentation of duties leads to regulatory overlaps and gaps. For example, NESREA, which is responsible for enforcing environmental standards, is excluded from the oil and gas sector, despite the significant environmental harm caused by activities in this industry. As a result, the lack of a cohesive regulatory framework for the oil and gas sector leaves critical environmental issues inadequately addressed, leading to inefficiencies in monitoring and enforcement (IBID, 2022).

4.1.3 Corruption

Corruption within regulatory agencies significantly hampers the effectiveness of environmental law enforcement in Nigeria. When regulatory bodies are compromised by corrupt practices, companies are able to bypass penalties for environmental violations through bribery or by taking advantage of legal loopholes. This undermines efforts to protect the environment, as the lack of accountability allows polluting industries to continue their harmful practices without facing consequences. The failure to address corruption within these agencies further weakens the enforcement of environmental laws and regulations, leading to a persistent cycle of non-compliance (Borha & Olujobi, 2023). In the case of *Shell Petroleum Development Company v. Ogoni Community* (2009) (Court of Appeal, 2009), the Nigerian courts examined the role of corruption in allowing Shell to evade accountability for the environmental damage caused by its operations in the Niger Delta. The court found that regulatory failures, including corruption, allowed Shell to avoid the necessary environmental remediation and compensation owed to the affected communities.

4.1.4 Lack of Public Awareness and Participation

In Nigeria, there is a significant gap in public awareness regarding environmental laws and the rights that citizens hold to a healthy environment. This lack of knowledge severely restricts the ability of the general public to hold polluting industries accountable for their actions or to press for stricter enforcement from regulatory authorities. For example, where a community living near an oil spill site is unaware of its legal right to demand compensation or remediation, they may be unable to challenge the pollution effectively, leaving the company unaccountable and environmental damage unaddressed. The absence of widespread education on environmental rights creates an environment where violations can occur with minimal public resistance, perpetuating the cycle of neglect and environmental degradation (Olayemi, 2021).

4.5 Judicial Constraints

Judicial constraints are a significant challenge in the enforcement of environmental laws in Nigeria. One of the primary barriers is the non-justifiability of environmental provisions within the Nigerian Constitution, particularly those outlined in Section 20 (CFRN, 1999). This provision mandates the state to protect the environment but is not enforceable through the courts, meaning citizens cannot directly seek judicial relief for violations related to environmental harm. Moreover, delays in the legal process further discourage affected individuals and communities from pursuing legal action. In many cases, the prolonged duration of court cases, combined with the inability to directly enforce constitutional environmental rights, results in environmental victims giving up on their quest for justice (Akinbile & Lawal, 2015). For example, in a case where a community is affected by an oil spill, they might be unable to challenge the oil company directly in court due to the constitutional provision preventing judicial intervention. Additionally, if the case drags on for years without resolution, victims may become discouraged and lose faith in the judicial process, further exacerbating their vulnerability to environmental violations. In the case of *Attorney General of Lagos State v. Attorney General of the Federation* (NWLR, 2004), the Nigerian Supreme Court discussed the limitations imposed by the non-justifiability of the fundamental objectives and directive principles of state policy, including

environmental protection. The Court held that such provisions could not be enforced in court, thereby reinforcing the gap in judicial recourse for citizens seeking to protect their environmental rights.

5 SUMMARY OF FINDINGS, CONCLUSION, AND RECOMMENDATIONS

5.1 Prospects for Improvement

5.1.1 Strengthening Institutions

For regulatory agencies to effectively enforce environmental laws, they require adequate funding, continuous capacity building, and technical training to enhance their operational efficiency. It is critical that agencies like NESREA are equipped with the resources and expertise to carry out their mandates effectively. Moreover, NESREA's jurisdiction should be extended to the oil and gas sector, which has been a major source of environmental degradation in Nigeria, to close regulatory gaps and ensure comprehensive environmental governance. Without adequate institutional support, the enforcement of environmental regulations remains weak (Adebayo, 2017).

5.2 Harmonizing Regulatory Frameworks

To reduce inefficiencies in environmental governance, it is important to clearly delineate the roles and responsibilities of different regulatory agencies. Overlaps in jurisdictions, such as those between NESREA and the defunct Department of Petroleum Resources (DPR), often lead to confusion and gaps in enforcement. A collaborative approach involving NESREA, DPR, and other stakeholders would allow for better communication, improved enforcement strategies, and more cohesive regulation. Effective collaboration can ensure that no area is left unregulated, and the enforcement of environmental laws becomes more streamlined (Ogunkunle, 2024).

5.3 Combating Corruption

Anti-corruption measures are vital in ensuring that environmental laws are enforced without interference. Regulatory agencies should implement transparent reporting mechanisms that allow for public scrutiny of their activities and decision-making processes. Strict penalties for corrupt practices, such as bribery or negligence, should be enforced to hold both officials and companies accountable. Combating corruption within these agencies would foster trust in the regulatory framework and lead to more effective environmental protection (Akpan, 2022).

5.4 Public Awareness and Participation

Increasing public awareness of environmental laws and rights is crucial to strengthening enforcement efforts. Educational campaigns and community engagement programs can empower citizens to demand better protection of the environment and hold polluters accountable. Furthermore, civil society organizations (CSOs) should be actively encouraged to monitor compliance with environmental regulations and advocate for necessary policy reforms. When citizens and organizations are informed and engaged, they play a crucial role in enhancing the transparency and accountability of regulatory bodies (Ijaiya & Joseph, 2013).

5.5 Judicial Reforms

For environmental rights to be effectively upheld, it is necessary to make them justiciable, meaning that individuals or communities affected by environmental harm should be able to seek judicial redress in court. Expediting the legal process for environmental cases would enable timely remedies for victims. Additionally, establishing specialized environmental courts could expedite the adjudication of environmental cases and provide expertise in addressing complex environmental issues. These reforms would ensure that victims of environmental degradation have accessible and efficient legal avenues to seek justice (Edemadide, 2021).

5.2 Conclusion

Environmental protection in Nigeria remains a critical issue, particularly given the country's rich natural resources and the environmental damage caused by industrial activities, especially in the oil and gas sector. While Nigeria has developed a comprehensive legal framework aimed at safeguarding the environment, including the Constitution, the Petroleum Industry Act (PIA), and various regulatory bodies such as NESREA, the enforcement of these laws is fraught with challenges. The persistent issues of inadequate institutional capacity, jurisdictional overlaps, corruption, and the non-justiciability of environmental rights hinder the country's ability to achieve meaningful environmental protection and sustainable development. The failure to effectively enforce environmental laws has led to significant ecological degradation, particularly in the Niger Delta, where oil exploration has caused irreversible damage to ecosystems and communities.

Furthermore, the limited public awareness of environmental laws and rights exacerbates the problem, leaving citizens unaware of their ability to seek legal redress for environmental harm. Judicial constraints, stemming from the non-enforceability of certain constitutional provisions, further compound the difficulty in holding violators accountable. Despite these challenges, there are significant opportunities for improving the enforcement of environmental laws in Nigeria. Strengthening regulatory institutions through adequate funding, capacity building, and technical training is critical to ensuring that these bodies can effectively carry out their mandates. Expanding the jurisdiction of NESREA to cover the oil and gas sector is essential in closing regulatory gaps and ensuring that the oil industry adheres to environmental standards. Additionally, harmonizing the regulatory frameworks by clarifying the roles of different agencies can help reduce inefficiencies and overlap, while collaborative approaches between agencies can enhance enforcement strategies.

Addressing corruption within regulatory agencies is also paramount, as transparent reporting mechanisms and strict penalties for corrupt practices will help restore public confidence in the environmental governance system. Public awareness campaigns, coupled with greater participation from civil society organizations, can foster a more engaged and informed citizenry capable of demanding better environmental protection and holding polluters accountable. Moreover, judicial reforms, including the establishment of specialized environmental courts and making environmental rights justiciable, will provide a more effective legal avenue for those affected by environmental harm to seek justice.

Ultimately, the realization of Nigeria's environmental goals requires a multifaceted approach that addresses both the systemic challenges within regulatory institutions and the broader socio-political issues that impede environmental enforcement. By fostering stronger legal frameworks, improving institutional capacity, and enhancing public participation, Nigeria can take significant strides toward protecting its environment and ensuring the long-term sustainability of its natural resources for future generations. This paper contributes to the ongoing dialogue on environmental governance in Nigeria, offering both a critical analysis of existing frameworks and pragmatic solutions for overcoming the challenges that continue to hinder effective environmental protection.

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