COURSE : JIL 301- NIGERIAN ENVIRONMENTAL LAW I (3 credits/Elective)

Department of jurisprudence and international law
Faculty of law
University of Ilorin, Ilorin,
Kwara State

Courseware developed by: IJAIYA, H.O.
B.A (Ilorin) LL.B (Jos) Bl (Lagos) LL.M (Ile-Ife), M. Phil
(Ile-Ife)
Department of Private and Property Law Faculty of Law, University of Ilorin, Ilorin, Nigeria
Email: hakeemijaiya@yahoo.com

Lecturers:

1. OLATOKE, Joshua Olukayode Dr.
   LL.B (Hons), Ile-Ife, BL (Lagos), LL.M (Ile-Ife), M.Phil (Law), Ile-Ife, Ph.d (Ile-Ife)
   Department of jurisprudence & International Law, Faculty of Law, University of geria
   E-mail: olatoke@unilorin.edu.ng
   kayode_olatoke@yahoo.com
   Office Location: Room No. 1G7, Department of Jurisprudence & International Law, Faculty of Law, University of Ilorin, Nigeria,
   Consultation Hours: Tuesdays & Thursdays 1-3pm and 12-2pm respectively.

2. Mrs. OWOLABI E.F.
   LL.B (Jos), BL (Lagos), LL.M. (Ile-Ife), Solicitor and Advocate of the Supreme Court of Nigeria.
   E-mail: owolabi.ef@unilorin.edu.ng
   Office Location: Room 2G15, Faculty of Law, University of Ilorin, Nigeria
   Consultation Hours: Monday and Wednesday 10am – 12.00pm.

3. IJAIYA, H.O.
   B.A (Ilorin) LL.B (Jos) BL (Lagos) LL.M (Ile-Ife), M. Phil (Ile-Ife)
   Email: hakeemijaiya@yahoo.com
   Office Location: Room A4 (upstairs), Faculty of Law, University of Ilorin, Nigeria
   Consultation Hours: Mondays and Wednesdays 12pm – 3pm
**Course Contents:** Nature and scope of environmental Law, sources of Nigerian environmental law, History & Development of Environmental Laws in Nigeria.

**Course Description:** The Course focuses on the Nigerian Environmental Laws. Reference is also made to International Environmental Laws. The Course examined the environmental problems in Nigeria the various laws in the country to solve environmental problems. The course examined the pre 1988 and post 1988 Environmental laws in Nigeria for the purpose of examining the growth and development of Environmental law in the country.

**Course Justification:** All over the world, the present concern is how to solve environmental issues such as global warming. The efforts of the Nigerian government in addressing the issue of environmental problems in the country in line with the global perspective is the cardinal aim and objective of the course.

**Course Objectives:** The aims and objectives of the course are:

1. To appraise the development of Environmental laws in Nigeria
2. To identify the environmental problems such as pollution
3. To examine the pre 1988 and post 1988 Environmental laws in Nigeria
4. To Compare and contrast the development of Environmental law in the period before 1988 and post 1988.

**Course Requirements:** Students are expected to attend classes regularly. Students are expected to have minimum of 75% attendance to be able to qualify to write the examination at the end of the semester. The students are expected to treat all the study questions and also participate in group discussion on weekly bases.

**Methods of Grading**

<table>
<thead>
<tr>
<th>NO</th>
<th>ITEM</th>
<th>SCORES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Assignments/ Tests</td>
<td>20</td>
</tr>
<tr>
<td>2.</td>
<td>Class Participation</td>
<td>10</td>
</tr>
<tr>
<td>3.</td>
<td>Examination</td>
<td>70</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>
Course Delivery Strategies: Lecturing and teaching methods will be adopted the use of power point presentation would be adopted where necessary. Group discussions and tutorials approach would be adopted.

LECTURE:

Week One

Nature and scope of Environmental Law.

Objectives: To expose the students to the definition of Environmental Law. To examine the scope of environmental Law.

Description: To introduce the students to the concept of Environmental Law. To examine the theoretical definitions of Environmental Law. To examine the scope of International and Domestic Environmental Law.

Study Questions
1. What is Environment at law
2. What is the scope of Environmental Law.
3. Explain the scope of international Environmental Law.
4. Discuss the scope of the Nigerian Environmental Law.

Reading Lists

Week Two

Environmental Problems

Objectives: To expose the students to the main environmental problems such as pollution, electronic waste management, ozone layer depletion, global warning etc.

Description: The students would be exposed to study the major environmental problems. The study will focus on the main environmental problems such as Pollution, Electronic Waste Management, Ozone Layer Depletion, Global Warning and a host of others.
Study Questions
1. Define Environmental problems.
2. What are the courses of Environmental problems?
3. Mention and Explain Environmental problems in Nigeria.
4. Discuss the efforts of the Nigeria government to solve Environmental problems in the country.

Reading Lists

Week Three

Objectives: To expose the students to the efforts by the Nigerian government to solving environmental problem before 1988.

Description: The Koko incident of 1988 is a major development in Nigeria and also marked a new era in the development of Environmental Laws in Nigeria. However before 1988 there are basic laws on the environment. Such as the Kanji Lake Bact Act, Criminal Code Act, River Basin Development Authorities Act, Endangered Species (Control of International Trade Traffic) Act, the Oil Mineral (Safety Regulations Act, Petroleum Drilling Regulation Act, Oil in Navigable waters Act, petroleum Refining Regulations Act, Associated Gas Re-injection Act, Oil Pipelines Act etc.

Study Questions
1. Mention the pre 1988 Environmental Laws.
2. Explain the main features of the pre 1988 Environmental Laws.
3. Were the pre 1988 Environmental laws regulated by government regulatory agencies?

Reading Lists
Week Four

The Koko incident.

Objectives: The examine the Koko incident as a landmark in the development of Environmental Laws in Nigeria.

Description: The dumping of waste in Koko village in the present Edo State on 19th September, 1987 by an Italian firm attracted both international and national commentaries and this has an adverse effect on the image of the country. The incident created awareness on the part of the Nigerian government to enact laws that are more responsive to solving environmental problems in the country.

Study Questions:
1. Explain the incident that led to the Koko episode?
2. Discuss the reaction of the international community on the Koko incident.
3. Examine the reaction of the Nigerian government to the Italian government over the incident?
4. Explain the steps taken by the Nigerian government to avert future occurrences.

Reading Lists

Week Five

Post 1988 Environmental Laws in Nigeria.

Objectives: To examine the post 1988 Environmental Laws in Nigeria.
Description: The Koko incident in 1987 was a major development in assessing environmental laws in Nigeria. The post 1988 era witnessed the enactments of laws and policies on how to solve environmental problems in the country. Such laws include the Harmful Waste (Special Criminal Provision etc.) Act, Federal Environmental Protection Agency (FEPA) Act, Environmental Impact Assessment (EIA) Act, National Environmental Standard and Regulatory Enforcement Agency Act, Federal Solid and Hazardous Waste Management Regulations, the Nigerian Urban and Regional Planning Act, Land use Act, Hydrocarbon Oil Refineries Act, the wild Animal reservation Act, Laws, Oil in Navigable Waters Act, Associated Gas Re-injection Act, the Endangered Species Act, Sea Fisheries Act, Inland Fisheries Act, Exclusive Economic Zone Act, Oil Pipelines Act, Oil Pipeline Regulations (Oil Pipeline) Act, Petroleum Act etc.

Study Questions
1. Examine the incident that led to the post 1988 Environmental Laws in Nigeria.
4. Identify the similarities and difference in the pre 1988 and post 1988 Environmental Laws in Nigeria.

Reading Lists

Week Six

Objectives: To examine the Harmful Waste (Special Criminal Provision) Act of 1988.
Description: The promulgation of the Harmful waste (Special Criminal Provision) Act of 1988 was sequel to the dumping of 3888 tons of assorted toxic wastes at Koko port of the present Edo State. the decree prohibits the purchase, sale, importation, transit, transportation, deposit and storage of harmful wastes in Nigeria.

Study Questions:
1. What led to the promulgation of the Harmful Waste (Special Criminal Provision) Act of 1988?
2. What are the aims and objectives of the Act?
3. Has the Act achieved its aims & objectives?

**Reading Lists:**

**Week Seven**


**Objectives:** To examine the rational for the promulgation of the FEPA Act.

**Description:** By Decree 58 of 1988, the Federal Government created the FEPA Act. Which vests in FEPA overall responsibility for the protection and development of the environment, biodiversity conservation and sustainable development of Nigeria’s natural resources in general and environmental technology, including initiation of policy related to environmental research and technology.

**Research Questions.**
1. What necessitated the promulgation of the FEPA Act of 1988?
2. What are the aims and objectives of the Act?
3. Is the FEPA Act still an existing law?

**Reading Lists:**

**Week Eight**


**Objectives:** To appraise the Environmental Impact Assessment (EIA) Act of 1992.
Description: The EIA Act was promulgated to enable the prior consideration of environmental impact assessment of public or private objects. Any person planning a project/activity which may have an impact on the environment is required under the Act to prepare an EIA Report, and the report must set out the potential impact of the activity on the environment and plans for preventing/mitigating the same as well as clean up plans.

Study Questions
1. Who is to prepare the EIA report?
2. List the advantages of the EIA Report.
3. What is the penalty for failing to prepare the EIA Report?

Reading Lists:

Week Nine
The Constitution

Objective: To examine the relevance of the Constitution on the Environment.

Description: The basis of the Environmental policy in Nigeria is contained in the 1999 Constitution. By section 20 of the Constitutions the state is empowered to protect and improve the environment and safeguard the water, air and land, forest and midlife of Nigeria.

Study Questions:
1. State the relevant provision of the Constitution on the protection of the environment.
2. Examine the environmental policy of the Federal Government of Nigeria on the environment.

Reading Lists:
Week Ten


Objectives: To appraise the NESREA Act and to appraise its impact on the environment.

Description: The NESREA Act replaced FEPA Act. It is the embodiment of laws and regulations focused on the protection and sustainable development of the environment and its natural resources.

Study Questions:
1. What necessitated the promulgation of the NESREA Act?
2. What are the aims and objectives of the NESREA Act?
3. Has the Act achieved its desired goals?

Reading Lists:

Week Eleven


Objectives: To examine the provisions of the NDDC Act.

Description: The NDDC Act is concerned with using allocated funds by the government to tackle ecological problems arising from the exploration of oil minerals in the Niger Delta.

Study Questions:
1. What necessitated the promulgation of the NDDC Act?
2. What are the achievements of the Act?
3. What are the problems of the Act?

Reading Lists:
Week Twelve

The Federal Ministry of Environment FME

Objectives: To examine what led to the establishment of the Federal Ministry of Environment.

Description: The Federal Ministry of Environment was created in 1999 to address the issues of the environment and sustainable development. The mandate of the Ministry is to protect and improve water, air, land, forest and wildlife of Nigeria.

Study Questions:
1. What necessitated the establishment of the Federal Ministry of Environment?
2. What are the aims and objectives of the Ministry?
3. Has the Ministry achieved its desired goals? Why?

Week Fourteen

Tutorials

Week Fifteen

Revision

LEGEND
1. Available in local bookshops
2. Available in departmental library
3. Available in personal library of the lecturer
4. Available in the faculty of Law Library
5. Available in the University of Ilorin Library
COURSE : JIL 301- NIGERIAN ENVIRONMENTAL LAW I (3 credits/Elective)

Department of jurisprudence and international law  
Faculty of law  
University of Ilorin, Ilorin,  
Kwara State

1. OLATOKE, Joshua Olukayode Dr.  
   LL.B (Hons), Ile-Ife, BL (Lagos), LL.M (Ile-Ife), M.Phil (Law), Ile-Ife, Ph.d (Ile-Ife)  
   Department of jurisprudence & International Law, Faculty of Law, University of Ilorin, Nigeria  
   E-mail: olatoke@unilorin.edu.ng  
   kayode_olatoke@yahoo.com  
   Office Location: Room No. 1G7, Department of Jurisprudence & International Law, Faculty of Law, University of Ilorin, Nigeria,  
   Consultation Hours: Tuesdays & Thursdays 1-3pm and 12-2pm respectively.

2. Mrs. OWOLABI E.F.  
   LL.B (Jos), BL (Lagos), LL.M. (Ile-Ife), Solicitor and Advocate of the Supreme Court of Nigeria.  
   E-mail: owolabi.ef@unilorin.edu.ng  
   Office Location: Room 2G15, Faculty of Law, University of Ilorin, Nigeria  
   Consultation Hours: Monday and Wednesday 10am – 12:00pm.

3. IJAIYA, H.O.  
   B.A (Ilorin) LL.B (Jos) BL (Lagos) LL.M (Ile-Ife), M. Phil (Ile-Ife)  
   Email: hakeemijaia@yahoo.com  
   Office Location: Room A4 (upstairs), Faculty of Law, University of Ilorin, Nigeria  
   Consultation Hours: Mondays and Wednesdays 12pm – 3pm

Course Contents: Environmental Problems i.e. Water & Air Pollution.

Course Description: The course focuses on environmental problems such pollution (Water, Air, Noise Pollution). The course examined how these problems hindered sustainable development in the Nigeria. The course examined the principles of sustainable development and its application in Nigeria.
Course Objectives: The aims and objectives of the course are:

(i) To identify pollution as an Environmental problem in Nigeria
(ii) To identify the principles of sustainable development.

Course Requirement: Students are expected to attend classes regularly. Students are expected to have minimum of 75% attendance to be able to qualify to write the examination at the end of the semester. The students are expected to treat all the study questions and also participate in group discussion on weekly bases.

Method of Grading:

<table>
<thead>
<tr>
<th>NO</th>
<th>ITEM</th>
<th>SCORES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Assignments/ Tests</td>
<td>20</td>
</tr>
<tr>
<td>2.</td>
<td>Class Participation</td>
<td>10</td>
</tr>
<tr>
<td>3.</td>
<td>Examination</td>
<td>70</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Course Delivery Strategies: Lecturing and teaching methods will be adopted the use of power point presentation would be adopted where necessary. Group discussions and tutorials approach would be adopted.

LECTURE:

Week One:

Pollution (Water Pollution)

Objective: To exposed the students to the causes and effects of water pollution. To examine water pollution. To examine water pollution as an Environmental problem.

Description: Heavy rainfall in most parts of Nigeria has serious problems. It has polluted the water we drink and also damaged our agricultural products.

Study Questions:

(1) What is water pollution?
(2) What are the causes of water pollution?
(3) What is the impact of water pollution?
(4) How do we control water pollution?
Week Two
Pollution (Air Pollution)

Objectives: To expose the students to the causes and effects of Air Pollution.
Description: As a result of human activities, especially in the industrial areas the air we breathe has been polluted. The problem has caused a lot of damage to our health.

Study Questions:
1. What is Air Pollution?
2. What are the causes of Air Pollution?
3. What are the effects of Air Pollution?
4. How do we control Air Pollution?

Week Three
Pollution (Noise Pollution)

Objectives: To expose the students to the causes and effects of Noise Pollution.

Description: It has been said that Noise is part of us in Nigeria. Our Environment is filtered with noise. Noise has caused a lot of damage to our health.

Study Questions:
1. What is Noise Pollution?
2. What are the causes of Noise Pollution?
3. What are the effects of Noise Pollution?
4. How do we control noise pollution?

Week Four
Concept of Sustainable Development

Objectives: To expose the students to the definitions of Sustainable Development.
Description: The principle of sustainable development has been defined as the development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Study Questions:
1. What is Sustainable Development?
2. How is sustainable development perceived by Akeem Yusuf?

Reading Lists

Week Five:
Objectives of Sustainable Development.

Objectives: To expose the students to the goals and objectives of the concept of sustainable development.

Description: The main purpose of sustainable development is to secure economic development, social equity and justice, and environmental protection.

Study Questions:
1. What are the main aims of sustainable development?
2. How does sustainable development secure economic development, social equality and justice and environmental protection?

Reading Lists:

Week Six
Pillars of Sustainable Development.

Objectives: To expose the students to the three pillars of sustainable development i.e. Economic, Environmental and Social Pillars.
Description: Sustainability rests on three pillars; economic activities, social equality and environmental activities that promote the ability of the present and future generations to live within the earth’s capacity of support us.

Study Questions:
1. Mention the three Pillars of Sustainable Development?
2. Explain each of the Pillars of Sustainable Development?

Reading Lists:

Week Seven
Principles of Sustainable Development (Principles 1 -10).

Objectives: To expose the students to principles 1 -10 UN Declaration on Sustainable Development.


Study Questions:
1. Identify principles 1 to 10 of the UN Declaration on Sustainable Development.
2. Are Principles 1 to 10 applicable to Nigeria?

Reading Lists:
Week Eight

Principles of Sustainable Development (Principles 11-20).

Objectives: To exposed the students to principles 11 to 20 of the United Nations Declaration on Sustainable Development.

Description: The goal of the UN Declaration on Sustainable Development is to establish a new and equitable global partnership through the creation of new levels of cooperation among States. The students would examined the provisions of principles 11 to 20.

Study Questions:
1. Identify principles 11 to 20 of the UN Declaration on Sustainable Development.
2. Are principles 11 to 20 applicable in Nigeria?

Reading Lists:


Week Nine

Objectives: To expose the students to principles 21 to 27 by the United Nations Declaration on Sustainable Development.

Description: The goals of Sustainable Development are to protect the integrity of the global environmental and developmental system, recognizing the integrity and interdependent nature of the Earth. The Students would examine principles 21 to 27.

Study Questions:
1. Identify principles 21 to 27 of the UN Declaration on sustainable development.
2. Are principles 21 to 27 applicable in Nigeria?

Week Ten
Principles of Sustainable Development by Yusuf A.T.

Objectives: To expose the Students to the principles of Sustainable Development by Yusuf A.T.

Description: Yusuf A.T. identifies nine principles of sustainable society. He adopted the principles from a frame work of strategy for sustainable living published in 1990. He is of the opinion that the 1st principle provide ethical basis for the other principles. That 2nd to 5th principles give the criteria to be met in building a sustainable society; and that 6th to 9th define the roles of individual, community, national and international government in achieving sustainable living.

Study Questions:
1. Explain the classification made by Yusuf A.T.
2. Are the classification relevant in Nigeria?

Reading Lists:
- Yusuf A.T. Implementing the Nine Principles of a sustainable society can Nigerian Government Deliver?
Week Eleven

Application of the Principles of Sustainable Development under the Pre. 1988 Laws.

Objectives: To examine the application of the principles of Sustainable Development under the Pre 1988 Laws in Nigeria.

Description: Before 1988, the Nigerian government did not have a comprehensive road map as regards to the proper management of the environment and its resources in line with the principles of sustainable development.

LEGEND
7. Available in local bookshops
8. Available in departmental library
9. Available in personal library of the lecturer
10. Available in the faculty of Law Library
11. Available in the University of Ilorin Library