



Effect of Climate Change on Human Rights in Nigeria

Peter Isaiah Akpan

Faculty of Law, University of Calabar, Cross River State, Nigeria. E-mail: petterakpan@gmail.com

DOI : <https://doi.org/10.55248/gengpi.5.1124.3214>

ABSTRACT

The study examined the effect of climate change on human rights in Nigeria and how it significantly poses a variety of direct and indirect dangers to numerous facets of human endeavors. The work adopted doctrinal approach. Primary sources such as statutes, international instruments, judicial decisions and secondary sources constituted the materials relied upon. The study found that climate change, which is closely linked to pollution and environmental degradation due to human activities, depletes the ozone layer and threatens human rights. The work further discovered that climate change causes farmer and herder conflict, which constitutes an infringement on human rights in Nigeria. The study proposed a transition from fossil fuel to renewable energy, reduction of greenhouse emissions, deforestation and afforestation, public awareness, climate friendly policies and legislations.

Keywords: Effect, Climate, Climate Change, Human Rights, Environmental Law, Human Rights Law, Nigeria.

1. Introduction

The effect of climate change is alarming and capable of wrecking a global havoc if not checkmated. Economies, lives, food, health and human rights are being threatened by atmospheric concentrations of greenhouse gas emissions. Developing countries, particularly in Africa, appear to bear more of the brunt. The effect of climate change events on traditional African religious practices have been less visible.¹ This is so because the devastating effects of global warming on the environment are viewed and interpreted by the spiritualists as act of God. When traditional Chief Priests are consulted upon recording environmental disasters, their revelations often show that the gods are angry. Civilization may categorize such revelations as ignorance but cannot take away the fact that it held sway during the time of our forbearers till date in some parts of Nigeria and Africa as a whole. In such circumstances, various sacrifices were made to appease the gods. The sacrifices worked in some cases while in other instances, the gods appeared not to have been appeased. This is by no means the end of ignorance of ecological change.²

The world has experienced devastating impacts of climate change via extreme events such as droughts, heat waves, cyclones, wildfires and floods. This often occur with severity, rendering people homeless and causing poverty, illness, and food insecurity and this impact on the environment infringes on human rights with negative effects on sustainable development. On 28th March, 2008, the UN Human Rights Council adopted Resolution 7/231 on human rights and climate change, recognized for the first time in a U.N. resolution, that climate change "has implications for the full enjoyment of human rights."³ The Maldives held a Small Island States Conference in November 2007 to discuss these effects and their repercussions.⁴ The result of the gathering (the Mal'e Announcement on the Human Element of Worldwide Environmental Change) expressed unequivocally that "climate change has clear and prompt ramifications for the full pleasure in basic freedoms" and approached the Unified Countries common liberties framework to resolve the issue as an issue of desperation.⁵ President Gayoom delivered the Mal'e Declaration to the assembled governments of the world at the Thirteenth Conference of Parties to the United Nations Framework Convention on Climate Change (COP 13) in Bali. It stated:

We [Small Island States] believe that climate change must be viewed not only as a danger to natural systems, but also as a direct threat to human survival and well-being. We are convinced that this negotiation process must not be viewed as a traditional series of government trade-offs, but as an urgent international effort to safeguard human lives, homes, rights and livelihoods.⁶

Resonating these views, Kyung-wha Kang, Deputy U.N. High Commissioner for Human Rights, said: "[A]ny strategy to deal with climate change, whether in terms of adaptation or mitigation, must incorporate the consequences for humans, as individuals and communities, and the human rights

¹ G Nehe, 'Impact of Climate Change on African Traditional Religious Practices,' Journal of Earth Science & Climatic Change, Vol. 5 Issue 7, pp. 1-2, 2014.

² NP Waapela, 'African Myths on Climate Change and Environmental Degradation and Challenges of Development in Africa,' Global Journal of Human-Social Science: B Geography, Geo-Sciences, Environmental Science & Disaster Management, Volume 16 Issue 1 Version 1.0, pg. 3, 2016.

³ M Limon, 'Human Rights and Climate Change: Constructing a Case for Political Action,' Harvard Environmental Law Review Vol. 33(2), pp. 439-476, 2009.

⁴ Permanent Mission of the Republic of Maldives to the United Nations Office at Geneva, Human Rights and Climate Change, <http://www.maldivesmission.ch/index.php?id=68> accessed 10/09/2024.

⁵ Small Island States Conference, Mal'e, Maldives, Nov. 13-14, 2007, Mal'e Declaration on the Human Dimension of Global Climate Change, at 2 (Nov. 14, 2007), available at http://www.ciel.org/Publications/Male_Declaration_Nov07.pdf accessed 10/09/2024.

⁶ Address of Maumoon Abul Gayoom, President of the Maldives, at the 13th Session of the Conference of the Parties of the UNFCCC (Dec. 12, 2007), available at http://www.maldivesmission.ch/fileadmin/Pdf/Environment/President_at_Bali_Conference_2012122007_final_pdf accessed 10/09/2024.

framework is the most effective way to do so.⁷ Working in line up with these underlying advances, different actors likewise started to investigate the connection point between climate change and human rights, including the International Council on Human Rights Policy (“ICHRP”),⁸ the Organization of American States,⁹ Oxfam International,¹⁰ Mary Robinson’s Realizing Rights,¹¹ Kofi Annan’s Global Humanitarian Forum,¹² and the United Nations Development Programme. The latter, in its 2007/2008 Human Development Report, argued that climate change represents “a systematic violation of the human rights of the world’s poor and future generations, and a step back from universal values.”¹³

At the seventh regular session of the United Nations Human Rights Council in March 2007, these various strands were brought together. During the meeting’s ministerial and general segments,¹⁴ Bolivia, Bhutan, Greece, Maldives,¹⁵ Nigeria, Indonesia, and the Philippines - all of them emphasized the serious implications of climate change for the full realization of human rights and urged the Council to focus on the human rights aspect.¹⁶ All these goes to emphasize the importance of the role of climate change on human rights globally and Nigeria is not an exception. This paper will examine climate change, human rights, the effect of climate change on human rights in Nigeria, how to mitigate the effect and the way forward.

2. Research Methodology

The work adopts doctrinal approach. Primary sources such as statutes, judicial decisions, international instruments and secondary sources constitutes the materials relied upon. The study also benefits from internet sources, relevant books, articles, policy documents and reports published by experts in relevant fields.

3. Conceptual Clarification

3.1 Climate Change

Climate change is the systematic modification of the earth’s climate triggered by atmospheric variations and interactions between the atmosphere and different geologic, geographic, biological, chemical, and geographic variables.¹⁷ The atmosphere is liquefied and dynamic in nature. Many human activities arising from industrialization, emission of fumes from automobiles, deforestation, etc. all contribute to depletion of the ozone layer. Climate change is a developmental issue because global warming is a threat to sustainable development. The average universal temperature is rising, and some climate actions such as heat waves and heavy rainfall are becoming more frequent and intense, while others, such as extreme cold events, are fewer.¹⁸

Scientists have estimated that most of the global warming observed in the last 50 years are dominantly caused by human activities, and that about 118 million extremely poor people in Africa will be exposed to drought, flooding and life-threatening heat by 2030, which will greatly hinder sustainable development if adequate measures are not taken.¹⁹ It is worthy of note we are far away from attaining the 2°C global temperature rise promised in the Paris Agreement. Some countries have augmented their emissions since 1990, some have remained the same, while some have less.²⁰

3.2 Human Rights

Human rights inherent in all human beings all over the world, are considered to be inalienable and as such cannot be violated or denied for as long as the individual qualify to be human.²¹ Human rights guarantee the essence and sanctity of human life and as such represents the legal expression of life.

⁷ Address of Kyung-wha Kang, Deputy High Commissioner for Human Rights, Office of the U.N. High Commissioner for Human Rights, at the Conference of the Parties to the UNFCCC and its Kyoto Protocol (Dec. 14, 2007), available at http://www.maldivesmission.ch/fileadmin/Pdf/Environment/DHC_Statement_Bali_Final.pdf accessed 8/09/2024.

⁸ G Res, Climate Change and Human Rights: A Rough Guide; International Council on Human Rights Policy, Vernier, Switzerland: ATA Roto Press SA, 63/117, U.N. Doc. A/RES/63/117(Dec. 10, 2008)

⁹ Organization of American States [OAS], General Assembly Res. AG/Res. 2429 (XXXVIII-O/08), OAS Doc. AG/doc.4886/08 (June 3, 2008)

¹⁰ Oxfam Int’l, Climate Wrongs and Human Rights: Putting People at the Heart of Climate-Change Policy (2008), available at <http://www.oxfam.org/sites/www.oxfam.org/files/bp117-climate-wrongs-and-human-rights-0809.pdf>, accessed 8/09/2024.

¹¹ M Robinson, B Ward, Lecture at Chatham House: Climate Change and Justice (Dec. 11, 2006), available at http://www.realizingrights.org/pdf/Barbara_Ward_Lecture_12-11-06_FINAL.pdf, accessed 9/09/2024.

¹² The Global Humanitarian Forum’s inaugural annual meeting was titled “The Human Face of Climate Change,” and the Forum’s current strategic focus is “The Human Impact of Climate Change.” See GLOBAL HUMANITARIAN FORUM GENEVA, FORUM 2008: THE HUMAN FACE OF CLIMATE CHANGE (2008), available at <http://www.ghf-geneva.org>

¹³ U.N. Dev. Programme, Human Development Report 2007/2008, at 3 (2007) [hereinafter Human Development Report].

¹⁴ States that were unable to be represented at ministerial or senior government levels make keynote statements on human rights in general segments that are made at the ambassadorial level.

¹⁵ The Minister of Foreign Affairs of the Maldives, Abdulla Shahid, also raised the issue of climate change in a speech during the sixth session of the Council. Abdulla Shahid’s Statement at the Sixth Session of the Human Rights Council of the United Nations (Sept. 20, 2007), available at <http://www.foreign.gov.mv/v2/speech.php?speech=10&page=3> accessed 10/09/2024.

¹⁶ O Maduekwe, Minister of Foreign Affairs of Nigeria, Statement at High-Level Segment of the Seventh Session of the Human Rights Council (Mar. 4, 2008), available at <http://www2.ohchr.org/english/bodies/hrcouncil/7session/hls/Nigeria-E.pdf>, available 10/09/2024.

¹⁷ ST Jackson, Climate change: Definition, Causes, Effects, & Facts (2008) Encyclopaedia Britannica, <https://www.britannica.com/science/climate-change> accessed 10/09/2024.

¹⁸ J Tarusarira, African Religion, Climate Change, and Knowledge Systems, John Wiley & Sons Ltd. DOI: 10.1111/erev.12302, Vol. 69 Issue 3, pp. 398-410, 2017.

¹⁹ Climate Change: This is the state of the climate in Africa - and why it urgently matters to us all, (2021) World Economic Forum, available at <https://www.weforum.org/agenda/2021/10/state-of-the-climate-in-africa/>, accessed 10/09/2024.

²⁰ State of the climate, Climate Action Note – data you need to know., UN Environment programme, available at <https://www.unep.org/explore-topics/climate-action/what-we-do/climate-action-note/state-of-climate.html> accessed 10/09/2024.

²¹ MI Ogu & O Fadipe, ‘International Non-Governmental Organizations and Human Rights Protection in Nigeria’, RUJMASS (Vol. 6 No 2), pg. 1, 2020.

The existence of municipal and international legal instruments is enough proof of the importance of human rights.²² These rights have gained universal acceptance and are also largely inherent, inalienable and indivisible. In *Fort Royal Homes Ltd & Anor v. EFCC & Anor*.²³, it was held thus;

Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. And when they are protected as legal rights they then become known as fundamental human rights which are protected by the grundnorm of the society i.e. the Constitution of the Federal Republic of Nigeria.²⁴

Simply put, Human Rights are inherent in man; they arise from the very nature of man as social animal. They are those rights which all human beings enjoy by virtue, of their humanity, irrespective of race, skin color, the deprivation of which would constitute a grave affront to one's natural sense of justice.²⁵

4. Effect of Climate Change on Human Rights in Nigeria

The United Nations Human Rights Council Resolution 7/23 on Human Rights and Climate Change expressed that Climate change “poses an immediate and far-reaching threat to people and communities around the world and has implications for the full enjoyment of human rights.”²⁶ Human rights are therefore significantly impacted by climate change, which poses a variety of direct and indirect dangers to numerous facets of human dignity and well-being.

Under international human rights law, states have an obligation to respect, protect and enforce the human rights of all people.²⁷ This includes the obligation to protect people from foreseeable harm. The damage caused by climate change is not only predictable, but widespread and devastating. Presently, climate change is infringing on human rights on an unimaginable scale. Humanity cannot continue to do this to itself, which is completely unacceptable. The state and businesses share a responsibility to shield individuals from this harm. Basic liberties require prompt activity to decrease ozone depleting substance outflows and guarantee that all individuals possess the ability to adjust to environmental change.²⁸ It is totally unacceptable for humanity to continue to inflict this avoidable harm on itself. The state has an obligation to protect people from this damage, and companies also have a responsibility. Human rights require immediate action to reduce greenhouse gas emissions and ensure that all people have the means to adapt to climate change.²⁹ Millions of people around the world are already experiencing significant effects from climate change. These effects have social, economic, and legal components in addition to ecological ones.

The climate change, which is closely linked to pollution, environmental degradation is a threat to all life on earth and human rights. The climate emergency has an increasingly direct and profound impact on each of us. All trend lines are pointing in the wrong direction. But it is vulnerable communities and people who experience the worst impacts. Their human rights, including life, health, housing, decent work, water, culture and self-determination, are seriously threatened. Ultimately, theirs and everyone else's survival is at stake.³⁰

Climate change has a negative impact on perceptions of human rights. Individuals in vulnerable situations due to factors such as geography, poverty, gender, age, indigenous or minority status, national or social origin, birth or other status, and disability are at increased vulnerability and climate-related risk may be vulnerable to human rights violations.³¹ The protection of the environment is essential to modern human rights philosophy since several human rights, like the right to health and the right to life, depend on it. Failure to regulate human activities and protect the environment contributes to depletion of the ozone layer with resultant negative influence on humanity. Some of the effect of climate change on rights considered hereunder.

- *Climate change and right to food:*

There appear to be a complex relationship between food security and climate change in the sense that food security covers the aspects of food, its creation, commerce, and nourishment, as well as how individuals and countries sustain their ability to get food over time despite numerous burdens. While the possible significant effects of climate change on food production have recently attracted considerable attention worldwide, the relationship between climate change and the other elements of food security, such as accessibility, abundance, consistency, and utilization, have not yet been broadly considered.³²

²² JA Dada, 'The Significance and Limits of NGOs in Human Rights Protection in Nigeria', *Journal of Law, Policy and Globalization* Vol. 19, pg. 82, 2013.

²³ (2017) LPELR-42807(CA)

²⁴ Per ABUBAKAR DATTI YAHAYA, JCA (Pp 19 - 19 Paras A - C)

²⁵ NJ Udombana, *Human Rights and Contemporary Issues in Africa*, Lagos: Malthouse Press Limited (47), pg. 129, 2003.

²⁶ UNHRC 7/23: This paragraph was strongly opposed during the resolution's negotiations, with some nations arguing that there was no definitive U.N. assessment to support the premise.

²⁷ Article 1 of the European Convention on Human Rights, Articles 16 and 18(4) of the African Charter in guaranteeing the enjoyment of the right to health which is crucial to the realization of other fundamental rights and freedoms.

²⁸ M Bachelet, *The Human Rights Impact of Climate Change: An International and Local Challenge*, paper presented during the Human Rights Council event on climate change in Geneva on 14 March 2022. Available at <<https://www.ohchr.org/en/statements/2022/03/human-rights-impact-climate-change-international-and-local-challenge>> accessed 10/09/2024.

²⁹ *ibid.*

³⁰ *ibid.*

³¹ Climate change and people in vulnerable situations (2022), available at <https://www.ohchr.org/en/climate-change/impact-climate-change-rights-people-vulnerable-situations> accessed 10/09/2024.

³² G Ziervogel and P Ericksen, *Adapting to climate change to sustain food security*, *Reviews: Climate Change, 2010 - Wiley Online Library*. Available at <<https://doi.org/10.1002/wcc.56>> accessed 10/09/2024.

Climate change stands to have an adverse effect on the realization of the right to food, disproportionately affecting those who are least contributing to its realization. Rural residents, farmers, fishermen, pastoralists, indigenous peoples, low-income households, women, girls and children are most at risk of climate-related food insecurity and hunger globally.³³

The industrial food system causes massive greenhouse gas emissions and at the same time food gluts and hunger. An urgent reduction of greenhouse gas emissions is essential to limiting climate-related impacts on food rights. For climate change action to effectively contribute to maintaining the right to food, it needs to put rights holders at the centre of all actions and ensure that the right contributes effectively to its development and implementation.³⁴

- *Climate change and right to life, health, and adequate standard of living:*

Disastrous events like tropical storms, floods, and intensity waves that can cause loss of life and other harms are becoming a norm and really serious due to environmental variation. Also, climate change influences rights to health and a reasonable standard of living by limiting access to food and clean water, making infectious diseases more likely to spread.³⁵

- *Climate change and right to water and sanitation:*

Climate change has a negative effect on availability of water resources and quality. Droughts and water scarcity affects availability of clean drinking water and sanitary facilities, especially in underprivileged populations, as a result of warming temperatures and shifting precipitation patterns.³⁶ In Nigeria, this causes headers-farmers conflict, especially in Benue State, Nigeria, due to open grazing. This amounts to violation of human rights of citizens guaranteed by law.

- *Climate change and right to housing and livelihoods:*

Climate-related occurrences such as sea level rise or harsh weather causes ejections, homelessness and displacement, which violates the right to adequate housing. Climate change can also affect agricultural systems and lives, especially in underdeveloped nations where agriculture is a major source of income.³⁷

- *Climate change and right to education:*

Climate change can affect education in diverse ways such as children staying out of school due to relocation caused by natural disasters or extreme weather conditions. Also, the quality and accessibility of education may be impacted by interruptions in educational infrastructure triggered by climate change.³⁸

- *Climate change and right to self-determination and indigenous rights:*

Indigenous groups are directly impacted by climate change since their way of life frequently depends on ecosystems that are susceptible to its effects. This imperils their right to self-determination since they might be compelled to leave their ancestral lands as a result of environmental degradation brought on by climate change.³⁹

- *Climate Change and people in vulnerable situations:*

Indigenous peoples, local communities, peasants, migrants, children, women, people with disabilities, residents of small island developing states and least developed countries, people who experience water scarcity, desertification, land degradation, and drought, as well as other vulnerable groups who run the risk of being left behind, are among those who are disproportionately at risk from the negative effects of climate change. The effects of climate change can differ depending on a number of variables, such as geography, poverty, age, gender, sex, disability, immigration status, and race, religion, and ethnic or cultural background. Racism, sexism, and classism are only a few examples of the numerous forms of discrimination that can combine, overlap, or intersect, particularly in the experiences of those who are vulnerable.⁴⁰

- *Climate change and the right to health:*

The right to health is among the universal, indivisible rights guaranteed to all people and states have legal obligations to protect same. This right depends on fulfilment of other rights, such as the rights to safe working conditions, adequate housing, food, water and sanitation, and education.⁴¹ The

³³ The impact of climate change on the right to food, available at <<https://www.ohchr.org/en/climate-change/impact-climate-change-right-food>> accessed 12/09/2024.

³⁴ *ibid*.

³⁵ United Nations Office of the High Commissioner for Human Rights, (2008). Report of the Office of the United Nations available at <<https://www.ohchr.org/Documents/Issues/ClimateChange/A-HRC-10-061.pdf>> accessed 12/09/2024.

³⁶ United Nations General Assembly. (2010). Resolution adopted by the General Assembly: The Human Right to Water and Sanitation. Available at <<https://www.un.org/es/development/desa/socialperspectiveondevelopment/human-rights/declarations-and-decisions-on-water-and-sanitation-since-2008/resolution-adopted-by-the-general-assembly-the-human-right-to-water-and-sanitation-resolution-64-292-2010.html>> accessed 12/09/2024.

³⁷ United Nations Human Rights Council, 2021, Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context. Available at <<https://undocs.org/A/HRC/47/38>> accessed 12/09/2024.

³⁸ United Nations Educational, Scientific and Cultural Organization. (2020). Climate Change Education for Sustainable Development: Guidelines for the Integration of Climate Mitigation and Adaptation in Education Systems. Available at <<https://unesdoc.unesco.org/ark:/48223/pf0000374525>> accessed 12/09/2024.

³⁹ United Nations Permanent Forum on Indigenous Issues. (2009). Climate Change and Indigenous Peoples. Available at <https://www.un.org/esa/socdev/unpfi/documents/5session_factsheet2.pdf> accessed 12/09/2024.

⁴⁰ The impacts of climate change on the human rights of people in vulnerable situations. Report of the Secretary-General, A/HRC/50/57, Human Rights Council Fifthtieth session 6 May 2022.

⁴¹ In paragraph 3 of its general comment 14 (2000) on the right to the highest attainable standard of health, the Committee on Economic, Social and Cultural Rights states that the right to health is closely related to and dependent upon the realization of other human rights.

Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights (CESCR), the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, and the Declaration on the Rights of Indigenous Peoples etc. oblige states to respect, promote, protect and fulfil the right to health.⁴² The CESCR General Comment 14 defines the right to health and outlines related obligations to guarantee for all persons the right to live a life in dignity.⁴³

Globally, there is growing recognition of the specific inter linkages between climate change and the human right to health.⁴⁴ Elements of this relationship are recognized in the text of the United Nations Framework Convention on Climate Change. Article 1 defines the adverse effects of climate change as changes to the physical environment resulting from climate change that have significant deleterious effects on human health and welfare. Article 3 calls upon Parties to the Convention to take measures to minimize the causes of climate change and minimize its adverse effects, including on health. Article 4 further calls for Parties to minimize the public health implications of mitigation and adaptation projects and measures they undertake, using relevant tools such as impact assessments.

In Nigeria, in particular, the case of headers-farmers conflict is a product of climate change. Climate change causes drought in the Northern part of Nigeria and this leads to migration of headers and their cattle from the Northern region to other parts of the country in search of food and water. In the process, the cattle invade the farms, eat and destroy the crops. The invasion results in killing and destruction of lives and properties in the affected communities. A typical example is the frequent destructions and killings carried out by the Fulani armed headsmen in Nigeria. Unfortunately, Benue State has been the most affected in Nigeria where farmers are killed over grazing lands.⁴⁵ It is necessary to note that the root cause of these headers-farmers conflict is climate change, which prompts the practice of open grazing, that is, movement of cattle by Fulani armed headsmen from one part of the country to another due to drought. The conflict gives rise to loss of lives, destruction of properties, lack of food, displacement of members of the communities, etc, which consequently infringes on the fundamental human rights to life,⁴⁶ food,⁴⁷ own property,⁴⁸ and freedom of movement.⁴⁹

5. Mitigating the Effect of Climate Change on Human Rights in Nigeria

Reversing climate change is a complex and multidimensional issue that requires collective efforts from all. While there is no single solution, there are several approaches and strategies that can contribute to mitigating and eventually reversing the impacts of climate change on human rights in Nigeria. This can be achieved by adopting a radical shift from fossil fuels to renewable energy, which can significantly reduce greenhouse gas emissions. According to the International Renewable Energy Agency (IRENA), renewable energy has the potential to provide over 90% of our global power needs by 2050, significantly mitigating climate change effects.⁵⁰ Also, improving energy efficiency across various sectors can significantly reduce energy consumption and related emissions. The International Energy Agency (IEA) estimates that energy efficiency measures can deliver nearly 40% of the necessary emissions reductions to achieve climate goals by 2040.⁵¹

Further, carbon sequestration capability can be enhanced by protecting and restoring forests, wetlands, and other natural ecosystems. Natural climate solutions such as reforestation and ecosystem restoration have the potentials to provide 37% of the cost-effective CO₂ mitigation needed through 2030.⁵² Implementing circular economy practices where resources are used efficiently and waste is minimized, can reduce resource extraction, emissions, and waste generation. Adopting circular economy principles can give rise to some economic and environmental benefits.⁵³ Another way of mitigating the effect of climate change on human rights is by developing carbon capture and storage (CCS) technologies to capture and store CO₂ emissions from industrial processes and further reduce greenhouse gas emissions. The Global CCS Institute provides insights and reports on the deployment and potential of carbon capture and storage.⁵⁴

It is essential to emphasize that reversing climate change necessitates a mix of these strategies, as well as legislative adjustments, technological advancements, and social and individual behavioral changes. A successful response to climate change depends on ongoing research and cooperative efforts by governments, businesses, and communities. Adhering to these will go a long way in resolving the headers-farmers conflict in Benue State, Nigeria and thereby guarantee human rights in Nigeria.

⁴² HRC, Analytical study on the relationship between climate change and the human right of everyone to the enjoyment of the highest attainable standard of physical and mental health. A/HRC/32/23. (2016).

⁴³ CESCR, General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12 of the Covenant). E/C.12/2000/4. (2000).

⁴⁴ HRC resolution s 29/15 and 32/33.

⁴⁵ TE Ifedayo, Headers-Farmers Conflict and the Search for Peace in Benue State, Nigeria, International Journal of Peace and Conflict Studies (IJPCS), Vol. 8 No. 1, pg. 43-53, 2023, available at <<https://journals.rcmss.com/index.php/ijpcs/article/view/818>> accessed 20/10/2024.

⁴⁶ s. 33 (1) of the Constitution of the Federal Republic of Nigeria (CFRN), 1999 (as Amended).

⁴⁷ Universal Declaration of Human Rights (UDHR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), etc.

⁴⁸ *ibid*, Article 17 and ss. 43 & 44 of CFRN, 1999 (n 46).

⁴⁹ s. 41 (1) of CFRN, 1999 (n 46).

⁵⁰ IRENA, (2020), Renewable Power Generation Costs in 2020, available at <https://www.irena.org/publications/2020/Apr/Renewable-Power-Generation-Costs-in-2019> accessed 16/09/2024.

⁵¹ World Energy Outlook 2020 (IEA, 2020) available at: <<https://www.iea.org/reports/world-energy-outlook-2020>> accessed 16/09/2024.

⁵² G Grassi, J House, F Dentener, S Frederick, M Elzen and J Penma, The key role of forests in meeting climate targets requires science for credible mitigation. Nature Climate Change, 7(3), 2017, pp. 220-226, available at <<https://doi.org/10.1038/nclimate322>> accessed 16/09/2024.

⁵³ Ellen MacArthur Foundation Top 10 Circular Economy Reports, 2019, Available at <https://www.ellenmacarthurfoundation.org/circular-economy/what-is-the-circular-economy/top-10-circular-economy-reports> accessed 16/09/2024.

⁵⁴ Global Status of CCS 2021, Global CCS Institute Reports. Available at <<https://www.globalccsinstitute.com/resources/?category=reports>> accessed 16/09/2024.

6. Conclusion

Climate change has a fatal and devastating effect on humanity, caused by humans, and can only be stopped by humans. People fall sick, die, suffer hunger and thirst, lose their homes and cultural identity as a result of climate change. We can minimize future harm and amend existing harm, and human rights law requires us to take swift action to do so. It has been shown that discrete views on the connection between climate change and human rights involves very different approaches to the relevant human rights obligations under international law and each of them exposes the current limitations on the ability of the law to address the human and social effects of climate change. Concerted efforts are required to confront further environmental degradation and threats to human rights resulting from climate change and this can be realized by harnessing the moral, political, institutional, and legal potential of human rights discourse.

7. Recommendation

Intervention measures gearing towards ameliorating the effect of climate change on human rights can collectively be achieved by intentionally eliminating activities that depletes the ozone layer, and engaging on everyday life style that will enhance environmental safety, human rights protection and sustainable development. The following are recommended:

- To encourage the use of renewable energy such as solar, wind, and hydroelectricity, and minimizing reliance on fossil fuels.
- To boost energy-efficient practices and technologies in industries, buildings, transportation, and appliances aimed at reducing greenhouse gas emissions.
- To promote sustainable transportation via electric vehicles, promote public transportation, and encourage cycling and walking infrastructure to minimize dependency on fossil-fuelled automobiles.
- To fund reforestation and afforestation initiatives and promote tree planting to increase carbon sequestration and restoration of the ecosystem.
- To promote workable reformative agricultural farming practices that minimize soil degradation, reduce synthetic fertilizers, and increase carbon sequestration in soils.
- To encourage a shift towards circular economy, which focuses on reducing waste, reusing materials, and recycling, rather than a linear consumption pattern.
- To implement carbon pricing mechanisms such as carbon taxes or emissions trading aimed at reducing greenhouse gas emissions.
- To advocate for climate-friendly policies that support renewable energy deployment, emission reduction targets, and sustainable practices across sectors, both locally and globally.
- To create public awareness and education about climate change and its impacts, and educate individuals on the actions they can take to reduce their carbon footprint.
- To encourage international collaboration among countries and organizations to share knowledge, technologies, and resources in tackling climate change on a global scale.
- To legislate on effects of climate change on human rights in Nigeria.

REFERENCES

- Bachelet M, *The Human Rights Impact of Climate Change: An International and Local Challenge*, paper presented during the Human Rights Council event on climate change in Geneva on 14 March 2022. Available at <<https://www.ohchr.org/en/statements/2022/03/human-rights-impact-climate-change-international-and-local-challenge>>
- Dada JA, 'The Significance and Limits of NGOs in Human Rights Protection in Nigeria,' *Journal of Law, Policy and Globalization* Vol. 19, 2013, pg. 82.
- Grassi G, House J, Dentener F, Federicik S, Elzen M and Penma J, The key role of forests in meeting climate targets requires science for credible mitigation. *Nature Climate Change*, 7(3), 2017, available at < <https://doi.org/10.1038/nclimate322>>
- Ifedayo TE, *Headers-Farmers Conflict and the Search for Peace in Benue State, Nigeria*, *International Journal of Peace and Conflict Studies*, Vol. 8 No. 1, 2023, pg. 43-53
- Jackson S, *Climate change: Definition, Causes, Effects, & Facts* (2008) *Encyclopedia Britannica*
- Limon M, 'Human Rights and Climate Change: Constructing a Case for Political Action,' *Harvard Environmental Law Review* (Vol. 33), 2009.
- Maduekwe O, Minister of Foreign Affairs of Nigeria, Statement at High-Level Segment of the Seventh Session of the Human Rights Council (Mar. 4, 2008), available at <http://www2.ohchr.org/english/bodies/hrcouncil/7session/hls/Nigeria-E.pdf>.

-
- Nche G, 'Impact of Climate Change on African Traditional Religious Practices,' *Journal of Earth Science & Climatic Change*, Vol. 5 Issue 7, 2014, pp. 1-2.
- Ogu MI & Fadipe O, 'International Non-Governmental Organizations and Human Rights Protection in Nigeria', *RUJMASS* (Vol. 6 No 2), 2020, pg. 1.
- Res G, *Climate Change and Human Rights, A Rough Guide*, Vernier, Switzerland: ATA Roto Press SA, 63/117, U.N. Doc. A/RES/63/117(Dec. 10, 2008).
- Robinson M, Ward B, Lecture at Chatham House: Climate Change and Justice (Dec. 11, 2006), available at <http://www.realizingrights.org/pdf/Barbara_Ward_Lecture_12-11-06_FINAL.pdf>
- Savares A, 'The Paris Agreement: a new beginning?' *Journal of Energy & Natural Resources Law* Volume 34, 2016.
- Tarusarira J, *African Religion, Climate Change, and Knowledge Systems*, John Wiley & Sons Ltd. DOI: 10.1111/erev.12302, 2017.
- Udombana NJ, *Human Rights and Contemporary Issues in Africa*, Lagos: Malthouse Press Limited (47), 2003, pg. 129.
- Waapela NP, 'African Myths on Climate Change and Environmental Degradation and Challenges of Development in Africa,' *Global Journal of Human-Social Science: B Geography, Geo-Sciences, Environmental Science & Disaster Management*, Volume 16 Issue 1 Version 1.0, 2016, pg. 3.
- Ziervogel G and Ericksen P, *Adapting to climate change to sustain food security*, *Reviews: Climate Change, 2010* - Wiley Online Library. Available at <https://doi.org/10.1002/wcc.56>.