

CHAPTER 23

The Role of a Healthy Environment in the Promotion of Right to Life

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Introduction

Issues that impact on the environment in terms of control, protection and sustainable economic development cannot be fully appreciated without recourse to the subject of human rights. The issue of the environment and human rights is beginning to gain global attention because every environmental problem impacts on human beings one way or the other.¹

As Hunter rightly stated, it has therefore become imperative for existing human rights to be reinterpreted with imagination and rigour in the context of environmental concerns which were not prevalent at the time existing rights were first formulated.²

However, some environmental law scholars³ are of the opinion that the precise relationship between human rights and environmental protection is far from clear and that the relationship may be conceived in two main ways. The first is that, environmental protection may be cast as a means to the end of fulfilling human rights standards. While the second is that the legal protection of human rights is an effective means to achieving the ends of conservation and environmental protection.⁴ The categorization of the relationship between human rights and the environment into these two ways, in our view, makes the relationship clear enough. It is from the first point of view that we will be approaching this discourse.

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1. Kiss, A., *The Right to the Conservation of the Environment* in Picolotti R. and Taillant D. (eds) *Linking Human Rights and Environment* (Arizona: University of Arizona Press, 2003) p.32.
2. Hunter, *et al.*, *International Environmental Law and Policy* (New York: Foundation Press, 1998) p. 1315.
3. Anderson M. R., *Human Rights Approaches to Environmental Protection: An Overview* in Hunter, D., *Ibid*, p. 1308.
4. *Ibid*.

One of the rights frequently infringed by environmental hazards is the right to life. States need to realize that pollution of the different levels of environment is an indirect means by which a person is deprived of his right to life. Thus the right to life, should be deemed to be infringed where, for example, the state fails to abate the emission of highly toxic products into supplies of drinking water.⁵ It is for this reason that this work seeks to examine the manner in which the environment has infringed on this right and ways in which environmental protection can promote it. We shall also appraise the efforts, if any, of States in promoting the right to life of their citizens and if these efforts have yielded the desired result in engendering a healthy environment. We shall thereafter conclude and make our recommendations.

The Right to Life

Owing to the sacredness of human life, many international and municipal laws recognize the duty to preserve it. The right to life is protected by Article 3 of the United Nations Universal Declaration of Human Rights, 1948, the International Convention on Civil and Political Rights, 1966 (ICCPR), Article 2(1) of the European Convention on Human Rights, 1950,⁶ the American Convention on Human Right, 1969, and Article 4 of the African Charter on Human and Peoples' Rights 1981⁷ and most, if not all, constitutions. The ICCPR require States to protect the right to life by law. Thus, Article 6 (1) of the ICCPR states: "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life." The provisions contained in the European Convention and the American Convention are similar. In Nigeria, section 33 of the Constitution of the Federal Republic of Nigeria, 1999 provides that:

Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria.

- (1) A person shall not be regarded as having been deprived of his life in contravention of this section, if he dies as a result of the use, to such extent and in such circumstances as are permitted by law, of such force as is reasonably necessary—

5. Ibid, p.1315.

6. Article 2(1).

7. Article 4.

- (a) for the defence of any person from unlawful violence or for the defence of property;
- (b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained; or
- (c) for the purpose of suppressing a riot, insurrection or mutiny.

It is clear that this right [to life] involves at least a prohibition on the state not to take life intentionally or negligently.⁸ The duty to protect life rests squarely on the state, and this duty encompasses the obligation to prevent situations that might imperil human life. It follows therefore that this right is violated when environmental hazards are created by the activities of the States or entities under its jurisdiction.⁹

A more difficult question is whether the right goes beyond a mere prohibition not to take life, i.e. whether it equally involves some positive obligation on the state to take steps which would prevent a reduction in, or promote life expectancy, for example by the provision of better drinking water or less polluted air. The European Commission on Human Rights has suggested that under Article 2 of the Convention, the State has an obligation “not only to refrain from taking life ‘intentionally’ but further, to take appropriate steps to safeguard life” and that the Article “may indeed give rise to positive obligations on the part of the State.”¹⁰

In the case of *Oneryildiz v. Turkey*,¹¹ which concerned a methane explosion at a waste site, killing 39 people including nine members of the Oneryildiz family who lived in a slum underneath the site, the Court held that Turkey had violated the right to life of the family in failing to take all necessary measures to prevent the loss of life. The Turkish government did not have in place sufficient safety measures, or discourage people from living in the slum. The government had also failed to warn people of the risks. The Court stated that “a violation of the right to life can be envisaged in relation to environmental issues”. In this regard, it reiterated the fact that the recent development of European standards merely confirmed an increased awareness of the duties incumbent on national public authorities in the environmental field, particularly in relation to installations for the storage of

8. Churchill R., *Environmental Rights in Existing Human Rights Treaties* in Hunter D., et. al *International Environmental Law and Policy* (New York: Foundation Press, 1998) p.1320.

9. Atsegbua L., et.al, *Environmental Law in Nigeria Theory and Practice* (Lagos: Ababa Press Ltd, 2004) p.133.

10. Ibid. p.1320.

11. Application number 48939/99, judgement given on June 18, 2002 Cited in Thornton J., Ibid.

household waste and the risks inherent in operating them. It therefore follows that it is the responsibility of government in the various countries to ensure that every aspect of the environment is suitable for its citizen to live in.

Environmental Hazards and its Impact on Human Life

There is no doubt that the environment, which is air, land and water are at the core of man's existence in that he cannot exist without them. As a result, any densification of the environment will necessarily affect life and its quality.¹² According to David Pimentel, professor of ecology and agricultural sciences at Cornell University, New York, an estimated 40 percent of world deaths can now be attributed to various environmental factors especially organic and chemical pollutants.¹³ For convenience, we shall classify into three inter-related categories, the media through which the environment infringes on the right to life. They are namely, pollution and waste management, land-use and development and resource conservation and exploitation.

Pollution

The amount of pollution in the environment has grown to enormous proportions and is increasing at a rapid rate which requires urgent attention on the part of various players on environmental matters. There are different types of Pollution: water pollution, land pollution, air pollution and noise pollution. We shall however examine the first three which are capable of leading directly or indirectly to loss of life.

Air Pollution

Each year, air pollutants adversely affect the health of 4 to 5 billion people worldwide.¹⁴ In June, 1999, the largest European ministerial conference on health and the environment took place in London, England. The Conference focused on a holistic approach to improving health and environment, with

12. Mowoe K.M., *Quality of Life and Environmental Pollution and Protection* in Omotola J.A., ed. *Environmental Laws in Nigeria* (Lagos: University of Lagos, 1990) p.172.

13. Cornell News: *Environmentally Caused Deaths* at www.news.cornell.edu/releases/sept.98/ecodisease p. 1.

14. The result of a disease –ecology analysis performed by researchers at the Cornell University, New York cited in *Cornell News*, Ibid.

particular attention to clean air.¹⁵ It was noted that, “outdoor air pollution accounts for 3-4% of the burden of premature mortality and disability in Eastern Europe and causes at least half a million deaths worldwide each year”.¹⁶ A number of studies have shown that air and water pollution are taking a heavy toll on human life in many nations around the world, particularly, in the developing countries through ill-health and premature mortality.¹⁷

Vehicles emit carbon monoxide as a result of combustion of fossil fuels. Carbon monoxide is said to be a poisonous gas that enters into the blood and reduces the content of oxygen in the body. It also affects the mental and visual faculties of the human being. It has been reported that lead and sulphur, which are present in the fuel and diesel, affect the nervous system and kidneys of human beings. As a result of these environmental toxins, it has also been reported that the occurrences of diseases and exacerbated illnesses have steadily increased in children.¹⁸

The acts of bush burning, burning of fuelwood, use of kerosene stoves discharge carbon dioxide into the atmosphere. Carbon dioxide emissions are said to trap heat and this causes global temperatures to rise. The result of this is global warming. The World Meteorological Organization (WMO) said global land surface temperatures in January and April, 2007 were likely the warmest since records began in 1880, at more than 1 degree Celsius higher than average for those months.¹⁹ It also reported that South Asia's worst monsoon flooding in recent memory has affected 30 million people in India, Bangladesh and Nepal, destroying croplands, livestock and property and raising fears of a health crisis in the densely populated region. Heavy rains also doused southern China in June, with nearly 14 million people affected by floods and landslides that killed 120 people, the WMO said.²⁰ England and Wales this year had their wettest May and June since records began in

15. Smith D., Clean Air and a Clean Environment as Fundamental Human Rights, 11 *Colo. J. Int'l Env'tl. L. & Pol'y* 149 2000.

16. *Ibid.*

17. EPA's Draft Report on the Environment 2003 at www.tn.gov.in/dear/ch15; Clark C.W., *Development in Transboundary Air Pollution*, 14 *Colo. J. Int'l Env'tl. L. & Pol'y* 2003 at 79 available at HeinOnline

18. Kokish R., *Children's Environmental Health-International Actions and Implications*, 14 *Colo. J. Int'l Env'tl. L. & Pol'y* 143 2003 p. 145.

19. Reuters News, *Early 2007 saw record-breaking extreme weather: U.N.*, Yahoo. News, www@yahoo.com

20. *Ibid.*

1766, resulting in extensive flooding and more than \$6 billion in damage, as well as at least nine deaths.

Second-hand tobacco smoke contains more than forty substances known to cause cancer and other respiratory infections. Respiratory disease is the leading cause of death in China.²¹ It was also discovered in China where males smoke 98 percent of the cigarettes that mortality due to lung cancer is approximately equal in males and females²² – a proof of the effect of second-hand smoke. Jonathan Poritt, in his book *Where On Earth Are We Going?* makes the claim that ‘one day’s breathing in Bombay is equivalent to smoking 10 cigarettes’.²³ According to the Restored Church of God,²⁴ North America is little better, an estimated 100,000 die every year from air pollution. The same probably goes for most urban cities.

Water Pollution

The quality of water suffers because of pollution. Major sources of water pollution are organic pollutants from industries, discharge of domestic sewage and run off from land-based activities. These affect the water bodies such as lakes, rivers and underground sources.

Toxic effluents from industries are normally discharged into drains, ponds, canals and rivers, thus thoroughly contaminating water therein. This contaminated water is consumed by animals, poultry, fish and also used for growing vegetables. As a result, the hazardous chemicals available in this polluted water are ingested by people through the intake of milk, meat, eggs and vegetables which give birth to numerous types of terminal diseases. Sometimes this contaminated water is even consumed directly by rural dwellers in developing nations.

There is also the issue of improper disposal of waste that at times pollutes water. Such water contamination can cause various types of diseases such as typhoid, dysentery, diarrhea and cholera, which if not promptly treated, can lead to loss of life. The snail-borne disease schistosomiasis, causes an estimated 1 million deaths annually and is expanding its range as human

21. See n. 16.

22. Ibid , p.2.

23. Quoted in Wolf S.. *et. al*, *Principles of Environmental Law*, 3rd Ed. (London: Cavendish Publishing Limited, 2002) p.249.

24. Restored Church of God, *This Polluted Earth*, The Prophetic Conditions Series, 2002, 2003 p.1.

activities provide more suitable habitats in contaminated fresh water.²⁵ With regards to water pollution, Okediran A.Y.,²⁶ stated that, “without ways of protecting the quality of this future resource in the interest of its consumers...millions will continue to die annually from a combination of factors mostly related to contaminated water.”

Land Pollution

Pollution of the land poses a special danger to the environment because it is generally of a more permanent character than pollution of the other environmental media. Small doses of air or water pollution can sometimes be blown or washed away. Natural forces work to dilute and disperse pollution in these media so that its effect is diminished. This is seldom the case with pollution on land.²⁷ Agricultural and industrial activities have continued to constitute the bulk of the world's land based pollution but domestic sewage is also a significant and insidious contributor.²⁸ The use of pesticides for agricultural purposes has caused high levels of land and soil pollution. Of the 80,000 pesticides and other chemicals in use as at 1998, 10 percent were recognized as carcinogens. Cancer-related deaths in the United States increased from 331,000 in 1970 to 521,000 in 1992, with an estimated 30,000 deaths attributed to chemical exposure.²⁹

Polluted land, containing toxic chemicals, poses a threat to the health of humans, plants and animals. These chemicals can enter the food chain via crops grown in contaminated soil. Humans then eat these crops, or the animals, which feed upon them, and toxic substances are ingested. Alternatively, chemicals, such as solvents or pesticides, may leach out of closed landfills and enter ground waters. Ground waters are commonly used to supply water for human consumption.

25. Smith D., Op.cit n.16.

26. Okediran A.Y., *An Appraisal of Environmental Sanitation Edicts in Nigeria*, presented at the National Conference on Environmental Law, University of Ibadan, Nigeria cited in Mowoe K.M., supra n. 28, p.177.

27. Thornton J. and Beckwith S., *Environmental Law*, 2nd Ed. (London: Sweet and Maxwell, 2004) p. 136.

28. Laydon J. A., *Developments in Land-Based Pollution: The International Response*, 14 Colo. J. Int'l Evtl. L. & Pol'y 43 2003 at HeinOnline.

29. Op. cit, n. 16; In many ways, things have not changed as most treaties designed to do something about these environmental hazards lie in incomplete states of ratification or implementation.

Land-Use

The degrading of the environment begins with the exploitation of natural resource embedded in the earth. There is a decrease in forest cover as a result of deforestation and desertification. Forests contribute significantly to maintaining ecological balance. However, heavy biotic interference and indiscriminate felling of trees contribute to degradation of already fragile forest areas. Depletion of vegetative cover results in loss of sites for water improvement and leads to extinction of animal habitats and microbial species.³⁰

Desertification contributes to climate change with the attendant human-health implication on the people such as the spread of meningitis.³¹ Top soil is eroded by forces of water and wind, thus affecting the productivity. It causes erosion in slopes and land slides in hills. Erosion and landslides have been experienced in most parts of the world which sometimes lead to loss of lives as buildings collapse.³² Increased dependence on intense cultivation also results in salination, alkalization and water-logging.³³

Natural Resource Conservation and Exploitation

Nature conservation is the most important challenge of the present century. Nothing affects the quality of our lives quite like the welfare and state of nature and no future can be quite so bleak as one in which the living resources, such as plants and wildlife, which are very essential for human survival and development, are increasingly being destroyed or depleted by human carelessness. Put in another form, we all rely on millions of animals and plant species to keep the system that provides those needs in running order...³⁴ This is the summation of the need for biodiversity by the Nigerian Conservation Foundation. Diminishing species provide humans with both

30. Ibid.

31. Oludayo G. A., *Environmental Law and Practice in Nigeria* (Lagos: University of Lagos Press, 2004) p. 241.

32. This is especially true in Nigeria where erosion has become a major problem in various parts of the nation in recent times.

33. Op. Cit. n. 17.

34. Quoted in Nigerian Environmental Study/Action Team, *Nigeria's Threatened Environment: A National Profile* cited in Ebeku K, *Biodiversity Conservation in Nigeria: An Appraisal of the Legal Regime In Relation to the Niger Delta Area Of The Country*, *Journal of Environmental Law* Vol. 16 No. 3, 2004 p.361.

food and medicine. According to Ajai O.,³⁵ the process that are most damaging to biodiversity conservation and sustainable use in Nigeria are pollution from oil spills, gas flaring, industrial waste [including oil industry wastes], public works, including housing construction, State sponsored and subsidized land clearing for agriculture, bush burning and impoundment of rivers. He observed further that River Basin Development Authorities are by law empowered and encouraged to develop river basins for agriculture. This necessitates damming of rivers with the consequent destruction of ecosystems that are flooded and threats to those downstream.

Oludayo A., a learned jurist,³⁶ stated that wild fauna and flora in Africa are at greater risk than ever before. He stated further that the major threats to loss of biological diversity in Africa have been identified to include among others: commercial land-use practices such as cash crop production, deforestation for timber, mining and oil extraction; over-harvesting of wildlife; unviable populations of species as a result of fire, poaching, diseases, cyclones, etc.³⁷

Poverty has also been identified as a major source of loss of biological diversity. The absence of alternative means of livelihood forces people to exploit natural resources unsustainably, causing environmental degradation and loss of biological diversity.³⁸ The effect of this is that the survival of the indigenous people who depend immediately on these resources for their livelihood is under threat.

The Role of the Judiciary and the State

It is heartening to know that some nations are already taking this approach. In countries in South Asia and Latin America, constitutional provisions guaranteeing rights to life, health and family have been interpreted as embracing environmental factors.³⁹

It is also gladdening to note that the courts, which have tended to adopt a restrictive interpretation of the right to life, confining its role to a review of the circumstances under which states may inflict capital punishment, are

35. Ajai O., *Implementing the Biodiversity Convention in Nigeria: Some Problems and Prospects* cited Ebeku K. *Ibid.*, p. 372.

36. Oludayo A., *Environmental Law and Practice in Nigeria*, (Lagos: University of Lagos Press, 2004) p.146.

37. *Ibid.*

38. *Ibid.*

39. Thornton J. *op. cit.* p. 389.

willing to adapt the right to life by judicial ingenuity to provide a means of enforcing basic environmental standards.⁴⁰ This approach has been developed probably most fully by the Indian judiciary. The right to life under the Indian constitution has been interpreted as giving each individual a right to a healthy and pollution-free environment.⁴¹

In the case of *Shiraram*,⁴² the Supreme Court found a violation of the right to life where an escape of oleum gas led to immediate injury, thus having a direct effect upon the lives of those exposed.

The more difficult question is whether a court might act on a right to life argument where an immediate injury is not apparent. This question has caused some scholars to advocate for new environmental rights which relates directly to environmental goods.⁴³ It is common knowledge that most times environmental pollution and degradation do not have immediate effect on human life. Take for instance, air pollution- according to K. M Mowoe,⁴⁴ air pollution is "a slow poison and a silent killer. When air contaminants are low the effect on human health is not immediate but cumulative." The brewing damage may take years before it rears its head in a severe disease and ultimately death in susceptible victims.⁴⁵ This brings to mind the statement made by Justice J. S. P Johnson,⁴⁶ a Provincial Court Judge in British Columbia, on the issue of environmental damage and the culpability of the polluter under the Fisheries Act of Canada.⁴⁷ He said:

I have noticed that when counsel are defending an environmental case..., it is difficult for them to accept the legal concept that the Crown need only prove that the discharge is a deleterious substance 'per se', and need not prove actual damage or harm..... The defence lawyer argues: "how can my client be guilty if it is not proved he killed any fish?" There is a court decision that describes a teaspoon of oil in the middle of the Pacific Ocean

40. Lord Justice Carnwath, *Judicial Protection of the Environment: At Home and Abroad*, Journal of Environmental Law Vol. No. 3, Oxford University Press, 2004 p.317 ;Thornton J., op.cit pp. 395, 396.

41. Ibid .

42. Ibid .

43. Hunter D., op. cit. See Chapter 17, Section iv.

44. Mowoe K.M., *Quality of Life and Environmental Pollution and Protection* in Omotola J.A., ed. *Environmental Laws in Nigeria* (Lagos: Faculty of Law, University of Lagos, 1990) p.194.

45. Ibid.

46. Johnson J.S.P., *The Role of Courts in Environmental Law*, *The Criminal Law Quarterly*, Vol. 25, 1982- 83, p. 308.

47. R.S.C. 1970.

as an offence.⁴⁸.... One teaspoon of oil may not do any harm, but one cup of oil here, a gallon there, will by accumulation destroy our environment; therefore the attitude of everyone must be that the smallest amount of pollution is an offence...Is it still not as much an offence to kill a lake in 50 years instead of in 5years?

If the smallest pollution under the Fisheries Act is to be considered an offence, should we not also consider the smallest pollution a violation of the right to life under the different constitutions, knowing that a small pollution here, and a small pollution there will by accumulation destroy human life? Indeed the attitude of everyone, including the States, must be that the slow poisoning caused by environmental pollution and spoilation should be treated as amounting to a violation of the right to life. The lack of evidence of immediate injury should therefore not in any way prevent the courts from acting on a right to life argument. In the Indian case of *Koolwal v. Rajasthan*,⁴⁹ no specific injury was alleged, but poor sanitation conditions were held to be in violation of the rights to health, sanitation, and preservation of the environment due to the “slow poisoning” of Jaipur’s residents. Also in *LCB v United Kingdom*,⁵⁰ another case concerning exposure of servicemen to radiation following the nuclear tests at Christmas Islands in the 1950s, the Court was prepared to concede that, had the UK authorities been in possession of information about the risks posed to the applicant, the state might have been under a duty to provide such information to the applicant as part of the protection afforded to the right to life. If the violation of the right to life is interpreted in this way, then there is no need to create new environmental rights because we believe that all other rights are meaningless if the right to life is interfered with.

Conclusion

There is no doubt that human rights and environmental protection are interdependent, complementary and indivisible. We have established that threats to the environment or serious environmental hazards have far-reaching effects on the lives of large groups of people directly or indirectly,

48. *R. v. MacMillan Bloedel (Alberni) Ltd*, pp. 658-9, where Seaton J.A. states: It is said that if a teaspoon of oil was put in the Pacific Ocean and oil was a deleterious substance, that would constitute an offence.

49. Hunter D., Op. Cit p.1355.

50. (1998) 4 BHRC 447.

and the connection between the right to life and the environment is an obvious one.⁵¹

If enforcement bodies explicitly recognize such links, then environmental criteria must be incorporated overtly into the monitoring and enforcement of the right to life. However, despite some potentials for applying the right to life with respect to severe environmental threats to public health, in practice the right has yet to be invoked significantly in the environmental context in many countries. We therefore recommend the following as some of the steps States need to take to safeguard the lives of their citizens by promoting a healthy environment.

A number of initiatives should be taken by the Governments both at the Federal and at the State levels to control environmental pollution. These should comprise preventive as well as promotional ones. Towards achieving the goal of pollution control, emission and effluent standards of air and water, companies and industries should be made to install necessary control equipments and effluent treatment plants. Strict laws that would ensure these facilities are maintained need to be enacted. While Government directs installation of appropriate pollution control equipment, it should also resort to punitive measures including legal action against the defaulters. We support the view expressed by Justice Johnson J.S.P. that the keystone to resolving the problem of pollution is to legislate pollution as a crime, *per se*.⁵² That is, the harm or damage of any particular act of pollution is not and should not be a consideration or an essential ingredient for conviction. He stated further that “the right of survival of ourselves or our descendants is so basic, so necessary, that to jeopardize that survival is a crime”.⁵³

Even though some nations have already taken a wider view of interpreting the right to life to encompass environmental factors, there is need for all nations to adopt this approach. This is because environmental pollution and degradation, in some ways, cuts across borders and one nation’s efforts at environmental protection may be thwarted by the inaction of another. For instance, since air pollution, chemicals and water are constantly crossing borders without any type of regulation, one nation’s actions in setting standards to decrease the amount of toxins emitted into the environment is unlikely to be successful if other countries continue to pollute at higher levels.

51. Ksentini, *Human Rights and the Environment*, Cited in Atsegbua L., *supra*, n. 17, p. 134.

52. Johnson J.S.P., *op. cit.* n. 54, p. 310.

53. *Ibid* p. 311.

According to Ksentini,⁵⁴ when you consider the smaller European or African countries that border on a number of different countries, it becomes clear that a standard that binds only one country is probably going to be ineffective.

The rights of indigenous peoples over biological resources must be recognized. The creation of a reliable and effective system of environmental protection would help ensure the well-being of future generations as well as the survival of those persons, often including indigenous or economically marginalized groups, who depend immediately upon natural resources for their livelihoods.⁵⁵ States should ensure that natural resources are utilized by the State, corporations and individuals in a manner which benefits both present and future generations.

With regards to waste and pollution, States should *actively* promote policies for the treatment of waste at source; the reduction, re-use and recycling of waste; and the promotion of clean technologies. For developing countries, we know this aspect is a daunting task because these equipments are expensive, however, with the requisite political will on the part of governments; it is a task that can be executed.

We are aware that legislations on these areas exist in some countries, but the problem is lack of enforcement. This is particularly the case in developing countries and this is due largely to slackness on the part of the various governments. According to Professor Benjamin Akpati, a Nigerian petroleum geologist resident in the United States of America,⁵⁶ in Los Angeles, the Oil Companies maintain their facilities and prevent oil spills not only because the laws are strict but also because of the government's ability to enforce them. He attributed the mindless pollution of the environment by Oil companies in Nigeria to lack of enforcement of the laws governing their operations.

States should also educate their citizens on sources of environmental degradation, their effects and how these effects can be countered. They should be made to realize that taking appropriate steps to prevent and abate environmental hazards is a means of protecting their fundamental human right to life.

The need for a healthful environment is, as we have seen, vital to the protection of life and to the preservation and enhancement of its quality and

54. Ibid.

55. Hunter et al., Op. Cit. p.1308.

56. In an interview on the Nigerian Television Authority Programme, 'Our Environment' aired on 10th May, 2007.

condition. Therefore, states should vigorously pursue the protection of the environment in order to preserve the quality of life of all citizens and conserve the resources for the benefit of future generations in the pursuit of their policy goals. The ultimate purpose of protecting the environment is to ensure the health of the people.