

THE ROLE OF SOCIAL AND ENVIRONMENTAL JUSTICE IN ADDRESSING SOCIAL INEQUALITIES IN JUST TRANSITION: APPLYING BUSINESS POLICY COMMITMENT AND DUE DILIGENCE STANDARD

BACKGROUND

This study offers insight into the role of social and environmental justice in just transition. It highlights the unequal access to societal benefits, unethical and discriminatory environmental practices such as industrial pollution and land use decisions which have a negative impact on low-income groups and ethnic minorities, particularly in countries in the global south (Nigeria, Ghana, Libya etc) and the possibility of extending the policy commitment and due diligence process under the United Nations Guiding Principles on Business and Human Rights to tackle such social inequality with a view to enhancing social and environmental justice for all in a responsible post-carbon society.

STATEMENT OF THE PROBLEM



SOCIAL INEQUALITY



UNEP REPORT ON OGONI LAND 2011



FINDINGS

Social inequality not contemplated in just transition. Agitations in the global south hinged on the attitude of MNOCs toward nature and human rights violation.

- Amnestic report, 2011, Niger Delta is one of the most polluted areas on earth
- UNEP REPORT 2011
- Research published by Friends of the Earth UK in 1999
- Friends of the Earth Report 2020 No clean up, no justice

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Power Inequality

Class inequality

Income Inequality

Environmental harm

METHODOLOGY

Doctrinal and analytical approach

- Primary source : existing international human rights instruments, international environmental protection instruments with emphasis on those applicable to the extractive industry.
- secondary source: authoritative scholarly opinions from journals and articles, images etc

CONCLUSION

- The disparity in protection of the rights of low-income groups and ethnic minorities due to power, class and income needs to be addressed to have a balanced transition
- Footprint of industrial pollution should be addressed by the human rights standard under the UNGP in a post-carbon society to assure social and environmental justice for all.

KEY REFERENCES

- Gambhir et al 2018 'Towards a just and equitable low-carbon energy transition' Gratham Briefing No26 www.imperial.ac.uk/www.grand.ac.uk/gratham/publications
- N. Healy, J. Barry Politicizing energy justice and energy system transitions: fossil fuel divestment and a "just transition" Energy Policy, 108 (2017), pp. 451-459
- P. Newell, D. Mulvaney The political economy of the "just transition" Geogr. J., 179 (2013), pp. 132-140, [10.1111/geoj.12008](https://doi.org/10.1111/geoj.12008)

UNGP ON BUSINESS AND HUMAN RIGHTS

Principle 16

Policy Commitment

P.18

Identify and assess Impact

P.19

Integrate finding

Principle 17

Human Rights Due Diligence

P.20

Track response

P.21

Communicate how impacts were addressed

P.22

Process to enable remediation

'Torn in 2 Ds: dis-eased and displaced, where do I turn?' Nigeria's Niger Delta region as a case study.

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Keywords

Environmental refugees, human rights, institutions, oil spills

Background

- Natural resources are God given endowments that places countries at vantage positions if well utilised.
- If not well managed, It can lead to the pollution of land, water, and air, illness like malnutrition, poisoning, infertility, and various forms of cancer. Loss of livelihood and in some extreme cases loss of lives especially where conflicts arise on resource dominance or allocation.



Case study location

- ❖ Nigeria is one of the world's oil producers.
- ❖ The Niger Delta region where the oilfields are situated have been impacted positively but largely negatively by the activities of oil exploration and exploitation.
- ❖ Oil spills as a result of operational failure and theft have left many 'dis-eased' through exposure to toxins and displaced due to pollution of land and water making them environmental refugees.
- ❖ 2011 UNEP Ogoni environmental assessment report corroborates this and has postulated 25-30 years for healing and cleanup of the land.
- ❖ Nigeria needs crude oil as 80% of the country's revenue is derived from same.



Research questions

- How can human rights based approach be employed to advance just transition in the Niger Delta region vis-à-vis protection of human rights?

Theoretical background/methods

Human rights-based approach for implementation of the laws.

Acknowledgement

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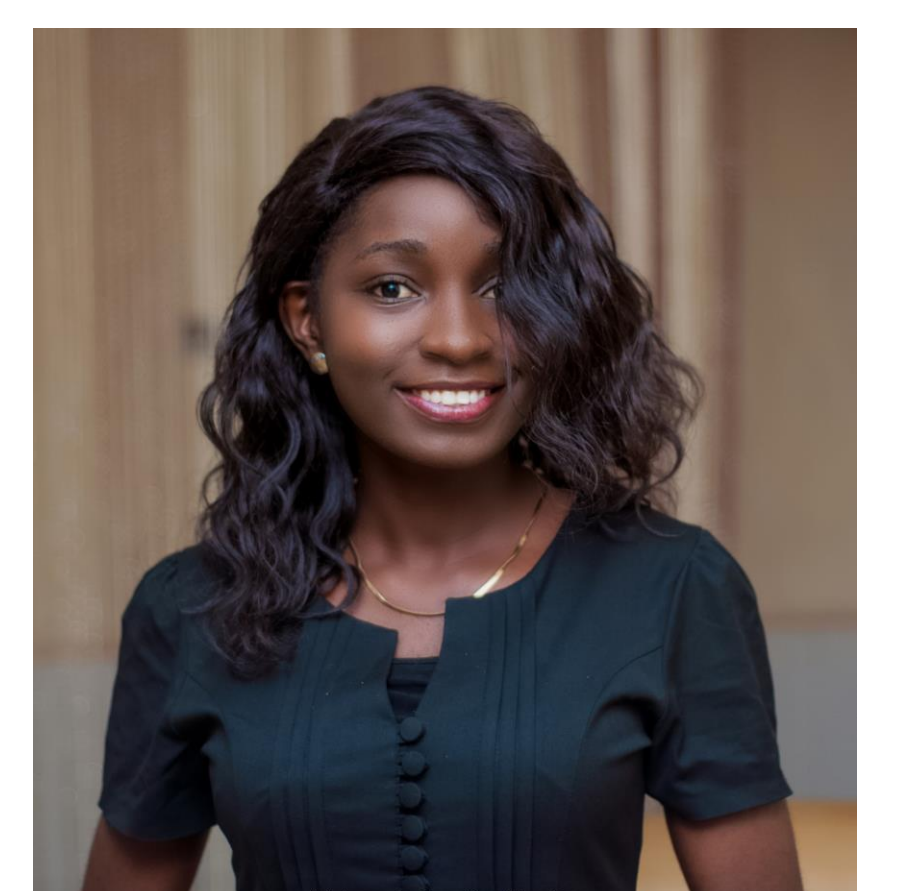
Arguments

- There exist adequate legal frameworks and institutional mechanisms for the protection of the environment.
 - Niger Delta Development Commission
 - National Oil Spill Detection and Response Agency
 - Department of Petroleum Resources
 - Other State agencies
- The government have not been the most proactive in protecting the environment and the living components; plant, animal and man, in the region.
- Human rights violations especially the right to life of persons in the affected region is on the increase.
- Nigeria has committed to achieve net zero by 2060.
- Dependency of the Country's revenue on crude oil has slowed down just transition efforts and not in line with the 2021 Climate Change Act.



Results and discussion

- ✓ Human right based approach empowers duty bearers to meet their obligations under the law while encouraging right bearers to claim their rights through **Participation, Accountability, Non-discrimination, Empowerment and Legality**
- ✓ **P-** Continual engagement with locals on issues that affects them by duty bearers.
- ✓ **A-** Proper investigation of oil spills and stiffer penalties.
- ✓ **N-** Adequate compensation for all displaced victims
- ✓ **E-** Diversification of the economy will reduce dependency on black gold and create green jobs.
- ✓ **L-** Ensuring right to life by conducting medical checks for inhabitants of polluted community to ascertain their state of health.



Navigating the Path to a Just Transition: Creating a Fair and Sustainable Future for All

Ghenwa kataya , PhD candidate , Lebanese university



Identifying Disproportionately Affected Communities

Identification of communities that suffer disproportionately from environmental degradation and have historically faced social inequalities.



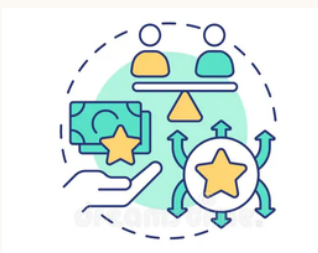
Intersectionality of Social Inequalities and Environmental Injustices:

By recognizing these intersections, we can develop inclusive and comprehensive strategies that address the multifaceted challenges of a just transition.



Inclusive and Participatory Decision-Making:

Engaging communities in decision-making processes is fundamental to promoting social and environmental justice during the transition.



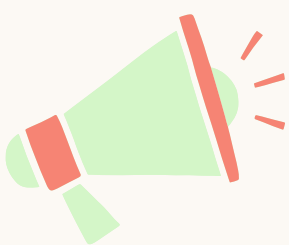
Benefits:

This exploration examines strategies that foster inclusive economic opportunities, facilitate access to clean and affordable energy, and safeguard workers' rights as we shift towards renewable energy sources.



The Role of Education in Promoting Justice:

Education equips communities with knowledge, skills, and agency, enabling them to actively participate in shaping a sustainable future.



By considering the specific needs and concerns of disproportionately affected communities, we can work towards an inclusive and sustainable post-oil future, leaving no one behind.