



COMBATING CLIMATE CHANGE THROUGH INNOVATIVE CLIMATE CHANGE LEGAL EDUCATION

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Legal education serves as a highly effective instrument for addressing the climate change (CC) catastrophe, which has emerged as a significant global issue. The Nigerian Universities Faculties of Law (NUFL) and the Nigerian Bar Association (NBA) are pivotal in addressing CC through legal education. This paper argues that one critical, but underexplored constraint is the inadequacy of climate change legal education in Nigeria. Existing legal curricula and professional training structures largely treat CC as a peripheral issue within environmental law, resulting in limited climate literacy among lawyers and judges, policymakers, and affected communities. Using doctrinal and qualitative policy analysis, the paper examines the role of NUFL and the NBA in mitigating CC through legal education. It demonstrates that innovative, practice-oriented climate change legal education can function as a transformative tool for strengthening lawyers and judges' appreciation of the effect of climate change, advancing climate litigation, and promoting climate justice. The paper finds that NUFL and the NBA can aid in CC mitigation via innovative CC legal education. By situating climate change legal education within broader debates on climate justice and sustainable development, the paper contributes to environmental law scholarship in the Global South. The paper recommends targeted curriculum reforms aimed at embedding innovative CC legal education within Nigeria's legal training ecosystem as a necessary component of a climate-resilient and climate-just society.

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1. INTRODUCTION

Legal education is an essential element of the worldwide response to climate change (CC).¹ Sustainable Development Goal (SDG) 13 Target 13.3 mandates that nations undertake immediate measures to address CC and its repercussions by enhancing education, promoting awareness, and strengthening human and institutional capabilities regarding CC mitigation, adaptation, impact reduction, and early warning systems.² This SDG target establishes the basis for enhanced CC legal education and awareness initiatives. The 2016 International Union for Conservation of Nature (IUCN) and World Commission on Environmental Law (WCEL) World Declaration on the Environmental Rule of Law promoted extensive public education on environmental law to address CC.³ The Berlin Declaration on Education for Sustainable Development (ESD) 2021⁴ acknowledges the gravity of the climate problem, while UNESCO's directive to integrate ESD into all national educational systems by 2025⁵ underscores the significance of utilizing education to confront CC and its consequences.⁶

The Federal Republic of Nigeria recognizes the essential role of education in its National Policy on Education, asserting that “education shall remain a priority in national development plans because it is the most significant instrument of change; any profound transformation in the intellectual and

¹ Rose Ngozi Amanchukwu, ThankGod Amadi-Ali and Nwachukwu Prince Ololube, ‘Climate Change Education in Nigeria: The Role of Curriculum Review’ (2015) 5(3) Education 73, 78.

² United Nations (UN), *Transforming our World: The 2030 Agenda for Sustainable Development* (UN 2015).

³ IUCN and WCEL, *World Declaration on the Environmental Rule of Law* (IUCN and WCEL 2016) 1, 5.

⁴ Berlin Declaration on Education for Sustainable Development <<https://en.unesco.org/sites/default/files/esdfor2030-berlin-declaration-en.pdf>> accessed 30 June 2025.

⁵ UNESCO declares environmental education must be a core curriculum component by 2025 (20 May 2021) <<https://www.unesco.org/en/articles/unesco-declares-environmental-education-must-be-core-curriculum-component-2025>> accessed 14 July 2025.

⁶ Avinash Reddy Pichhili, *Children's Education Rights in the face of Climate Change: Adequacy of International Children's Rights Framework and the Way Forward* (Masters Thesis, Leiden University, The Netherlands 2021) 13.

social perspective of a society must be preceded by an educational revolution.”⁷ This implies that education can serve as a potent mechanism to facilitate any desired change, and that CC impacts in Nigeria can be mitigated through education.⁸ Moreover, section 26(1) of the Climate Change Act (CCA) 2021 mandates the Secretariat of the National Council, with the endorsement of the National Council on Climate Change, to counsel ministries, departments, and entities responsible for regulating educational curricula in Nigeria on the integration of CC into various disciplines and subjects across all educational levels. The terminology employed in this statute conveys imperative and immediate significance. It allows for no alternatives or options, instead delineating a task that must be executed. Sub-section 2 of the CCA advocates for the Secretariat to facilitate research and initiatives focused on the formulation and enhancement of educational programmes and curriculum pertaining to CC adaptation and mitigation. This provision is expected due to the significant environmental issues caused by CC in Nigeria. The language of urgency propels the integration of CC law into Nigerian legal education.⁹

Innovative CC legal education is essential for cultivating sustainable mindsets among students. Higher educational institution including faculties of law in universities can empower graduates to tackle CC-induced environmental concerns by providing them with essential knowledge and skills. These graduates can significantly contribute to establishing a sustainable future by promoting sustainable practices, formulating effective CC regulations, and impacting CC policies. As the world continues to confront CC concerns, it is essential for legal educational institutions to prioritize and invest in CC legal education to foster a sustainable society for current and future generations.¹⁰ The

⁷ National Policy on Education 2004, section 9(a)

⁸ Joy Nyenwe and Eunice C Victor-Ishikaku, ‘Climate Change Impacts: Need for Curriculum Review at the Secondary Education level in Nigeria’ (2015) 3(2) *International Journal of Education Learning and Development* 34.

⁹ Tolulope N. Ogboru, ‘Environmental Education: Moving Environmental Law from Marginality to Mainstream’ (2022) 3 *International Journal of Law and Clinical Legal Education (IJOLACLE)* 86; Section 26(1), Climate Change Act (CCA) 2021.

¹⁰ Jumanov A O and Omirzakov R A, ‘The Role of Innovative Environmental Legal Education in Higher Education in Solving Environmental Problems’ (2023) 3(2) *Science and Education in Karakalpakstan* 325.

societal reaction to CC can be enhanced by the contributions of legal educational institutions.¹¹

As a result, law schools worldwide are increasingly recognizing their responsibility to educate society and students on actively engaging in CC adaptation and mitigation activities or issues. Considering the gravity of present and expected future climate challenges, no legal educational institution, including the Nigerian Universities' Faculties of Law (NUFL), should overlook CC legal education. The NUFL can address a globally relevant issue that predominantly impacts local populations by integrating educational initiatives with CC research programmes.¹² Additionally, there is a global call from various bar associations and law societies on lawyers across various practice areas to be trained in CC law.¹³ To address the significant problem of advancing climate-protective development, the call solicits "lawyers of all kinds," encompassing practitioners, judges, professors, public servants, law students, lawmakers, and all others engaged in the legal profession.¹⁴ For instance, there is need to equip judges with specialized knowledge to handle climate-related cases-many victims of climate damage are left without justice, not because there are no applicable laws, but because the courts are unequipped to interpret and enforce them properly.¹⁵ The call requires all lawyers to consider, integrate,

¹¹ Heleen de Coninck and others, 'Strengthening and Implementing the Global Response' in Valérie Masson-Delmotte and others (Eds), *Global Warming of 1.5°C: An IPCC Special Report on the Impacts of Global Warming of 1.5°C Above Pre-Industrial Levels and Related Global Greenhouse Gas Emission Pathways, in the Context of Strengthening the Global Response to the Threat of Climate Change, Sustainable Development, and Efforts to Eradicate Poverty* (IPCC 2018) 362.

¹² Walter Leal Filho and others, 'Handling Climate Change Education at Universities: An Overview' (2021) 33 *Environ Sci Eur* 109.

¹³ Michael Strauss and Vesseline Haralampieva, 'The Impact of Climate Change on Lawyers' (2023) *Law in Transition Journal* 17.

¹⁴ Saskia Stucki and others, World Lawyers' Pledge on Climate Action: An Urgent Call for Climate Mainstreaming (7 September 2021) <<https://www.ejiltalk.org/world-lawyers-pledge-on-climate-action-an-urgent-call-for-climate-mainstreaming/>> accessed 14 July 2021.

¹⁵ Abdullahi Lukman, Climate Change is a Threat Without Borders, Stakeholders Call for Urgent Action' *Nature News* (13 June 2025) <https://naturenews.africa/iccrea-csos-and-climate-advocates-mark-2025-world-environment-day-in-jalingo-with-sensitization-campaign-2> accessed 12 June 2025.

and implement CC and climate justice issues within their specific areas of practice.¹⁶

2. THE RATIONALE FOR TEACHING CLIMATE CHANGE LAW

Legal institutions maintain their viability and authority over time only if they adapt to the contemporary context in which they function.¹⁷ This section analyses the rationale for teaching CC law at the Nigerian Universities Faculties of Law.

2.1 Law Serves as a Fundamental Instrument of Social Governance Capable of Regulating and Addressing the Causes and Effects of Climate Change

As law serves as a key tool of social governance, it must be employed to regulate and address the causes and consequences of CC. Law graduates intending to practice in what is expected to be a field of growing importance or participate in initiatives aimed at reforming legal and social institutions to more effectively address CC must possess a comprehensive understanding of CC laws.¹⁸ Law students must be informed about contemporary challenges and their implications for the legal profession. The CC crisis is a critical issue for both society and the legal profession at present. Law students must be educated on the challenges presented by CC, the complications these challenges create for legal theory and practice, and the potential remedies, including reforming the law and legal practice.¹⁹ Prior to fully grasping the objectives, tenets, and mechanisms of CC law, students must first understand the fundamental natural phenomenon, its anthropogenic origins, and its environmental and social

¹⁶ Saskia Stucki and others (n 14).

¹⁷ Tudor Steven and Rogers Nicole, 'Climate Change and Criminal Law' in Julia Dehm, Nicole Graham, & Zoe Nay (eds.), *Becoming a Climate Conscious Lawyer: Climate Change and the Australian Legal System* (La Trobe University 2023) 40.

¹⁸ Danielle Ireland-Piper and Nick James, 'The Obligation of Law Schools to teach Climate Change Law' (2021) 40 (3) University of Queensland Law Journal 331, 320.

¹⁹ Brian Preston, Mainstreaming Climate Change in Legal Education (6 July 2023) 1 <https://lec.nsw.gov.au/documents/speeches-and-papers/Preston_CJ_-_Mainstreaming_Climate_Change_in_Legal_Education.pdf> accessed 14 July 2025.

consequences,²⁰ in order to effectuate social change in their professional endeavours.²¹ The development of young lawyers who will ultimately become legislators capable of modifying legal standards to address CC can be significantly enhanced by CC legal education.²²

2.2 Climate Change is Currently Exerting Significant Impacts on Legal Representation

It is essential for law students to recognize that CC is already exerting a considerable influence on legal representations, and the relationship between CC and legal practice will continue to intensify. In other words, CC has emerged as a crucial element in legal practice,²³ with clients seeking representation from lawyers across all fields for climate-related matters.²⁴ The total number of CC court cases has more than doubled since 2017 and continues to rise globally, as reported by the United Nations Environment Programme (UNEP) and Columbia University Sabin Center for Climate Change Law (CUSCCCL) in the Global Climate Litigation Report 2023 Status Review. As the number of laws pertaining to CC that establish new rights and obligations has increased, especially in light of the sluggish political response hindering CC mitigation, activists and legal professionals have intensified their endeavours to leverage national and

²⁰ Michael Mehling and others, 'Teaching Climate Law: Trends, Methods and Outlook' (2020) 32 *Journal of Environmental Law* 418.

²¹ Tudor S and Rogers N (n 17) 15-16; Liz Fisher, 'Climate Change, Legal Change, and Legal Imagination' (13 December 2021) <<https://www.ucl.ac.uk/law-environment/blog-climate-changeand-rule-law/climate-change-legal-change-and-legal-imagination>> accessed 11 June 2025.

²² Biljana Cincurak Erceg Ana Đanic Ceko and Emina Jerkovic, 'Environmental Law and Cross-Cutting Challenges in Legal Education: Sharing Developments in Croatia' in Oskar J Gstrein and others (eds.), *Modernising European Legal Education (MELE): Innovative Strategies to Address Urgent Cross-Cutting Challenges* (European Union and its Neighbours in a Globalized World 10, Cham, Switzerland: Springer 2023) 120.

²³ Warren G. Lavey, Training All Law Students and Lawyers for Climate-Competent Representations (23 April 2020) 10-11 <https://iucn.org/sites/default/files/content/documents/2020/training_all_law_students_and_lawyers_for_climate-competent_representations.pdf> accessed 15 June 2025.

²⁴ *ibid.*, 4, 5; Advocates for International Development/King's College London, 'What Lawyers can do about Climate Change: Workshop Briefing Paper' (2017) 1 <<https://www.kcl.ac.uk/law/research/centres/climate-law-and-governance/docs/what-lawyers-can-doabout-climate-change-briefing-paper.pdf>> accessed 29 May 2025.

international judicial systems.²⁵ As of May 2022, around 2,002 active or resolved cases of CC litigation existed globally, as reported by the Grantham Research Institute on Climate Change and the Environment's Climate Change Laws of the World database. Out of them, 576 were lodged in courts across 43 foreign countries and 15 international or regional courts and tribunals, whereas 1,426 were presented in U.S. courts. It is significant to note that the few cases in the Global South, in contrast to the Global North, might be ascribed to the delayed initiation of climate litigation cases,²⁶ likely due to the low level of CC legal education among lawyers in the Global South, including Nigeria.

2.3 Students must demonstrate the Ability to Conduct Legal Analyses Utilizing Fundamental Knowledge of the Causes and Instruments to Combat Climate Change

Students must possess the ability to conduct legal analyses utilizing fundamental knowledge of the causes and instruments to address CC. Law students ought to proficiently engage with relationships such as the following: the combustion of fossil fuels in power plants and vehicles elevates greenhouse gas (GHG) emissions; escalating GHG concentrations correlate with heightened risks to property and human health due to natural disasters, rising sea levels, and deteriorating air quality; and legislation and governmental initiatives employ tax and energy regulatory incentives to promote the generation of cleaner renewable energy.²⁷ Students must navigate intricate CC regulatory processes, understand the risks associated with fluctuating environmental circumstances, and perform additional activities necessitating knowledge and skills typically absent from legal curricula. To effectively counsel clients on the whole range of legal challenges and disputes arising from

²⁵ Michael Burger & Maria Antonia Tigre, *Global Climate Litigation Report: 2023 Status Review* (CUSCCCL & UNEP 2023).

²⁶ Ngozi Chisom Uzoka and others, 'Legal Frameworks for Addressing the Impacts of Climate Change on Communities across the World' (2024) 1(2) NAU Journal of Private Property Law 218.

²⁷ Warren G Lavey (n 23); Monroe M C and others, 'Identifying Effective Climate Change Education Strategies: A Systematic Review of the Research' (2019) 25(6) Environmental Education Research 791-812.

CC, law students must understand the diverse impacts of CC on the economy and society.²⁸

2.4 Intersection of Climate Change with other Aspects of Law and Regulation

The law governing CC intersects with various fields of international law, such as environmental law, energy law, and human rights law, influencing practically all aspects of national policy, including health, disaster preparedness, transportation, agriculture, and energy.²⁹ In this context, most states have implemented laws and regulations governing CC actions, primarily related to disaster risk management, CC adaptation, and greenhouse gas emission abatement. National and international actions on CC are interconnected through a subset of domestic legislation and regulations.³⁰ Moreover, CC law frequently intersects with several legal domains, such as constitutional law, administrative law, energy market regulation, natural disaster law, contract law, and business association law.³¹ Consequently, CC influences nearly all aspects of law and regulation. This indicates that numerous legal disciplines will need to engage with CC directly or indirectly, necessitating that various law school courses acknowledge CC and its impact on the legal norms, procedures, and practices examined in the curriculum.³² Consequently, it is prudent to assert that to become proficient and successful legal practitioners in a realm confronting intricate and interrelated climatic

²⁸ Kim Bouwer and others, 'Climate Change isn't Optional': Climate Change in the Core Law Curriculum' (2023) 43 *Legal Studies* 242; Warren G Lavey, 'Toolkit for Integrating Climate Change into Ten High-Enrollment Law School Courses' (2019) 49 *Environmental Law* 513, 515-516.

²⁹ Centre for Climate Engagement, *Creating a Global Legal Resource: The Law and Climate Atlas* (Hughes Hall University of Cambridge, 15 January 2026) <<https://climatehughes.org/case-study-the-law-and-climate-atlas/>> accessed 21 January 2026; Tudor S and Rogers N (n 17) 20.

³⁰ Tudor S and Rogers N, *ibid*.

³¹ Michael Mehling and others (n 20); John C Dernbach and Seema Kakade, 'Climate Change Law: An Introduction' (2008) 29 *Energy L J* 1, 1.

³² Danielle Ireland-Piper and Nick James (n 18) 320.

repercussions, law students must comprehend the implications of CC and its intersections with other legal domains.³³

2.5 Students must Acknowledge that Lawyers are Required to Assist their Clients and Communities in Mitigating and Adapting to Climate Change via Legal Frameworks and Procedures

In the absence of a comprehensive array of legal services, the development and execution of climate solutions are impeded, and young lawyers and law students possess ample opportunities to promote climate justice and bolster community resilience.³⁴ This is achieved by fostering the development of a new generation of lawyers who are knowledgeable about CC and its implications.³⁵ Given the extensive influence of CC on individuals, corporations, communities, and nations, lawyers across diverse practice areas must possess knowledge, competence, and proficiency in CC to provide the requisite services to their clients.³⁶ The public requires the counsel and services of proficient and knowledgeable climate-conscious lawyers to aid in mitigating and adapting to CC.³⁷ The demand for legal expertise in governmental bureaucracies, international organizations, courts, private corporations, civil society, interest groups, and traditional law firms and consultancies should increase in tandem with the importance of CC mitigation and adaptation. The increasing interest in relevant courses and academic qualifications to develop and authenticate climate legal expertise aligns with that demand.³⁸

³³ Tudor S and Rogers N (n 17) 15; Monica Taylor, 'Climate Crisis, Legal Education and Law Student Well-Being: Pedagogical Strategies for Action' (2021) 40(3) University of Queensland Law Journal 459.

³⁴ Warren G Lavey (n 23); See Ani Munirah Mohamad, Exploring Best Practices for New Climate Change Policy and Law Program' 1304 (2024) 012005 IOP Conf. Ser.: Earth Environ. Sci., 2.

³⁵ Danielle Ireland-Piper and Nick James (n 18); UNESCO and MECCE, *Education and Climate Change: Learning to Act for People and Planet* (Paris, UNESCO 2024) 4.

³⁶ Warren G Lavey (n 23) 10.

³⁷ *ibid.*, 4.5; Advocates for International Development/King's College London (n 24).

³⁸ Michael Mehling and others (n 20).

3. EXAMINING THE EXTENT TO WHICH NIGERIAN LAWYERS AND JUDGES APPRECIATE THE EFFECTS OF CLIMATE CHANGE

This section examines the extent to which Nigerian lawyers and judges appreciate the effects of climate change through the evaluation of environmental/climate-related cases and the latitude the law offers to make progress in climate change mitigation and adaptation.

The case of *Jonah Gbemre v Shell Petroleum Development Company (SPDC) Nigeria Limited*³⁹ is often identified as the first case in Nigeria that is related to climate change. In *Gbemre v SPDC*, Nigerian lawyers and judges demonstrated a progressive appreciation of climate-linked harm by interpreting fundamental right to life to include the right to a clean, poison-free, pollution free healthy environment and protection against gas flaring's environmental and climate impacts. The Federal High Court held that continuous gas flaring violated constitutional right to life of the people of Iwherekannan community in Delta State of Nigeria, linking pollution to broader ecological and health harms, and ordering cessation of flaring, thus showing the law's latitude to support climate change mitigation and adaptation through rights-based environmental enforcement. Although, the judgment of the court in this case was never enforced, this jurisprudence paved the way for future climate-related litigation in Nigeria.⁴⁰

³⁹ (2005) AHRLR 151 (Suit No.FHC/B/C/153/05 Judgement delivered on 14/11/2005 at Federal High Court, Benin Judicial Division).

⁴⁰ Bukola Faturoti, Godswill Agbaitor and Obinna Onya, 'Environmental Protection in the Nigerian Oil and Gas Industry and Jonah Gbemre v Shell PDC Nigeria Limited: Let the Plunder Continue?' (2019) 27(2) African Journal of International and Comparative Law 225-245; Billion Promise Agunia, Pam-ellah Iwori and Caroline Oluchi Egbufor, 'Climate Change Litigation: An Emerging Approach to Environmental Protection in Nigeria' (2023) 11(1) AELN Journal of Environment & Natural Resources Law 260; Collins Okeke, 'Environmental rights as constitutional rights: Nigeria's legal evolution' *The Nation* (21 January 2025) <<https://thenationonline.ng.net/environmental-rights-as-constitutional-rights-nigerias-legal-evolution/>> accessed 14 January 2026.

The case of *Bodo Community v Shell Petroleum Development Company of Nigeria Ltd (SPDC)*⁴¹ is a critical reference point for assessing the extent to which Nigerian lawyers and judges appreciate the effects of CC and the legal latitude available to advance CC adaptation and mitigation. The case was filed in a UK High Court and sought damages for two major oil spills between year 2008 and 2009 in Bodo community in Gokana local government of Rivers state, Nigeria, which caused environmental and economic devastation. The UK-based law firm Leigh Day that filed the suit on behalf of Bodo Community framed the claims around oil spill pollution, ecosystem destruction, and loss of livelihoods—harms that are now widely recognised as climate-exacerbating vulnerabilities, particularly in low-lying, flood-prone Niger Delta communities. Shell paid £55 million in compensation to 15,000 residents but no restoration measures were imposed, leaving pollution unresolved.⁴² It is noteworthy, that this case was pursued in the UK because of concerns over domestic litigation delays and efficacy in environmental-climate harm related cases in Nigeria. Therefore, the case underscored the inadequacy of domestic legal enforcement mechanisms for climate-related cases and highlighted the need for Nigerian judges to more robustly deploy existing legal tools such as tort law, statutory compliance, and rights-based adjudication to address climate-related harm. Scholars note that the Bodo litigation illustrates the latent capacity of Nigerian law to support climate change adaptation and mitigation if procedural barriers, enforcement deficits, and corporate influence are addressed.⁴³

In this sense, *Bodo Community v SPDC* complements decisions such as *Jonah Gbemre v SPDC*, reinforcing the argument that Nigerian law

⁴¹ (2015) EWHC 3190 (TCC).

⁴² Omotola Osude, 'Environmental and Human Rights Violations in Ogoniland: Legal Failures in Nigeria and the Global Fight for Justice through U.S. and U.K. Courts' (2024) 1(1) International Journal of Law and Societal Studies 113-117; M S Chapman and L B B Dube, After Bodo: Effective Remedy & Recourse Options for Victims of Environmental Degradation Related to Oil Extraction in Nigeria (Centre for Environment, Human Rights, and Development (CEHRD), 2015) 25.

⁴³ Uzuazo Etemire, Law and Practice on Public Participation in Environmental Matters: The Nigerian Example in Transnational Comparative Perspective (Routledge, 2015); Okonkwo Theodore and Uzuazo Etemire, 'Oil Injustice in Nigeria's Niger Delta Region: A Call for Responsive Governance' (2017) 8(1) Journal of Environmental Protection 42-60.

already provides sufficient normative space to confront climate-linked environmental harm. The case thus serves both as a cautionary tale of institutional weakness and as an impetus for Nigerian courts to more assertively integrate climate awareness into environmental adjudication.⁴⁴

The evolving jurisprudence of the Nigerian judiciary demonstrates a growing appreciation by both lawyers and judges of the serious effects of climate change and the latitude within existing law to advance climate change adaptation and mitigation, particularly through public interest litigation. This is most evident in the Supreme Court's pro-environmental posture in *Centre for Oil Pollution Watch (COPW) v Nigerian National Petroleum Corporation (NNPC)*.⁴⁵ In this case, the Supreme Court expressly acknowledged the global and national urgency of environmental and climate challenges, including climate change, global warming, flooding, air and water pollution, and ecosystem degradation. The Court's recognition that environmental protection is essential for the benefit of present and future generations reflects a judicial awareness aligned with contemporary climate governance discourse.⁴⁶

Crucially, the Supreme Court liberalised the doctrine of *locus standi*, affirming that non-governmental organisations and concerned citizens may institute environmental actions in the public interest.⁴⁷ This doctrinal shift strengthens climate litigation in Nigeria by removing procedural barriers that historically impeded access to justice in environmental and

⁴⁴ United Nations Environment Programme, UNEP Yearbook 2011: Emerging Issues in Our Global Environment (UNEP, 2011); David R. Boyd, 'Catalyst for Change: Evaluating Forty Years of Experience in Implementing the Right to a Healthy Environment' in John H. Knox and Ramin Pejan (eds.), *The Human Right to a Healthy Environment* (Cambridge University Press, 2018) 17-41.

⁴⁵ (2019) 5 NWLR (Pt. 1666) p. 518.

⁴⁶ *ibid*; Uzuazo Etimire, 'The Future of Climate Change Litigation in Nigeria: COPW v NNPC in the Spotlight' (2021) 15(2) Carbon & Climate Law Review (*CCLR*) 158-170; Ufuoma Garvin Oyibodoro, 'Constitutionalizing the Right to a Healthy Environment: A Pathway to Enforcing the SDGs in Nigeria' (2025) 2(4) Fountain University Law Journal 169-185.

⁴⁷ Ekanem Godswill Essien, 'Climate Litigation in Nigeria: Can Citizens Hold the Government Accountable' (1 November 2025) <<https://recordoflaw.in/climate-litigation-in-nigeria-can-citizens-hold-the-government-accountable>> accessed 12 January 2026.

climate-related matters.⁴⁸ This approach will empower victims of air pollution, gas flaring, and climate-induced environmental harm or their representatives to seek judicial remedies, compel regulatory enforcement, and claim compensation.⁴⁹

The Court further elevated the normative status of climate-related claims by grounding environmental protection in constitutional and human rights frameworks. According to Nyekwere, and others,⁵⁰ the SCN in *COPW v NNPC* pronounced remarkably that the CFRN, the legislature and the African Charter on Human and Peoples Rights (ACHPR) to which Nigeria is a signatory, recognize the fundamental rights of the citizens to a clean and healthy environment to sustain life through the provisions of sections 20 and 33(1) of the CFRN, Article 24 of the ACHPR (Ratification and Enforcement) Act, and section 17(4) of the Oil Pipelines Act respectively.⁵¹ This rights-based reasoning resonates with earlier decisions such as *Jonah Gbemre v SPDC*, reinforcing the idea that environmental degradation and climate-linked pollution threaten the right to life and human dignity.

The decision in *Ogale & Bille Communities v Shell Petroleum Development Company of Nigeria Ltd (SPDC)*⁵² is highly instructive for understanding the extent to which Nigerian lawyers and judges increasingly appreciate the impacts of climate change and the legal latitude available to advance climate change adaptation and mitigation, even beyond Nigeria's territorial courts. In this case filed by the UK-based law firm Leigh Day in 2015 against Shell and its former Nigerian subsidiary, two Communities from the Niger Delta (Ogale and Bille) alleged that

⁴⁸ Etemire (n 46).

⁴⁹ *ibid*; Agunia, Iwori and Egbufor (n 40).

⁵⁰ Empire H. Nyekwere and others, 'Constitutional and Judicial Interpretation of Environmental Laws in Nigeria, India and Canada' (2023) 7(2) *Lex Scientia Law Review* 913.

⁵¹ *ibid*; E.O. Ekhatior and B.E. Umukoro 'Climate change, human rights and the Nigerian child' (2025) 1 *African Journal of Climate Law and Justice* 192-221; E. O. Ekhatior and E.O. Okumagba, 'Climate change and multinationals in Nigeria: A case for climate justice' in Kim Bouwer and others (eds.), *Climate Litigation and Justice in Africa* (Bristol University Press, 2024) 247-273;269; A Babalola, 'The Right to a Clean Environment in Nigeria: A Fundamental Right?' (2020) 26 (1) *Hastings Env'tl L.J.* 9-10.

⁵² (2023) EWHC 2961 (KB).

long-term oil pollution from Shell's infrastructure dating back to 1989 has contaminated land/water and harmed livelihoods, seeking compensation and remediation.⁵³ Although decided by a UK court, the case resonates strongly within Nigerian legal discourse because it addresses environmental degradation, oil pollution, and climate vulnerability—issues Nigerian courts have not progressively recognised as justiciable.⁵⁴ By holding that Shell's UK-based parent company may owe a duty of care for environmental harm caused by its Nigerian subsidiary, the court rejected a rigid application of the corporate veil and affirmed that multinational enterprises can be held accountable for transboundary environmental and climate-related harm.⁵⁵ This approach mirrors the evolving Nigerian judicial stance in cases such as *Jonah Gbemre v SPDC* and *COPW v NNPC*, where courts linked environmental degradation to fundamental rights.

The court's refusal to bar claims on limitation grounds, recognising ongoing pollution as a continuing wrong, aligns with a growing judicial sensitivity to the long-term and cumulative nature of climate and environmental harm.⁵⁶ For Nigerian lawyers, the case underscores the strategic potential of transnational litigation where domestic enforcement is weak, while reinforcing the normative strength of environmental rights arguments grounded in human rights and sustainability.⁵⁷ More broadly, the case highlights how law can be deployed to compel corporations to internalise climate risk, remediation obligations, and human-rights due

⁵³ David Lawne, Alex Cooper and Kazi Elias, Summer review: a watershed moment for climate litigation (26 August 2025) <<https://www.hausfeld.com/what-we-think/perspectives-blogs/summer-review-a-watershed-moment-for-climate-litigation>> accessed 4 January 2026.

⁵⁴ Except in few cases like the cases of *Gbemre v SPDC* and *COPW v NNPC*.

⁵⁵ High Court trial finds Shell Plc. and former Nigerian subsidiary can be held legally responsible for legacy oil pollution in Nigeria (20 June 2025) <<https://www.leighday.co.uk/news/news/2025-news/high-court-trial-finds-shell-pmlc-and-its-former-nigerian-subsiary-can-be-held-legally-responsible-for-legacy-oil-pollution-in-nigeria/>> accessed 10 January 2026; See Amnesty International, UK Court case to rule on Shell's toxic legacy in Nigeria (13 March 2025) <<https://www.amnesty.org.ng/2025/03/13/uk-court-begins-case-to-rule-on-shells-toxic-legacy-in-nigeria/>> accessed 9 January 2026.

⁵⁶ *ibid.*

⁵⁷ *ibid.*

diligence within corporate governance.⁵⁸ These developments complement domestic climate governance by expanding accountability pathways and encouraging courts, regulators, and litigants to use existing legal frameworks creatively to support climate change adaptation and mitigation.⁵⁹

The institution of this case in a UK court further illustrates the structural and procedural challenges associated with litigating climate-related and environmental harm claims in Nigerian courts against powerful multinational corporations.⁶⁰ The representation of Ogale & Bille Communities by a UK-based law firm Leigh Day in this case reflects how Nigerian communities have sought international legal expertise and judicial fora to advance complex environmental and climate-linked claims when domestic enforcement mechanisms have been perceived as inadequate.⁶¹ The representatives of the Ogale and Bille communities expressly cited the experience of the K-Dere community as a justification for pursuing an alternative transnational legal strategy. Rather than initiating proceedings against Shell's Nigeria-registered subsidiary, they elected to sue the parent company in the United Kingdom, where it is domiciled and where judicial processes were perceived as more accessible and effective. The K-Dere community, like many oil-producing communities in the Niger Delta, had previously instituted proceedings in Nigeria in 2012 seeking compensation for pollution-related damage and inadequate remediation. However, the action was eventually discontinued in 2020 due to prolonged delays, high litigation costs, and procedural

⁵⁸ Amnesty International, Nigeria: Niger Delta Communities Files claims against Shell in UK High Court over devastating oil spills (2 February 2023) <<https://www.amnesty.org.uk/press-releases/nigeria-niger-delta-communities-file-claims-against-shell-uk-high-court-over>> accessed 9 January 2026

⁵⁹ *ibid.*

⁶⁰ Amnesty International, UK Court case to rule on Shell's toxic legacy (n 55).

⁶¹ Callum Parke, Nigerian communities set to have oil pollution High Court claims tried in 2027 (20 June 2025) <<https://www.standard.co.uk/news/crime/shell-high-court-people-justice-african-b1234057.html>> accessed 17 June 2026; Amnesty International, Nigeria: UK Court Rules Against Shell Over Nigerian Oil Spill (20 June 2025) <<https://allafrica.com/stories/202506200382>> accessed 17 June 2026.

obstacles that undermined access to effective remedies.⁶² This pattern underscores persistent concerns regarding judicial delay, resource asymmetry, and enforcement deficits in domestic environmental litigation, which continue to incentivise affected communities to seek justice through foreign courts with stronger institutional capacity and corporate accountability mechanisms.⁶³

The case of *HEDA Resource Centre v Shell Petroleum Development Company, Renaissance African Energy Company & Nigerian Government*⁶⁴ was filed on March 2025 at the Federal High Court, Lagos. In this case, *HEDA Resource Centre* challenges the legality of Shell's oil licence transfer due to the failure to conduct and disclose an Environmental Evaluation Study as required under the Upstream Petroleum Environmental Regulation, 2022, and alleges breaches of multiple provisions of the Petroleum Industry Act (PIA) 2021 and related climate-linked environmental regulations.⁶⁵ The plaintiff contends that the license transfer failed to meet statutory revisions, specifically including conducting and disclosing an Environmental Evaluation Study as regulated under the Upstream Petroleum Environmental Regulation 2022. The plaintiff contends that the approval of this transaction “could set a dangerous precedent” in terms of climate change and environmental

⁶² Amnesty International, UK Court case to rule on Shell's toxic legacy (n 55); High Court trial finds Shell Plc. and former Nigerian subsidiary (n 55); Amnesty International, Nigeria: Niger Delta Communities Files claims (n 58); Nigerian communities file damages claim against Shell in London court (3 February 2023) <<https://www.euronews.com/2023/02/03/shell-nigeria?>> accessed 14 January 2026; High Court rules Nigerian communities can bring landmark human rights claims against Shell for oil pollution (23 November 2023) <<https://www.leighday.co.uk/news/news/2023-news/high-court-rules-nigerian-communities-can-bring-landmark-human-rights-claims-against-shell-for-oil-pollution/>> accessed 14 January 2026.

⁶³ *ibid*; Omotola Osude, 'Climate Change Litigation in Nigeria: The Case of Oloibiri and the Role of U.S. Jurisdiction in Advancing Environmental Justice' (2024) 1(1) *International Journal of Law and Societal Studies* 107-108.

⁶⁴ Suit No. FHC/L/CS/651/2025 (filed by Kunle Adegoke, SAN, on behalf of the plaintiff).

⁶⁵ *HEDA Resource Centre v. Shell Petroleum Development Company, Renaissance African Energy Company & Nigerian Government* <https://www.climatecasechart.com/document/heda-resource-centre-v-shell-petroleum-development-company-renaissance-african-energy-company-and-the-nigerian-government_30ef> accessed 5 January 2026.

sustainability.⁶⁶ HEDA contends that by sections “10 (f), 95 (11) and (15), 235, 237, and 238 of the PIA, 2021, Regulations 4.2.5, 5.2.4, 5.2.5 and 5.4 of the Guidelines for Obtaining Minister’s Consent to Assignment of Interest in Oil and Gas Assets, 2021, Regulations 7 and 8 of the Upstream Petroleum Environmental Regulation, 2022, Regulations 8(1) and (2), 9(1) and (2) of the Upstream Petroleum Environmental Remediation Regulations, 2024, Regulation 13(1) – (3) of the Gas Flaring, Venting and Methane Emissions (Prevention of Waste and Pollution) Regulations, 2023”, the transfer of the license is unlawful. The court heard the case on May 26, 2025, and proceedings have since begun.⁶⁷

The case of *HEDA v SPDC & Ors*, although ongoing, reflects a growing appreciation of climate change effects within Nigerian legal advocacy⁶⁸ as it tests the robustness and enforceability of Nigeria’s climate-relevant regulatory framework, including environmental evaluation and methane/gas-flaring rules. Successful enforcement could set a precedent requiring stricter compliance with environmental and climate safeguards in oil asset divestments, reinforcing regulatory accountability and integrating climate risk into upstream petroleum governance. It highlights how the judiciary can uphold statutory environmental procedures essential for climate adaptation and mitigation in Nigeria’s extractive sector.⁶⁹

⁶⁶ Margaret Barry and Maria Antonia Tigre, Climate Litigation Updates (Sabin Centre for Climate Change Law: Columbia University, 27 June 2025) <<https://climate.law.columbia.edu/news/climate-litigation-updates-june-27-2025>> accessed 12 January 2025; Daniel Terungwa, ‘Shell, Renaissance Face Legal Challenge Over SPDC Licence Transfer’ Majorwaves Energy Report (2 April 2025) <<https://www.majorwavesenergyreport.com/shell-renaissance-face-legal-challenge/>> accessed 27 January 2026.

⁶⁷ *ibid.*

⁶⁸ Silver Nwokoro, ‘HEDA sues Shell, FG, others over oil licence transfer’ The Guardian Newspaper (31 March 2025) <<https://guardian.ng/news/heda-sues-shell-fg-others-over-oil-licence-transfer>> accessed 12 January 2025.

⁶⁹ Barry and Tigre (n 66); Ambali Abdulkabeer and Tosin Ajuwon, HEDA drags FG, oil companies to court over alleged illegal oil licence transfer (25 May 2025) <<https://gazzettengr.com/heda-drags-fg-oil-companies-to-court-over-alleged-illegal-oil-licence-transfer/>> accessed 17 January 2026.

The case of *Prof. Amos Enabulele & Centre for Community Law v Federal Republic of Nigeria*⁷⁰ focuses on climate, environmental and human rights policy and enforcement and the broader appreciation of climate law in Nigeria. The suit challenges Nigeria's failure to enforce domestic and international obligations to end gas flaring and gas emissions, alleging violations of human rights, environmental protection, and climate-related treaty provisions.⁷¹ The case represents an emerging frontier in climate-related human-rights litigation within West Africa. Filed on 22 September 2025 at the ECOWAS Community Court of Justice (CCJ), the suit alleges that Nigeria's continued tolerance of gas flaring and inadequate enforcement of environmental and climate norms violates fundamental human rights and state climate obligations under regional and international laws. By situating environmental harm squarely within a human-rights framework, the case underscores the potential of regional fora to hold states accountable for climate-related pollution that threatens constitutionally and regionally protected rights where domestic mechanisms are weak or under-enforced.⁷² The litigation also highlights a growing legal awareness among Nigerian lawyers and judges of climate change's impacts, as well as the latitude within existing law to pursue climate change adaptation and mitigation claims through human-rights and environmental statutes. While Nigerian courts have historically been cautious with environmental claims, regional decisions can catalyse judicial recognition of climate harms and procedural remedies, incentivising stricter regulatory enforcement and integration of climate considerations into governance.⁷³

⁷⁰ Suit No. ECW/CCJ/APP/48/25 (filed 22 September 2025).

⁷¹ Centre for Community Law, Nigeria Dragged to ECOWAS Community Court Over Gas Flaring Penalties (25 September 2025) <<https://cfcomlaw.com/2025/09/25/the-federal-republic-of-nigeria-dragged-to-community-court/>> accessed 5 January 2026; Nigeria Dragged to ECOWAS Court Over Gas Flaring Violations (28 September 2025) <<https://joliba.com.ng/2025/09/28/nigeria-dragged-to-ecowas-court-over-gas-flaring-violations/>> accessed 28 September 2025.

⁷² Jemimah Wellington, Nigeria Taken to ECOWAS Court over Failure to Enforce Gas Flaring Ban (27 September 2025) <<https://jknewsmedia.com/nigeria-taken-to-ecowas-court-over-failure-to-enforce-gas-flaring-ban/>> accessed 17 January 2026; Centre for Community Law, *ibid*.

⁷³ Paul Ejime, 'Gas Flaring: Nigeria Taken to the ECOWAS Community Court of Justice' Global News Network (30 September 2025) <<https://gnnliberia.com/gas-flaring-nigeria>>

4. THE OBLIGATION OF THE NIGERIAN BAR ASSOCIATION TO PROVIDE TRAINING IN CLIMATE CHANGE LEGAL EDUCATION FOR LAWYERS

Bar associations are pivotal in tackling the CC problem and promoting the global shift to net zero by offering CC legal education to their members.⁷⁴ This section analyses the reason the Nigerian Bar Association (NBA) is obligated to provide CC legal education to its members.

4.1 The Emerging Nature of Climate Litigation in Nigeria and its Enforcement Challenges

Collectively, the judicial developments in the cases examined in section 3 reveal a judiciary (judges and lawyers) increasingly receptive to climate science, environmental justice, and sustainable development.⁷⁵ They also demonstrate that Nigerian law through constitutional principles, statutory interpretation, and public interest litigation offers meaningful latitude to advance climate change adaptation and mitigation, encouraging courts and litigants alike to demand climate-responsible conduct from both the state and private actors.⁷⁶ However, the cases examined equally reveals that climate change litigation is not yet as grounded and popular in Nigeria as it is in some developed countries. In fact, climate change litigation in Nigeria is still emerging; many cases are framed under environmental harm, pollution and human rights, which intersect with climate change impacts rather than purely greenhouse gas reduction suits.⁷⁷

taken-to-the-ecowas-community-court-of-justice/> accessed 17 January 2026; Centre for Community Law (n 71).

⁷⁴ International Bar Association Registry <<https://www.ibanet.org/IBA-Climate-Registry>> accessed 1 July 2025.

⁷⁵ Uzuazo Etemire (n 46).

⁷⁶ *ibid*; Nwankwo C M and Mukoro B, 'Climate change litigation and the accountability function of judge-made law in contemporary Nigeria' (2025) 13 Rivers State University Journal of Public Law 44; Oamen P E and Erhagbe E O, 'The impact of climate change on economic and social rights realisation in Nigeria: International cooperation and assistance to the rescue?' (2021) 21 African Human Rights Law Journal 1080.

⁷⁷ Kathy Kyari, 'Nigeria has only two cases over last 20 years on climate change litigation - Karikpo' *EnviroNews Nigeria* (13 June 2025) <<https://www.environewsnigeria.com/nigeria-has-only-two-cases-over-last-20-years-on-climate-change-litigation-karikpo/>> accessed 14 June 2025.

Also noteworthy is the obvious fact that some climate-related cases are now pursued in foreign and regional courts due to jurisdictional and enforcement challenges in the Nigerian legal system.⁷⁸ For example, the case of *Bodo Community v SPDC* was pursued at the UK High Court, the case of *Ogale & Bille Communities v. Shell* is currently being pursued at the UK High Court, while the case of *Prof. Amos Enabulele & Centre for Community Law v. Federal Republic of Nigeria*-which is one of the few recent cases explicitly aimed at state climate obligations under regional and international laws, is pursued at a regional judicial forum-the ECOWAS Community Court of Justice.

Further, despite the emphasis on the global rise in CC related legal actions, Nigeria's slow pace in that space is discouraging-a situation that calls for Nigerian lawyers to explore the growing field of CC litigation and court (judges') interventions to combat the climate crisis. As at June 2025, it was noted that Nigeria only has two cases over the last 20 years on CC litigation despite an increasing global use of law of the courts to encourage governments and companies to act for climate justice.⁷⁹ While climate litigation in Nigeria remains nascent, the cases of *Jonah Gbenre v SPDC & Ors* and *COPW v NNPC* are widely acknowledged as the primary instances in which Nigerian courts have grappled substantively with environmental harms that intersect with climate change issues, illustrating both the limited volume and the growing significance of climate litigation in Nigeria amongst lawyers and judges.⁸⁰

4.2 The Nigerian Bar Association is Legally Mandated to Advance Legal Education and Professional Development in Nigeria

The NBA is legally mandated to advance legal education and professional development in Nigeria.⁸¹ Section 3 of the NBA Constitution 2015 outlines the aims and objectives of the NBA, explicitly stating in subsection 2 that the NBA shall facilitate the promotion and advancement

⁷⁸ Lawne, Cooper and Elias (n 53).

⁷⁹ Kathy Kyari (n 77).

⁸⁰ Ibid. See also, Faturoti, Agbaitoro and Onya (n 40). See Etemire (n 46) See Agunia, Iwori and Egbufor (n 40).

⁸¹ The Role of Nigerian Bar Association in Legal Practice <<https://professions.ng/role-of-nigerian-bar-association-in-legal-practice/>> accessed 18 June 2025.

of legal education, continuing legal education, advocacy, and jurisprudence.⁸² Section 3(2) of the NBA Constitution thus imposes a statutory duty on the NBA to play a crucial role in the promotion and advancement of CC legal education and continuing legal education in CC law for Nigerian lawyers.⁸³ Likewise, the NBA has an obligatory responsibility to ensure mandatory continuous professional development (MCPD) for lawyers in accordance with the Rules of Professional Conduct for Legal Practitioners (RPCLP) 2023.⁸⁴ Rule 11(1) of the RPCLP explicitly stipulates that ‘A lawyer intending to practice as a legal practitioner must engage in and fulfil the criteria of the MCPD Programme administered by the NBA.’⁸⁵ Rule 11(5) of the RPCLP 2023 mandates that the NBA shall create a Continuing Professional Development Department within its office for the operation of the CPD programme and formulate regulations governing the programme's implementation.⁸⁶

4.3 A Global Call has been issued for Law Associations to Train Practicing Lawyers on Climate Change Law

In recent years, numerous bar associations and law societies worldwide, including the American Bar Association (ABA),⁸⁷ the International Bar Association (IBA),⁸⁸ and the Law Society of England and Wales (LSEW),⁸⁹

⁸² Section 3(2), The Constitution of the Nigerian Bar Association (NBA) 2015 (as amended in 2021).

⁸³ *ibid.*

⁸⁴ RPCLP, Rule 11; See Udemezue Sylvester, Resolving Conundrums Regarding Regulation of the Legal Profession in Nigeria (The Bar) (SSRN, 25 December 2022) <<https://dx.doi.org/10.2139/ssrn.4313297>> accessed 25 June 2025.

⁸⁵ Rule 11(1) RPCLP; Udemezue Sylvester, *ibid.*

⁸⁶ RPCLP, Rule 11(5) & (6); Udemezue Sylvester, *ibid.*

⁸⁷ American Bar Association House of Delegates, ‘Resolution Adopted August 12-13, 2019’ <<https://www.americanbar.org/content/dam/aba/directories/policy/annual-2019/111-annual-2019.pdf>> accessed on 25 May 2026.

⁸⁸ International Bar Association, Climate Crisis web page <<https://www.ibanet.org/LPRU/Climate-Crisis>> accessed on 23 May 2025.16

⁸⁹ The Law Society of England and Wales, Creating a climate-conscious approach to legal practice (28 October 2021) <[#download-the-resolution](https://www.lawsociety.org.uk/topics/climate-change/creating-a-climate-consciousapproach-to-legalpractice)> accessed 28 June 2025.

and the Council of Bars and Law Societies of Europe,⁹⁰ have urged lawyers across various practice areas to receive training in CC law.⁹¹ The IBA and the ABA have encouraged lawyers across several practice areas to examine climate justice and participate in pro bono efforts related to human rights impacted by CC and climate adaptation.⁹² The ABA has asserted that enhanced climate and sustainability education for lawyers is essential for them to adequately serve their clients.⁹³ The IBA acknowledges the necessity of incorporating climate awareness into practice and advocating for CC education for lawyers, suggesting sustained collaboration between the legal profession and law schools, as well as the establishment of a structured curriculum to offer ongoing professional development to its members.⁹⁴

The LSEW has pledged to address CC by providing its members with educational resources, information, and guidance for environmentally

⁹⁰ See Council of Bars and Law Societies of Europe, CCBE initial statement on climate change (16 February 2023) <https://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/Environment_and_Climate_Change/ENV_CC_Statements/EN_ENVCC_20230216_CCBE-initial-Statement-on-Climate-Change.pdf> accessed 19 June 2025.

⁹¹ Dernbach John C and others, 'The Role of Lawyers, Bar Associations, and Law Societies in Combatting Climate Change' (2023) 38(1) ABA, Natural Resources & Environment 1-6; Vivien Holmes and Julian Webb, The Legal Profession and Climate Change <<https://oercollective.caul.edu.au/climate-conscious-lawyer/part/chapter-x-the-legal-profession-and-climate-change>> accessed 20 January 2026; Strauss and Haralampieva (n 13).

⁹² IBA President: The legal profession must be prepared to play a leading role in climate crisis (7 May 2020) <<https://www.ibanet.org/article/d1e68796-a00f-460e-9b24-0ab1d8d07b5c>> accessed 20 January 2026; IBA Bar Issues Commission releases report on climate initiatives: implementation and inspiration (9 May 2025) <<https://www.ibanet.org/IBA-Bar-Issues-Commission-releases-report-on-climate-initiatives-implementation-and-inspiration>> accessed 20 January 2026; Dernbach John C and others, *ibid*; Warren G Lavey (n 23) 15-16.

⁹³ Kim Bouwer and others (n 28) 243; Warren G Lavey (n 23) 521; Dernbach John C and others (n 90).

⁹⁴ International Bar Association, Climate Crisis Statement (16 July 2024) <<https://www.ibanet.org/LPRU/Climate-Crisis-Statement>> accessed 15 June 2025; International Bar Association, Spotlight on IBA Committees' work to address climate change and champion sustainability across the legal profession (5 June 2025) <<https://www.ibanet.org/Spotlight-on-IBA-Committees-work-to-address-climate-change-and-champion-sustainability-across-the-legal-profession>> accessed 21 June 2025; Kim Bouwer and others, *ibid*.

responsible practices, while also encouraging ongoing professional development related to CC, acknowledging its widespread influence on society and legal practice.⁹⁵ The Council of Bars and Law Societies of Europe initial statement on CC outlines its dedication to confronting the global climate issue through the advancement of climate-aware legal practices. The declaration underscores the role of Bars, Law Societies, and lawyers in alleviating CC while maintaining the rule of law, human rights, and access to justice.⁹⁶ The French National Bar Council has pledged to enhance the education of French lawyers in environmental law to tackle the issues posed by the climate crisis.⁹⁷ The Law Council of Australia has reaffirmed its dedication to ensuring that Australian lawyers are adequately prepared to comprehend the legal ramifications of CC from many viewpoints through CC legal education to address the CC problem.⁹⁸ The Law Association of Gambia has decided to enhance legal education and develop expertise within their law firms regarding climate-related issues, acknowledging the unavoidable impacts of CC on legal practice.⁹⁹

⁹⁵ The Law Society of England and Wales, Creating a climate-conscious approach to legal practice (n 89).

⁹⁶ See Council of Bars and Law Societies of Europe, CCBE initial statement on climate change (n 90); See Council of Bars and Law Societies of Europe, Corporate Social Responsibility and the Legal Profession: Key Considerations for Bars and Lawyers <https://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/CSR/CSR_Guides___recommendations/EN_CSR_20221125_Corporate-Social-Responsibility-and-the-Legal-Profession-Key-Considerations-for-Bars-and-Lawyers.pdf> accessed 21 January 2026.

⁹⁷ The French National Bar Council Informational Report on the Environmental Law Committee's Work and Guidelines for Training in the Service of Environment 2025 <<https://www.ibanet.org/document?id=climate-registry-entry-2025>> accessed 8 July 2025.

⁹⁸ The Law Council of Australia, Climate Change Policy (27 November 2021) <<https://lawcouncil.au/publicassets/4cc8f2e4-375d-ec11-9445-005056be13b5/2021%2011%2027%20-%20P%20-%20Climate%20Change%20Policy.pdf>> accessed 8 July 2025.

⁹⁹ The Law Association of Gambia Climate Statement 2024 <<https://www.ibanet.org/document?id=Climate-registry-law-association-of-zambia-statement>> accessed 8 July 2025; See Bill Clinton Alex and Luqman Saka, 'Gambians call for climate action, including assistance from wealthy countries' Afrobarometer Dispatch No. 953 (11 March 2025) <<https://www.afrobarometer.org/wp-content/uploads/2025/03/AD953-Gambians-demand-response-to-climate-change-Afrobarometer-11march25.pdf>> accessed 21 January 2026.

4.4 A Call has been issued by the Nigerian Bar Association Legal Education Committee for Lawyers to be Climate-Competent

The Nigerian Bar Association (NBA) has recently emphasised the imperative of climate legal education, aligning its stance with that of other national and international bar associations advocating for climate competency among legal professionals. During an online seminar hosted by the NBA Legal Education Committee (NBA-LEC) on 16 September 2025, the Committee urged Nigerian lawyers to fully integrate Environmental, Social and Governance (ESG) principles and human rights due diligence into professional practice, underscoring the necessity of climate-competent legal advice in light of evolving global regulatory frameworks on climate change, biodiversity, pollution control and sustainable development.¹⁰⁰ NBA-LEC's chair, Damilola Sunday Olawuyi, highlighted how the rapid incorporation of ESG standards into legislation and industry norms reshapes contractual due diligence and transforms legal education and practice in Nigeria.¹⁰¹ The Committee also called for law faculties and professional bodies to incorporate climate change and ESG imperatives into curricula and professional accreditation, reflecting a broader global trend in legal education reform responding to climate change.¹⁰² This trend is consistent with academic analysis asserting that legal education must adapt to climate law's expanding role across legal

¹⁰⁰ Yetunde Ayobami Ojo, 'NBA legal education committee calls for climate-competent lawyering' *The Guardian Newspaper* (7 October 2025) <<https://guardian.ng/features/law/nba-legal-education-committee-calls-for-climate-competent-lawyering/>> accessed 21 January 2026; NBA Legal Education Committee calls for climate-competent lawyering in line with global best practices (16 September 2025) <<https://barristerng.com/nba-legal-education-committee-calls-for-climate-competent-lawyering-in-line-with-global-best-practices/>> accessed 21 January 2026.

¹⁰¹ Damilola Sunday Olawuyi, Welcome Address during a 3rd online seminar series on Legal Education organised by the NBA-LEC themed 'Climate-Competent Lawyering and ESG: Opportunities and Challenges for Legal Education in a Changing Regulatory Landscape' held on 16 September 2025.

¹⁰² Adebisi Onanuga, 'NBA-LEC urges lawyers to integrate ESG into practice' *The Nation Newspaper* (7 October 2025) <<https://thenationonlineng.net/nba-lec-urges-lawyers-to-integrate-esg-into-practice/>> accessed 21 January 2026; Unini Chioma, 'Lawyers must integrate ESG, Human Rights in Practice-NBA-LEC Urges Climate-Competent Legal Advice' 17 September 2025.

practice to build lawyers' competencies in addressing climate-related issues.¹⁰³

5. RECOMMENDATIONS: APPROACHES FOR INCORPORATING CLIMATE CHANGE LAW INTO NIGERIAN LEGAL EDUCATION

Incorporating CC law into Nigerian legal education will produce graduates and practitioners who are aware of climate issues and prepared for innovative legal practice focused on CC environmental concerns.¹⁰⁴ This section analyses the methodologies for incorporating CC law into Nigerian legal education.

5.1 Incorporating Climate Change Law as a Stand-Alone Course into Universities Bachelor of Laws (LLB) Programme Curricula

Existing legal curricula and professional training structures largely treat CC as a peripheral issue within environmental law, resulting in limited climate literacy among lawyers and judges. It is equally noteworthy, that environmental law is treated as an elective course in most Nigerian Universities Faculties of Law (NUFL) educational curriculum-which renders the course optional. To address this issue, CC law should be incorporated into NUFL LLB educational curriculum and study programmes as a compulsory stand-alone course for law students. The proposed course on CC law may be designed to amongst other things, highlight the causes and global ramifications of CC; nationally determined contributions; the international legal framework on CC;¹⁰⁵ domestic legal

¹⁰³ See Margaret A Young, 'Climate Change and Law: A Global Challenge for Legal Education' (2021) 40(3) The University of Queensland Law Journal 351-370; See International Union for Conservation of Nature (IUCN) Academy of Environmental Law, *Climate Law Teaching Resources* (IUCN, 2020) <<https://www.iucnael.org/en/onlineresources/climate-law-teaching-resources>> accessed 21 January 2021.

¹⁰⁴ See Jennifer Campion, 'Mainstreaming Climate Change in Legal Education' in Bowell, T and others, (eds.), *Revitalising Higher Education: Insights from Te Puna Aurei LearnFest 2022* (Cardiff University Press 2024) 109.

¹⁰⁵ Like the 1992 United Nations Framework Convention on Climate Change (UNFCCC), the 1997 Kyoto Protocol to the UNFCCC, and the 2015 Paris Agreement on Climate Change.

framework on CC;¹⁰⁶ emissions trading systems; and institutional framework on CC.¹⁰⁷ In addition, the proposed CC law curriculum may incorporate an analysis of the legislative and political responses to CC by other nations from a comparative viewpoint. Most nations have implemented, or are in the process of implementing legislation aimed at acknowledging and addressing the necessity for action and legal regulation concerning CC.¹⁰⁸

5.2 Incorporating Climate Change Legal Education into the Nigerian Bar Association's Continuing Legal Education and Mandatory Continuing Professional Development (MCPD) Programme

The NBA has established the Legal Education Committee (NBA-LEC) and the Institute of Continuing Legal Education (NBA-ICLE) to execute its legislative obligation of promoting and enhancing legal education and continuing legal education and professional development in Nigeria.¹⁰⁹ The NBA established the LEC with the objective of promoting and enhancing functional legal education in Nigeria, particularly through training sessions and conferences focused on contemporary teaching methods.¹¹⁰ The NBA-LEC can boost CC legal education by arranging CC training sessions, conferences, seminars, and workshops to improve the legal knowledge and abilities of lawyers, ensuring they remain informed about the newest advances in CC law.¹¹¹

The NBA-ICLE is the official entity tasked with implementing the NBA MCPD Programme. The NBA-ICLE is committed to the ongoing professional development of all lawyers in Nigeria by offering a variety of training programmes and resources to ensure they remain proficient,

¹⁰⁶ Like Climate Change Act 2021, National Climate Change Policy for Nigeria 2021-2030, and Nigeria's 2050 Long-Term Low Emissions Development Strategy.

¹⁰⁷ Comprising prominent CC institutions like the Intergovernmental Panel on Climate Change, the Annual Conference of the Parties to the UNFCCC, and domestic institution like the Nigerian National Council on Climate Change; See Tudor S and Rogers N (n 17) 20.

¹⁰⁸ See Ireland-Piper and James (n 18) 338.

¹⁰⁹ Section 3(2), Constitution of the NBA 2015; Rule 11(1) & (5), RPCLP.

¹¹⁰ Yetunde Ayobami Ojo, 'NBA Committee Calls for increased Investment in Legal Education' *The Guardian* (28 April 2025) <<https://guardian.ng/news/nba-committee-calls-for-increased-investment-in-legal-education/>> accessed 8 July 2025.

¹¹¹ The Role of Nigerian Bar Association in Legal Practice (n 81).

socially responsible, ethically grounded, professionally competent, and well-informed throughout their legal careers.¹¹² The NBA Mandatory Continuing Professional Development Rules, 2025, explicitly authorizes the NBA-ICLE Board to accredit and approve courses, lectures, seminars, workshops, and conferences on legal topics for lawyers to engage in for the MCPD.¹¹³ Consequently, the NBA-ICLE can enhance and further CC legal education by including CC legal education training into its MCPD Programme. Furthermore, ethics training must encompass climate responsibilities for lawyers across many disciplines. Practicing lawyers must consider their ethical responsibilities to clients and society through the perspective of CC. Numerous lawyers have practiced for years without considering that their professional obligations include climate justice and that their expertise is essential for climate solutions.¹¹⁴

6. CONCLUSION

Addressing CC necessitates the participation of all societal sectors, including the legal profession.¹¹⁵ Members of the legal profession and the profession collectively must support the initiative to safeguard our world from the disastrous consequences of escalating CC.¹¹⁶ Climate change legal education serves as a vital instrument in preparing law students and lawyers with the requisite knowledge, skills, and comprehension essential for making legal and policy decisions that consider the comprehensive environmental, social, and economic ramifications of those choices. The teaching and learning of CC law at the Nigerian Universities Faculties of Law (NUFL), a foundation for future legal practitioners, is an essential

¹¹² Institute of Continuing Legal Education <<https://www.nbaicle.org/who-we-are> & <https://www.nbaicle.org/our-team>> accessed 1 July 2025.

¹¹³ The NBA Mandatory Continuing Professional Development Rules, 2025, Rule 7(a).

¹¹⁴ Warren G Lavey (n 23) 15-16.

¹¹⁵ Kariuki Muigua, *Redefining the Role of Lawyers in Climate Justice* (2023) <<https://kmco.co.ke/wp-content/uploads/2023/06/Redefining-the-Role-of-Lawyers-in-Climate-Justice-.pdf>> accessed 25 June 2025.

¹¹⁶ Kariuki Muigua, *Re-imagining the Role of Lawyers in Climate Justice* (2023) 5 <<http://kmco.co.ke/wp-content/uploads/2023/07/Re-imagining-the-Role-of-Lawyers-in-Climate-Justice-Kariuki-Muigua-20th-July-2023.pdf>> accessed 25 June 2025; *The Role Lawyers Can Play in Addressing the Climate Crisis* <<https://www.wtw.co.com/en-gb/insights/2022/02/the-role-lawyers-can-play-in-addressing-the-climate-crisis>> accessed 18 July 2023.

means to advance CC education.¹¹⁷ Also, the NBA has a responsibility to educate lawyers on CC concerns through CC legal education. The international community requires not only additional climate scientists and social workers but also lawyers proficient in CC and adept at navigating our legal and political frameworks to effectively address CC.¹¹⁸

Law students and legal practitioners require a transformative climate-conscious legal education that equips them with the competence and knowledge to be intelligent, strategic, and effective advocates in a climate-altered world.¹¹⁹ The NUFL and the NBA possess significant opportunity to include climate competences into the training of law students and legal practitioners, respectively. Expediently enhancing these competencies, both within the framework of legal education at the NUFL and through the NBA's continuing legal education and MCPD mandated for qualified legal practitioners, will enable Nigerian lawyers to engage in effective CC mitigation and adaptation.¹²⁰

Against the above backdrop, the authors recommend the following as priority steps for combating climate change through innovative climate change legal education, although the article details several other lessons:

1. Nigerian university Faculties of Law should formally incorporate climate change law into the undergraduate Bachelor of Laws (LLB) curriculum as a compulsory, stand-alone course. Mandating the teaching of climate change law would address the persistent tendency to treat climate issues as peripheral components of environmental law, a practice that has contributed to limited climate literacy among lawyers and judges. Given the pervasive impact of climate change across multiple areas of legal practice, early and systematic exposure at the undergraduate level is essential to producing legally competent professionals capable of engaging with climate governance, litigation, and policy development.

¹¹⁷ Tolulope N Ogboru (n 9) 88.

¹¹⁸ Danielle Ireland-Piper and Nick James (n 18) 349-350.

¹¹⁹ Tudor S and Rogers N (n 17) 15; Monica Taylor (n 33) 459.

¹²⁰ Warren G Lavey (n 23) 17-18; Kim Bouwer and others (n 28) 243; Preston B 'Climate Conscious Lawyering: Implementing a Climate Conscious Approach in Daily Legal Practice' (2021) 95 Australian Law Journal 51.

2. The Nigerian Bar Association Legal Education Committee (NBA-LEC) should play a central role in advancing climate legal education by embedding climate change law and related themes into its training programmes, conferences, seminars, and workshops. As the principal body responsible for shaping legal education standards within the NBA, the Committee is strategically positioned to mainstream climate awareness across the legal profession. Integrating climate change law into NBA-LEC activities would enhance practitioners' understanding of emerging climate-related regulatory frameworks and strengthen the profession's capacity to respond effectively to climate-induced legal challenges.

3. The Nigerian Bar Association Institute of Continuing Legal Education (NBA-ICLE) should incorporate structured climate change legal education into its Mandatory Continuing Professional Development (MCPD) programme. As MCPD participation is a prerequisite for professional practice, integrating climate law modules would ensure that Nigerian lawyers across all practice areas acquire foundational climate competence. Such training would enable practitioners to identify climate risks, advise clients on regulatory compliance, and engage with climate-related disputes. This approach recognises climate change as a cross-cutting legal issue requiring continuous professional updating rather than a specialised or optional field.

4. Nigerian lawyers should increasingly interpret their ethical duties and professional responsibilities to clients and society as encompassing climate justice considerations. Given the profound implications of climate change for human rights, livelihoods, and sustainable development, lawyers' technical expertise is indispensable to advancing effective climate solutions. Accordingly, legal professionals have a responsibility to proactively seek training and deepen their understanding of climate science, climate governance, and climate change law. Framing climate competence as an ethical obligation reinforces the role of lawyers as agents of social responsibility and contributors to sustainable legal and policy outcomes.

5. Nigerian lawyers should be more actively involved in climate change and climate-related litigation, particularly in representing vulnerable communities affected by climate-connected harms. The Nigerian Bar Association should encourage and support practitioners to take up climate litigation through capacity-building initiatives, litigation support, and public interest advocacy frameworks. Increased lawyer participation is critical to developing domestic climate jurisprudence and strengthening judicial engagement with climate issues. By embracing climate litigation as a legitimate and necessary field of legal practice, Nigerian lawyers can play a transformative role in advancing accountability and climate justice.

6. Nigerian judges should continuously update their knowledge through climate legal education to enhance judicial capacity in adjudicating climate-related disputes. Given the evolving nature of climate science and law, judicial innovation in interpretation and reasoning is essential to delivering judgments that respond effectively to climate-connected harms. Judges should draw creatively on constitutional principles, human rights norms, and environmental statutes to advance climate adaptation and mitigation objectives. Strengthening judicial climate competence will contribute to jurisprudence that promotes environmental protection, accountability, and justice for communities disproportionately affected by climate change.