

CLIMATE JUSTICE IN NIGERIA: THE ROLE OF THE NATIONAL CLIMATE CHANGE ACT IN ADDRESSING INEQUITIES IN CLIMATE ACTION*

Abstract:

Nigeria faces significant challenges in addressing climate change while pursuing economic development. The National Climate Change Act of 2021 plays a pivotal role in promoting climate justice by aiming to balance the country's economic needs with its environmental obligations. This study evaluates the Act's effectiveness in addressing climate inequities, with a focus on vulnerable communities disproportionately affected by climate change. Using qualitative methods, the research examines the Act's provisions, including its governance structures and mechanisms for adaptation and mitigation. The findings reveal that while the Act lays a solid foundation for climate action, challenges remain in its implementation, particularly in securing adequate funding, building local capacity, and addressing the needs of marginalized populations. Recommendations for improving the Act include enhancing local institutional capacities, increasing targeted funding for vulnerable communities, and prioritizing renewable energy in climate strategies. The study concludes that while the Act holds promise for advancing climate justice, its success will depend on robust enforcement, funding, and more inclusive policymaking processes to ensure that vulnerable groups are adequately supported.

Keywords: Climate Change Act, Climate Justice, Vulnerable Communities

1. Introduction

Climate change is a global crisis with far-reaching socio-economic impacts, disproportionately affecting vulnerable populations, especially in developing nations like Nigeria. The country faces the dual challenge of fostering economic development while addressing the escalating climate crisis. Nigeria's reliance on fossil fuels for economic growth has significantly contributed to environmental degradation, including rising temperatures, desertification, and flooding.¹ These environmental threats jeopardize critical sectors such as agriculture, water resources, and public health, disproportionately affecting marginalized groups, including rural communities, women, and children.² In response to these challenges, climate justice has emerged as a critical framework for addressing the inequities caused by climate change. Climate justice goes beyond environmental concerns to address the socio-economic inequalities that exacerbate the vulnerability of certain groups to climate impacts.³ This framework underscores the historical responsibility of industrialized nations and corporations for the bulk of greenhouse gas emissions and advocates for their support of vulnerable communities.⁴ In 2021, Nigeria enacted the National Climate Change Act, providing a legal framework for low emissions, green growth, and sustainable development. The Act establishes the National Council on Climate Change to oversee the Action Plan and carbon budget, with both public and private sectors responsible for emission reductions. This article examines how the Act addresses climate justice, focusing on inclusivity, equitable distribution of benefits and burdens, and empowering marginalized communities.

2. Understanding Climate Justice

Climate justice represents a fundamental shift in how we address climate change, prioritizing ethical considerations and advocating for the fair distribution of both the burdens and benefits associated with climate impacts.⁵ It recognizes that climate change does not affect all populations equally, with vulnerable communities bearing a disproportionate share of its adverse effects, thereby deepening pre-existing inequalities.⁶ At its core, climate justice seeks to challenge and reshape the social, political, and economic systems that drive environmental harm and perpetuate inequality.⁷ The concept encompasses several key elements, including distributive, procedural, and recognition justice.⁸ Distributive justice aims to ensure that resources, responsibilities, and outcomes related to climate change mitigation and adaptation are allocated equitably.⁹ Procedural justice emphasizes the need for inclusive, participatory decision-making that amplifies the voices of marginalized communities.

*By **Juliet ABAH**, Lecturer, Faculty of Law, Department of Public and International Law, Ajayi Crowther University, Oyo, Tel: 07035945385, Email: ejuraabah@gmail.com

¹ EM Okon, 'Systematic review of climate change impact research in Nigeria: implication for sustainable development' Sep 6;7(9) (2021): <https://pmc.ncbi.nlm.nih.gov/articles/PMC8436081/e07941>. doi: 10.1016/j.heliyon. 2021.e07941 accessed 9 August 2025

² Mansour Dia et al, 'CACCI Field Notes #7: Spatial Distribution of Climate Risk and Vulnerability in Nigeria'(2023)< <https://www.canr.msu.edu/resources/spatial-distribution-of-climate-risk-and-vulnerability-in-nigeria>> accessed 9 August 2025

³ World Bank Report. https://climateknowledgeportal.worldbank.org/sites/default/files/2021-07/15918-WB_Nigeria%20Country%20Profile-WEB.pdf accessed 9 August 2025

⁴ TO Ogunbode, et al, 'Climate change and its impact on Nigerian economy' *World journal of advanced research and reviews*, 18 (02) (2023) 537–550.

⁵ L Loots, & L Haysom, 'Climate justice, gender and activism' *Agenda*, 37(3), 1 (2023) <https://doi.org/10.1080/10130950.2023.2267335> accessed 12 June 2025

⁶ S Fisher, 'The emerging geographies of climate justice' *Geographical Journal*, 181(1), 73 (2014). <https://doi.org/10.1111/geoj.12078> accessed 12 June 2025

⁷MS Islam, Rethinking Climate Justice: Insights from Environmental Sociology. *Climate*, 12(12), 203 (2024). <https://doi.org/10.3390/cli12120203> accessed 12 June 2025

⁸ MR Khan et al, Twenty-five years of adaptation finance through a climate justice lens. *Climatic Change*, 161(2), 251(2019). <https://doi.org/10.1007/s10584-019-02563-x>

⁹ I Wallimann-Helmer, *Justice in managing global climate change*. (Elsevier eBooks, 2018) 718 <https://doi.org/10.1016/b978-0-12-814104-5.00026-0> accessed 14 June 2025

Recognition justice calls for the validation and incorporation of diverse perspectives, knowledge systems, and cultural identities in climate governance.¹⁰

3. Principles of Climate Justice

Climate justice is built on a foundation of core principles that aim to reframe climate change from a purely environmental issue to one that encompasses social justice, human rights, and equity.¹¹ These principles provide a moral and ethical compass for developing and implementing climate policies that are fair, inclusive, and effective. The central tenets of climate justice address the inequitable distribution of climate impacts and the responsibilities for addressing them.¹²

Equal Access to Resources for Mitigation and Adaptation

A fundamental principle of climate justice is ensuring that all communities, regardless of their socio-economic status, have equitable access to the resources needed to both mitigate the causes of climate change and adapt to its unavoidable impacts. Mitigation resources include access to clean and affordable energy, technologies for reducing greenhouse gas emissions, and the financial support necessary to transition away from fossil fuels.¹³ Adaptation resources encompass everything from early warning systems for extreme weather events and climate-resilient infrastructure to drought-resistant crops and access to clean water. This principle recognizes that the capacity to respond to climate change is not evenly distributed. Wealthier nations and communities often have greater access to the financial and technological resources required for a green transition, while marginalized communities are frequently left behind. Climate justice demands that policies are designed to close this gap, ensuring that investments in renewable energy, sustainable agriculture, and climate-resilient infrastructure prioritize the needs of the most vulnerable.¹⁴ This includes not only the distribution of physical resources but also access to information, education, and the political power to influence decision-making processes.¹⁵

Protection of Vulnerable Populations

Climate justice places special emphasis on protecting the rights and well-being of populations most vulnerable to the impacts of climate change, including indigenous peoples, rural communities, women, children, the elderly, and displaced persons. Their vulnerability typically results from a combination of factors such as geographic location, economic precarity, and social or political marginalization. These populations often face multiple and overlapping forms of discrimination, exacerbating their susceptibility to climate risks.¹⁶ This principle calls for proactive measures to shield these communities from the disproportionate burdens of climate change. This includes developing targeted adaptation strategies that address their specific needs, ensuring their voices are heard in policy-making, and safeguarding their fundamental human rights to life, health, food, and housing.¹⁷ It also means that climate policies themselves should not create new vulnerabilities or exacerbate existing ones. For example, a large-scale renewable energy project should not lead to the displacement of a local community without their free, prior, and informed consent and just compensation.¹⁸

Accountability and Responsibility

The principle of accountability and responsibility addresses the question of who should bear the costs of climate action. Climate justice asserts that there is a differential responsibility for addressing the climate crisis, based on historical contributions to greenhouse gas emissions. This is often summarized by the phrase ‘common but differentiated responsibilities and respective capabilities’ (CBDR-RC), a cornerstone of international climate negotiations. This principle holds that developed nations, which have historically emitted the most greenhouse gases and benefited from carbon-intensive industrialization, have a greater obligation to lead in emission reductions and to provide financial and technological support to developing nations.¹⁹ However, accountability is not limited to nations. It also extends to corporations, particularly those in the fossil fuel industry, that have profited from activities that drive climate change. Climate justice advocates call for these entities to be held accountable for the environmental and social damage they have caused. At the same time, the principle recognizes that vulnerable communities also have a role to play in climate action, but their responsibilities must be viewed in the context of their limited capacity and historical contribution to the problem. The focus for these communities is often on building resilience and participating in local adaptation efforts, empowered by support from those with greater responsibility

¹⁰ S Low et al, Expert perspectives on incorporating justice considerations into integrated assessment modelling. *Climate Action*, 4(1) (2025). <https://doi.org/10.1038/s44168-025-00218-5> accessed 20 June 2025

¹¹ H Abubakar, ‘Climate Justice and the Rights of Vulnerable Groups in Nigeria’ *JELP* 6(1) (2024) 112-128.

¹² M Grasso, ‘An ethical approach to climate adaptation finance’ *Global Environmental Change journal*, 20(1), (2-019)4. <https://doi.org/10.1016/j.gloenvcha.2009.10.006> accessed 9 August 2025

¹³ SN Singh, Climate Change and Agriculture in Ethiopia: A Case Study of Mettu Woreda *EAJ* 3(3) (2019) 61. [https://doi.org/10.21272/sec.3\(3\).61-79.2019](https://doi.org/10.21272/sec.3(3).61-79.2019) accessed 9 August 2025

¹⁴ BK Sovacool et al, ‘Decarbonization and its discontents: a critical energy justice perspective on four low-carbon transitions’ *CCJ* 155 (4), (2021)581. < <https://doi.org/10.1007/s10584-019-02521-7> > accessed 9 August 2025

¹⁵ C Okereke, & P Coventry, ‘Mind the Gap: The Global Climate Action Agenda and the Needs of the Vulnerable’ *Climate Policy*, 22(3) (2022)281-294.

¹⁶ F Cappelli, ‘Investigating the origins of differentiated vulnerabilities to climate change through the lenses of the Capability Approach’ *Economia Politica Journal*, 40(3) (2023) 1051 <<https://doi.org/10.1007/s40888-023-00300-3>> accessed 9 August 2025

¹⁷ S Robinson, *The Principles of Climate Justice, In The Oxford Handbook of Climate Change and Society*. (Oxford University Press 2021)25

¹⁸ MM Buitano et al, Africa’s Pulse. 1(2019) <<http://documents.banquemonnaie.org/curated/fr/954451468008769678/Africas-pulse>> accessed 9 August 2025

¹⁹ D Khatri, et al ‘Climate change Adaptation and Local Institutions: How to Connect Community Groups with Local Government for Adaptation Planning’ *Journal of Forest and Livelihood* 11(1) (2013)14. <<https://doi.org/10.3126/jfl.v11i1.8610>> accessed 9 August 2025

4. Climate Justice in International Climate Negotiations

Climate justice has evolved from grassroots activism to a key principle in international climate negotiations, primarily driven by developing countries and civil society advocating for equitable climate solutions. It is central to discussions under the UNFCCC and the Paris Agreement, where it has been codified in global policy.²⁰

The UNFCCC and Common but Differentiated Responsibilities

The foundation for climate justice in international law was laid with the establishment of the UNFCCC in 1992. The Convention introduced the landmark principle of ‘common but differentiated responsibilities and respective capabilities’ (CBDR-RC).²¹ This principle acknowledges that while all nations share a common responsibility to protect the global climate, their obligations are not identical. It recognizes that developed countries (listed in Annex I of the Convention) have a greater historical responsibility for the accumulation of greenhouse gases in the atmosphere due to over a century of industrialization. Consequently, they are expected to take the lead in reducing emissions and to provide financial and technological support to developing nations to help them pursue sustainable development and adapt to climate impacts.²²

The Paris Agreement: A Shift in Framework

The 2015 Paris Agreement marked a significant evolution in the international climate regime. While it reaffirms the principles of the UNFCCC, including equity and CBDR-RC, it implements them in a different manner. The Agreement moved away from the rigid top-down division between developed and developing countries that characterized the earlier Kyoto Protocol. Instead, it established a bottom-up framework where all signatory nations are required to submit their own climate action plans, known as Nationally Determined Contributions (NDCs).²³ While this universal approach encourages broader participation, it has also been a point of contention from a climate justice perspective. Critics argue that the self-determined nature of NDCs could allow wealthier nations to set less ambitious targets than their historical responsibility would warrant. However, the Paris Agreement incorporates several elements that advance the climate justice agenda.²⁴

Loss and Damage: The Agreement formally recognizes the importance of averting, minimizing, and addressing ‘loss and damage’ associated with the adverse effects of climate change.²⁵ This was a major victory for small island states and other highly vulnerable nations who argued that adaptation efforts alone are insufficient to cope with impacts like rising sea levels and catastrophic storms. While the mechanism for addressing loss and damage (the Warsaw International Mechanism) is still being developed and remains underfunded, its inclusion in the Agreement is a crucial acknowledgment of the irreversible harm faced by the most vulnerable.²⁶

Climate Finance: The Paris Agreement reiterates the obligation of developed countries to provide financial resources to assist developing countries with both mitigation and adaptation. It set a goal for developed nations to jointly mobilize USD 100 billion per year by 2020—a target that has been a major focus of subsequent negotiations and a key metric for accountability.²⁷

Adaptation and Resilience: The Agreement establishes a global goal on adaptation, aiming to enhance adaptive capacity, strengthen resilience, and reduce vulnerability to climate change. This places adaptation on a more equal footing with mitigation, reflecting the urgent needs of developing countries that are already experiencing severe climate impacts.²⁸

Human Rights and Just Transition: The preamble of the Paris Agreement emphasizes that climate action must uphold human rights, including health, gender equality, and the rights of vulnerable groups such as indigenous peoples and migrants. It also advocates for a ‘just transition’ to a green economy, ensuring decent work and protecting fossil fuel-dependent communities from economic disruption.²⁹

²⁰ UNFCCC. (2023). *Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its fifth session (COP28)*.

²¹ CD Stone, ‘Common But Differentiated Responsibilities in International Law’ *American Journal of International Law* 98(2) (2004) 276-<https://doi.org/10.2307/3176729> accessed 9 August 2025

²² B Boer, & A Boyle, ‘Human Rights and the Environment – Background Paper for the 13th Informal ASEM Seminar on Human Rights’ (2014)

²³ U Sattar, A Conceptual Framework of Climate Action Needs of the Least Developed Party Countries of the Paris Agreement. *International Journal of Environmental Research and Public Health*, (2022)16, 9941. <<https://doi.org/10.3390/ijerph19169941>> accessed 12 June 2025

²⁴ U Sattar, Climate action in a “common but differentiated” framework. *Humanities and Social Sciences Communications*, (2024)11(1). <<https://doi.org/10.1057/s41599-024-03914-5>> accessed 12 June 2025

²⁵ Fanning, A. L., & Hickel, J, Compensation for atmospheric appropriation. *Nature Sustainability*, (2023) 6(9), 1077. <https://doi.org/10.1038/s41893-023-01130-8> accessed 20 June 2025

²⁶ D Falzon et al, Tactical Opposition: Obstructing Loss and Damage Finance in the United Nations Climate Negotiations. *Global Environmental Politics*, 23(3), (2023)95. https://doi.org/10.1162/glep_a_00722

²⁷ C Knudson, Climate finance justice: International perspectives on climate policy, social justice, and capital. *Climatic Change*, 161(2), (2020) 243. <https://doi.org/10.1007/s10584-020-02790-7>

²⁸ AP Afolabi, Three contexts of climate-induced cultural heritage devastation in Africa: Implications for climate justice. *South African Journal of Philosophy*, (2025)1. <https://doi.org/10.1080/02580136.2025.2500193> accessed 24 June 2025

²⁹ S Sharpe, & C Martínez-Fernández, The Implications of Green Employment: Making a Just Transition in ASEAN. *Sustainability Journal*, (2021)13(13), 7389. <<https://doi.org/10.3390/su13137389>> accessed 23 June 2025

5. The National Climate Change Act 2021: Provisions and Mandates

The National Climate Change Act, enacted in November 2021, is Nigeria's key legislative step to address the climate crisis. It provides a legal framework for a low-carbon, climate-resilient future, establishing governance structures, emissions reduction targets, and mechanisms for mitigation and adaptation to integrate climate action across all sectors.

Establishment of the National Council on Climate Change: The Act creates the National Council on Climate Change, chaired by the President, to oversee climate action. The Council coordinates sectoral policies, approves the Climate Action Plan, and sets the national carbon budget, ensuring a collaborative approach across government, the private sector, and civil society.³⁰

Establishment of the National Climate Change Fund: To address the critical issue of financing, the Act provides for the creation of a National Climate Change Fund. This fund is intended to be a repository for financial resources from multiple sources, including government appropriations, international climate finance, and contributions from the private sector. The resources are to be used to support mitigation and adaptation projects, fund research and development, and build capacity for climate action across the country.

Carbon Budgeting and Emissions Reduction Targets: A key provision of the Act is the carbon budgeting system, which mandates the Federal Ministry of Environment, in consultation with the Council, to set a five-year carbon budget. This cap on emissions ensures Nigeria's development aligns with its international commitments, including the Paris Agreement, and sets a long-term goal of achieving net-zero emissions by 2050–2070.³¹

Mechanisms for Adaptation and Mitigation: The Act outlines clear mechanisms for both adaptation and mitigation. For mitigation, it requires both public and private entities to develop plans to achieve their emission reduction targets and to report on their progress. For adaptation, it mandates the integration of climate change considerations into national and sectoral development planning, with a focus on building resilience in the most vulnerable sectors, such as agriculture, water resources, and public health.³²

Objectives of the Act Regarding Climate Action: The overarching objective of the Act is to create a legal framework for achieving low greenhouse gas emissions, green and sustainable growth, and climate-resilient development. Its specific goals include: Providing a clear and consistent legal basis for the implementation of Nigeria's climate commitments; Mainstreaming climate change actions into national development priorities; Facilitating the mobilization of finance for climate action; and Promoting a just transition to a low-carbon economy that creates new jobs and protects the livelihoods of communities dependent on the fossil fuel industry.³³

Institutional Frameworks Established by the Act: The Act establishes the National Council on Climate Change as the central coordinating body, integrating climate action across all government sectors. It also empowers the Council's Secretariat and Director-General to manage the day-to-day implementation of climate policies.³⁴

The Act further ensures broad societal support by including private sector and civil society representatives in the National Council on Climate Change. It also mandates public consultations for developing the Climate Action Plan and carbon budget, fostering transparency, accountability, and inclusivity in climate decision-making.³⁵

Analysis of the National Climate Change Act Through a Climate Justice Lens

The success of the National Climate Change Act of 2021 will depend not only on emissions reductions but also on ensuring a just, equitable transition for all Nigerians. Evaluating the Act through a climate justice lens highlights its efforts to protect vulnerable communities, fairly distribute benefits and burdens, and address deep-rooted inequalities.

Specific Provisions and Mandates: The Act explicitly acknowledges the need to address the differential impacts of climate change. Its objectives include promoting climate-resilient development that protects the most vulnerable sectors and communities.³⁶ The functions of the National Council on Climate Change include coordinating actions that increase the resilience of vulnerable groups. However, the Act is often more general than specific in this regard. While it provides the framework for protecting vulnerable groups, it leaves the detailed implementation and targeting of specific communities (such as rural women, subsistence farmers, or internally displaced persons) to the forthcoming National Climate Change Action Plan.³⁷

Mechanisms for Participation and Representation: The Act ensures participation through the National Council on Climate Change, which includes representatives from civil society, youth, and women. While this provides a platform for marginalized

³⁰ Centre for Climate Justice and Development, Policy Brief: Implementing the Just Transition in Nigeria (CCJD 2023)

³¹ EITI, From Commitment to Action: A Review of Nigeria's Climate Change Act (EITI 2023)

³² Federal Ministry of Environment, Nigeria, Nigeria's Nationally Determined Contribution (NDC) 2021 (FME 2021)

³³ Federal Ministry of Environment, Nigeria, Nigeria's Nationally Determined Contribution (NDC) 2021 (FME 2021)

³⁴ United Nations Development Programme, Understanding Nigeria's Climate Change Act (UNDP 2022)

³⁵ Heinrich Böll Foundation, Nigeria's Climate Change Act: A Step Towards Inclusive Governance? (HBF 2022)

³⁶ NM Udin et al, Sustainable Environmental Management in Nigeria: An Appraisal. *The Journal of Social Sciences Research*, (2018)257< <https://doi.org/10.32861/jssr.spi2.257.263>> accessed 23 June 2025

³⁷ National Council on Climate Change, Nigeria's Carbon Budget and the National Climate Change Action Plan (NCCAP) (NCCC 2023)

voices, its effectiveness depends on the influence of these representatives. Public consultations for the Action Plan and carbon budget also allow for participation, but their success will depend on accessibility for remote communities.

Equitable Distribution of Climate Benefits and Burdens: Climate justice demands that the transition to a green economy is fair and that its benefits—such as green jobs, clean air, and new technologies—are shared widely, while the burdens are not disproportionately placed on the poor.

Assessment of Benefit Distribution: The Act promotes the concept of a ‘green economy’ and a ‘just transition,’ which implicitly aims for broad societal benefits. The establishment of the National Climate Change Fund, in principle, allows for the channeling of resources towards projects that can benefit marginalized communities, such as off-grid renewable energy solutions for rural areas or climate-resilient agricultural support for smallholder farmers.

Measures to Prevent Exacerbating Inequalities: The Act’s focus on a ‘just transition’ aims to prevent inequality as the country shifts from fossil fuels, especially in oil-dependent regions like the Niger Delta. However, it lacks explicit safeguards to prevent issues like ‘green grabbing,’ where land for renewable energy projects harms local communities. The Act’s implementation must address such risks.

Role of the Act in Promoting Inclusive Governance: By establishing a multi-stakeholder National Council and mandating public consultation, the Act lays the groundwork for more inclusive governance in climate action. It moves climate change decision-making from being the exclusive domain of the Ministry of Environment to a more centralized and, theoretically, more accountable process involving a wider range of actors. This structure is vital for ensuring that policies are not developed in a vacuum but are informed by the lived realities of diverse communities across Nigeria.

Prioritization of Adaptation Measures: For a country like Nigeria, where millions are already facing the impacts of climate change, adaptation is not a choice but a necessity. Climate justice demands that adaptation receives at least as much priority as mitigation. The Act rightly identifies the need to build resilience in key sectors. Given that agriculture employs a majority of the population and is extremely vulnerable to climate change (droughts in the north, floods in the south), its prioritization is critical for national food security and the livelihoods of millions of smallholder farmers. The Act mandates the integration of adaptation into sectoral planning, which should compel the Ministry of Agriculture to develop and implement climate-resilient strategies. The National Climate Change Fund can and should be a primary vehicle for financing these adaptation measures, from distributing drought-resistant seeds to investing in irrigation and water management systems. The focus on adaptation is a clear recognition that for many Nigerians, the most immediate climate reality is the threat to their food, water, and homes.³⁸

6. Methodology

This study employs a qualitative research approach to critically examine Nigeria’s National Climate Change Act of 2021 through the framework of climate justice. The goal is to assess how effectively the Act addresses the needs of vulnerable communities and promotes equity in climate action. Qualitative research is particularly suited for this analysis, as it allows for a detailed and nuanced exploration of the Act’s legal provisions, its implications for marginalized populations, and its alignment with climate justice principles.

Research Design: The research follows a policy analysis design, focusing on the text of the National Climate Change Act, as well as related policy documents. This design allows for an in-depth evaluation of the Act’s provisions and their potential impact on climate justice. The analysis draws on qualitative techniques to interpret how the Act incorporates principles of fairness, inclusivity, and protection for vulnerable groups in the context of climate change. The study emphasizes an interpretive approach to explore the legal and social implications of the Act’s implementation.

Data Collection Methods: Data collection for this study involves both primary and secondary sources. The primary data source is the National Climate Change Act of 2021 itself, supplemented by related legal and policy documents such as Nigeria’s Nationally Determined Contribution (NDC) under the Paris Agreement. Secondary data were gathered through an extensive review of academic literature, reports from international organizations, governmental publications, and expert analyses on climate justice and policy. This combination of sources ensures a comprehensive understanding of the Act’s provisions and its alignment with global best practices in climate action.

Ethical Considerations: This research is based exclusively on the analysis of publicly available documents and literature, and as such, it does not involve human subjects. Therefore, ethical considerations related to participant consent, confidentiality, and anonymity are not applicable. The study is committed to academic integrity, ensuring that all sources are accurately cited and that the analysis is presented in a balanced and objective manner, faithfully representing the content of the documents reviewed.

Results: This section presents the findings derived from the qualitative analysis of the National Climate Change Act of 2021 and related policy documents. The results are organized according to the Act’s specific mechanisms for addressing inequity, its perceived strengths and weaknesses from a climate justice perspective, and an analysis of its implementation status.

³⁸ World Bank Group, (WBG 2022)

Findings on the Act's Specific Mechanisms for Addressing Inequities: The content analysis of the Act reveals several mechanisms, both explicit and implicit, designed to address the inequities inherent in the climate crisis.

Institutional Representation: The most direct mechanism for addressing inequity is the mandated composition of the National Council on Climate Change. The inclusion of representatives for **women, youth, and civil society organizations** provides a formal, high-level platform for the voices of typically marginalized groups to be integrated into national climate policy-making. This represents a significant structural provision for procedural justice.

The 'Just Transition' Mandate: The Act's explicit reference to ensuring a 'just transition of the workforce' is a critical finding. This provision legally acknowledges that the economic shift away from fossil fuels carries social risks. It mandates that climate action plans must consider the creation of new, decent jobs and protect the livelihoods of those in industries that will be phased out. This directly addresses the distributional justice concerns of preventing increased poverty and inequality as a result of climate policy.

The National Climate Change Fund: The establishment of the Fund is a key mechanism with the potential to advance climate justice. The analysis indicates that its purpose—to finance a range of climate activities—can be directed towards projects that specifically benefit vulnerable communities. This includes funding for adaptation in the agricultural sector, providing clean energy access to off-grid rural areas, and supporting community-led resilience projects. However, the Act itself does not earmark specific percentages of the Fund for pro-poor or vulnerability-focused initiatives, leaving this to the discretion of the Council.

Focus on Adaptation: The Act's strong emphasis on adaptation alongside mitigation is a crucial finding. By mandating the integration of adaptation into national and sectoral planning, the legislation prioritizes the immediate needs of a population already experiencing severe climate impacts. This implicitly targets vulnerable communities, particularly smallholder farmers and coastal populations, whose livelihoods are most at risk.

6. Analysis of Implementation Progress

As of the time of this analysis, the implementation of the National Climate Change Act is still in its nascent stages. The National Council on Climate Change has been inaugurated, and its secretariat is operational. Key initial actions have included the development of the regulatory framework for the carbon market and the initiation of the process to develop the National Climate Change Action Plan. However, significant gaps in implementation remain. The National Climate Change Fund has been legally established but is not yet fully capitalized or operational with clear guidelines for disbursement. The five-year carbon budget, a central pillar of the Act, has not yet been finalized and approved. Consequently, the specific, targeted programs designed to protect vulnerable communities and ensure a just transition are largely still on the drawing board. The mechanisms for broad public consultation on the Action Plan have also not been fully rolled out, limiting the immediate participation of grassroots communities in this critical phase.

7. Perceived Strengths and Weaknesses of the Act in Promoting Climate Justice

The analysis reveals a mixture of significant strengths and notable weaknesses in the Act's framework for promoting climate justice.

Strengths: i) Strong Legal and Institutional Foundation: The Act's greatest strength is that it provides a comprehensive, legally binding framework for climate action, moving Nigeria from ad-hoc policies to an institutionalized, whole-of-government approach: ii) In-built Inclusivity: The mandated inclusion of civil society, women, and youth in the highest decision-making body is a progressive and powerful feature for promoting procedural justice, iii) Recognition of a Just Transition: By embedding the principle of a just transition into law, the Act provides a powerful tool for holding the government accountable for the social consequences of decarbonization, iv) Dual Focus on Adaptation and Mitigation: The balanced emphasis on both adaptation and mitigation reflects the reality of Nigeria's situation and is crucial for protecting vulnerable populations.

Weaknesses: i) Lack of Specificity and Enforceable Rights: The Act is often framed in general terms. It lacks specific, legally enforceable provisions that guarantee the rights of vulnerable communities. For instance, it does not explicitly mention the principle of Free, Prior, and Informed Consent (FPIC) for communities affected by large-scale climate projects, ii) Ambiguity on Benefit Sharing: While the Climate Change Fund is established, the Act does not contain clear criteria for ensuring that its benefits are distributed equitably. There is a risk that funds could be captured by powerful interests or directed towards large-scale infrastructure projects that do not benefit the most vulnerable, iii) Silence on Historical Injustices: The Act does not explicitly address the need to redress historical environmental injustices, particularly in the Niger Delta. While the 'just transition' framework could be applied to this end, the lack of direct acknowledgment is a missed opportunity to link climate action with environmental remediation and social justice for the region, iv) Dependence on Political Will: The effectiveness of nearly all the Act's justice-oriented provisions hinges on the political will of the National Council on Climate Change and the government's commitment to robustly implementing and funding the Action Plan. The framework is in place, but its potential can be undermined by a lack of decisive action.

8. Discussion

The findings from the analysis of Nigeria's National Climate Change Act of 2021 provide a nuanced picture of its potential to advance climate justice. While the Act establishes a robust and progressive legal framework, its ultimate success in fostering an equitable climate transition is contingent on overcoming significant implementation challenges. This section interprets these findings in relation

to core climate justice principles, compares them with international best practices, and discusses the barriers and opportunities for enhancing climate justice in Nigeria.

Interpretation of Findings in Relation to Climate Justice Principles

The findings indicate that the National Climate Change Act of 2021 incorporates key principles of climate justice, particularly procedural and distributive justice. The establishment of the National Council on Climate Change, which includes diverse stakeholders, supports inclusive decision-making. Additionally, the Act's focus on a 'just transition' and the National Climate Change Fund aims to ensure that the benefits of climate action are shared equitably, particularly for vulnerable communities. However, the Act lacks sufficient attention to recognitional justice. While it addresses the needs of vulnerable groups, it does so in a general manner without clear implementation strategies. Furthermore, the Act does not explicitly address the historical environmental injustices in regions like the Niger Delta, limiting its ability to fully integrate restorative justice.

Comparison with International Best Practices in Climate Legislation

When compared with international climate legislation, Nigeria's Act is ambitious and aligns with many global best practices. Its establishment of a presidential-level council is similar to frameworks in countries like the UK and Mexico, ensuring high-level political buy-in. The inclusion of legally mandated carbon budgeting is a cutting-edge practice seen in only a handful of climate laws worldwide. However, it falls short in some areas where other nations have been more explicit. For example, Scotland's Climate Change Act includes strong provisions for public engagement and requires that climate action plans are assessed for their social and economic impacts on different segments of the population. South Africa's climate policy framework places a heavy emphasis on a 'just transition,' with detailed sectoral plans developed through extensive social dialogue with labor unions and communities. Nigeria's Act could be strengthened by incorporating such explicit requirements for social impact assessments and more deeply institutionalized social dialogue.

Challenges and Barriers to Effective Implementation

Funding and Capacity Gaps: The success of the Act hinges on the capitalization and effective management of the National Climate Change Fund. Securing adequate and sustained funding, from both domestic budgets and international sources, remains a major hurdle. Furthermore, there are significant capacity gaps within government agencies and among local stakeholders to develop, implement, and monitor complex climate projects.

Political Will and Competing Priorities: In a nation facing pressing economic and security challenges, maintaining high-level political will for climate action can be difficult. The powerful influence of vested interests in the fossil fuel industry may also create resistance to the ambitious decarbonization targets outlined in the Act.

Lack of Public Awareness: There is currently low public awareness of the Act and its provisions outside of specialist circles. Without a broad-based public understanding of the law and its potential benefits, it is difficult to build the political pressure needed for robust enforcement and accountability.

Enforcement and Accountability: The Act provides a framework for setting targets, but the mechanisms for enforcing compliance, particularly among private sector entities, are still underdeveloped. Ensuring that the National Council is transparent and accountable to the public will be critical for its legitimacy and effectiveness.

Implications for Policy and Practice

The findings underscore that the passage of the Act is not an end but a beginning. For policymakers, the immediate priority must be to translate the Act's broad principles into concrete, well-funded, and targeted programs. This requires moving swiftly to finalize the National Climate Change Action Plan and the carbon budget, with a clear focus on pro-poor and vulnerability-reducing outcomes. For civil society and other stakeholders, the implication is that their role must now shift from advocacy for legislation to active engagement in its implementation, monitoring, and the holding of the government to account.

9. Recommendations

To bridge the gap between the Act's potential and its current status, the following actions are recommended:

Develop Specific Social Safeguards: The National Climate Change Action Plan should include explicit social and environmental safeguard policies, incorporating principles like Free, Prior, and Informed Consent (FPIC) to protect community rights in the context of climate projects.

Earmark Funds for Vulnerable Groups: The operational guidelines for the National Climate Change Fund should earmark a significant percentage of its resources for projects that directly benefit marginalized communities, women, and youth, with clear and transparent criteria for access.

Strengthen Local-Level Participation: Create formal mechanisms for the participation of local communities and traditional leaders in the planning and implementation of adaptation and mitigation projects that affect them.

Integrate Historical Redress: Future amendments or policy directives under the Act should explicitly link 'just transition' funds and programs to the environmental remediation and sustainable development of the Niger Delta and other historically polluted regions.

Launch a National Awareness Campaign: The government, in partnership with civil society, should launch a massive public awareness campaign to educate Nigerians about the Climate Change Act, its implications for their lives, and their role in ensuring its success. This will build the bottom-up demand for accountability that is essential for effective implementation.

10. Conclusion

This study has examined Nigeria's National Climate Change Act of 2021 through the critical lens of climate justice, evaluating its potential to address the deep-seated inequities that define the climate crisis in the nation. The analysis confirms that the Act is a monumental step forward, providing a comprehensive and legally binding framework that firmly places Nigeria on a path towards structured climate action. However, its success in fostering a truly just and sustainable future will be determined not by the elegance of its text, but by the equity of its implementation.