

Challenges of State Institutions in Environmental Protection: A Case of Taraba State, Nigeria

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ABSTRACT

This study examined the challenges of state institutions in environmental protection in Nigeria using the case of Taraba state. The institution theory was used as a theoretical framework for the study. The study adopted a descriptive design method using desktop review of secondary materials. Content analysis was used in analyzing the data. The findings of the study revealed that some of the challenges of the state environmental protection institutions include lack of political will, inadequate funding, inadequate qualified personnel, inadequate environmental protection infrastructures, poor condition of environmental protection laboratory, lack of office buildings for staff and poor capacity development. The study also revealed that since the creation of the Ministry of Environment in year 2000 in Taraba state, it is only in 2001, 2013 and 2014 that the ministry received up to 4% of the budgetary allocation of the state. The myriad of challenges have greatly constrained the capacity of the state institution to effectively achieve its mandate of environmental protection. Based on the findings, the study recommends the need for more political commitment to the issues of environmental protection through increased funding, employment of qualified personnel, establishment of environmental protection laboratories and increased capacity development.

Keywords: Environmental protection, institutional framework, Ministry of environment, State Institution and Taraba state.

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INTRODUCTION

The environment is very important for the survival and wellbeing of humanity. The environment is the life-supporting system for human existence and survival and provides much of the physical resources and the raw materials required for socio-economic development [National Policy on Environment (NPE), 2016]. Humanity has no choice but to interact with it. Unfortunately, human interaction, natural disasters and climate change are putting unprecedented pressure and impact on the quality of our environmental conditions (NPE, 2016). Climate change, in particular, is currently one of the most critical issues facing mankind today. It strikes at the very heart of the sustainability of our life and is compounding human efforts to attain sustainable development. Nigeria and Taraba State in particular is strongly predisposed to severe negative impacts of climate change due to the nature of its economy, weak resilience and low adaptive capacity. Much of the economy is dependent on climate-sensitive resources. For example, the agriculture sector (crop production, livestock and fishery) and forestry which employ up to 70% of the workforce and contribute about 22% of the rebased GDP are very climate-sensitive (NPE, 2016).

Over the years there has been an increase in the impact of man's on the environment as a result of farming, mining, exploitation of natural resources and other developmental activities. Following the increasing pressure on the environment and its resources, there is an increasing need for a paradigm shift. One of these shifts is the consideration of legislative and institutional framework as an important tool in the pursuit of development and environmental management as a whole. It is the need to harmonize the impact of human developmental activities and environmental protection that led to the first conference on environment and development in Stockholm in 1972. The Stockholm Declaration is regarded as the first international soft law for the protection of the environment (Onifade, 2015). The conference came up with a global agenda on how to protect the environment. A follow-up to this led to the Rio de Janeiro conference and many more down the line. The outcome of these conferences led to the establishment of many conventions in which Nigeria is a signatory.

In Nigeria, the environmental concern came in the wake of the Koko toxic waste incidence of June 1988 and the

public outcry that followed it. Nigerian government responded by organizing an international workshop on the environment. The outcome of the workshop culminated in the formulation of the National Policy on the Environment. As a follow-up, the Federal Government established the Federal Environmental Protection Agency (FEPA) by FEPA Act 1988. In 1999, FEPA and other relevant Departments in other Ministries were merged to form the Federal Ministry of Environment (FMEnv). It was charged with the administration and enforcement of environmental laws in Nigeria (Onifade, 2015). The major functions of FEPA were to establish national environmental guidelines, standards, criteria especially in the areas of water quality, effluent discharge, air and atmospheric quality, and to protect the ozone layer (FEPA Decree 58, 1988).

Nigeria formulated its first national policy on the environment in 1991. It was revised in 1999. After having been in operation for over seventeen years, the national policy on the environment is being considered for another revision in order to capture emerging environmental issues and concerns. Thus, the purpose of the National Policy on the Environment was to define a new holistic framework that will guide the management of the environment and natural resources of the country (NPE, 2016). As a framework document, the policy prescribes sectoral and cross-sectoral strategic policy statements and actions for the management of the country's environment for sustainable development. In addition to the existing 1991 and 1999 draft policy documents, the national policy on the environment derives its power from the fundamental obligation for the protection of the environment provided for in section 20 of the 1999 Constitution of the Federal Republic of Nigeria which provides that the "*State shall protect and improve the environment and safeguard the water, air and land, forest and wildlife of Nigeria*". In addition, Nigeria is a party to several international treaties and conventions governing environmental issues. It is on the combined thrust of these instruments that the National Policy on the Environment was created.

Since then the federal government has established many institutions charged with responsibilities of protecting the environment and put in place many legislative frameworks to back up the institutions. These institutional and legislative frameworks are cascaded to the state and local government levels. In Taraba state, we have the Ministry of Environment and Taraba State Environmental Protection Agency (TASEPA) among others. Despite these developments, there were still environmental challenges in different parts of the country.

In recent times, Taraba state's environment is coming under increasing threat from human activities and natural disasters. There are very clear signs of environmental problems associated with the destruction of the natural resource base (land, water and air) upon which all life depends. The key environmental issues experienced in the state include land degradation from illegal mining and abandoned mine pits, deforestation (especially recent unprecedented exploitation of African Rosewood) among others. Land is by far the most important resource necessary for subsistence.

Much of this land is rural, carrying farmlands and vegetation of various types as well as water reservoirs. This portion of the country's land area is the stock from which urban uses are aggressively incurring to meet growing unbridled non-land use demands.

Much of the arable land of the State is being sapped rapidly of its productive potential through overuse, use of inappropriate technologies and overgrazing. Rapid deforestation, resulting from multiple uses of forest resources for human survival (e.g. fuelwood, and energy, timber, housing, etc.) is a major contributing factor to land degradation. Indiscriminate and illegal mining for many different types of mineral resources across the state has left many areas of the state severely degraded. Despite the various institutional and legislative frameworks that have been instituted in the state, to tackle the problems, not much has been achieved in environmental protection in the state. While the importance of protecting the environment cannot be overemphasized, there is great concern as to whether Taraba State and Nigeria have the capacity and sufficient resources to deal adequately with the myriad of problems associated with environmental degradation, resource depletion, climate change, pollution and toxic waste management among others. Hence, there is a need to examine the challenges that have constrained the capacity of the state environmental protection institutions from effectively achieving their set goals of protecting the environment. It is against this background that this study examines the challenges undermining the capacity of the institutions in environmental protection in Taraba state.

CONCEPTUAL CLARIFICATION

Environment

The term environment has been derived from the French word "*Environia*" which means 'to surround'. The word environment means surroundings, in which organisms live. It refers to both biotic (living) and abiotic (physical or non-living) surroundings of man. To Anijah-Obi (2001), environment refers to the "sum total of all conditions that surround man at any point in time on the earth's surface". According to Miller (1975), the term "environment" could be perceived as "the aggregate of external conditions that influence the life of an individual or population, specifically the life of man and other living organisms on the earth's surface. The Federal Environmental Protection Agency (FEPA) Act of 1990, under section 38 also gave a very lucid definition of environment, thus; Environment includes water, air, land and all plants and human beings and/or animals living therein and the interrelationships which exist among these or any of them. From the above definitions, the term 'environment' comprises land, air, water and all the physical structures surrounding us (Miller, 1975).

Environment regulates the life of organisms including human beings. Human beings interact with the environment more vigorously than other living beings. Under normal conditions, environment refers to the materials and forces that surround the living organism.

The environment is equally regarded as the circumstances, situations or conditions by which an organism or humans is surrounded. The environment is also the complex of physical, chemical, and biotic factors (such as climate, soil, and living things) that act upon an organism or an ecological community and ultimately determine its form and survival. The environment is the aggregate of social and cultural circumstances that influence the life of an individual or community.

The environment is the sum total of conditions that surround living organisms and humans at a given point in time and space. It is comprised of the interacting systems of physical, biological and cultural elements which are interlinked both individually and collectively. The environment is the sum total of conditions in which an organism has to survive or maintain its life process. It influences the growth and development of living forms.

In other words, environment refers to those surroundings of living beings from all sides and affect their lives as a whole. It consists of atmosphere, hydrosphere, lithosphere and biosphere. The main components are soil, water, air, organisms and solar energy. It has provided us all the resources for living a comfortable life. Thus, environment refers to anything that is immediately surrounding an object and exerting a direct influence on it. Our environment refers to those things or agencies which though distinct from us, affect our life or activity. It is therefore the environment by which man is surrounded and affected by factors that may be natural, artificial, social, biological and psychological (Puja, 2013).

Environmental Protection

Environmental protection is a practice of caring for the environment, on individual, organizational or governmental levels, for the benefit of the natural environment and future generations. According to Unrepresented Nations and Peoples Organization (UNPO)(2017), environmental protection can be regarded as a means to protect and preserve (indigenous) peoples' natural habitat and resources in order to safeguard the unique and independent cultures from threats posed by 'development', oppressive regimes and environmental degradation.

Environmental protection refers to any activity that is carried out to maintain or restore the quality of the environment which could be through preventing the emission of pollutants or reducing the presence of polluting substances in the environment (GES, 1997).

Environmental protection is the practice of protecting the natural environment by individuals, groups, organizations and governments (The Law Dictionary, 2012). The objectives are to conserve natural resources and the existing natural environment and, where possible, to repair damage and reverse trends.

Environmental Institution

The environmental institutions refer to all public and civil society organizations contributing to the implementation of environmental policy objectives and are responsible for managing, conserving, using public goods and

services provided by the environment and its resources. Environmental institution here refers to state institutions that directly target the behaviors of citizens to ensure environmental quality.

Environmental institutions in the context of this study are government Ministries, Departments and Agencies (MDAs) that have been empowered by-laws to enforce regulations and standards for the protection of the environment. Some of the laws seek to eliminate or minimize environmental and social impacts of human activities in the environment. Most of the 36 States in Nigeria including Taraba State have also issued environmental regulations backed by State laws (FGN, 2009). Nigeria is also a signatory to a number of international treaties and conventions that seek to protect the environment. These include those on climate change, waste management, oil and chemical pollution. The institutional and legislative framework is formed of various interlinked components. A policy needs an enabling institutional environment for its formulation and implementation. The legislative framework provides the regulatory and fiscal instruments needed to achieve the policy objectives. The institutions provide the human and technical capacities needed to implement activities and programs related to environmental policy implementation. Environmental legislation, policies and institutions are related to other legislation and policies (agriculture, industry, equipment, etc) regulating the national and state socio-economic development and are subject to modifications in accordance with broader reforms.

Theoretical Framework

This study is anchored on the institutional theory. Although there are disagreements on the meaning of institution among some scholars, institutions can be regarded as the rules and norms of specific systems in our society, nation, world, etc. As advanced by North (1990), institutions are defined as those formal and informal 'rules of the game' of a society which are humanly devised constraints and incentives that structure human interaction and exchanges whether political, social or economic. Institutions have been defined as "a system of norms that regulate the relations of individuals to each other" (Parsons, 1990), which also defines expectations as to the modality of such relations (Scott, 2014).

The institutional theory was introduced in the late 1970s by John Meyer and Brian Rowan as a means to explore further how organizations fit with, are related to, and were shaped by their societal, state, national, and global environments (Institutional Theory: Environment and Social Structure, 2017). Institutional theory has commonly been used to understand how institutions influence decision-making in organizations, leading to the similarity among organizational structures and processes (Bakos, 2020).

The institutional theory offers a new opportunity to explain the relationship between organizations and the natural environment. The theory's vibrancy and visibility are due, in large part, to its distinctive stance on environmental phenomena. An institutional theory

emphasizes environmental problems as being not primarily technological or economic in character but behavioral and cultural (Hoffman and Jennings, 2015).

While technological and economic activity may be the direct cause of environmentally destructive behavior, it is our individual beliefs, cultural norms, and societal institutions that guide the development of that activity (Bazerman and Hoffman, 1999). So, as humankind embarks on this new reality of assuming a guiding role in the operation of the world's natural systems, we must begin to ask what this means for the institutions of society and how we understand them (Hoffman and Jennings, 2015).

An institutional theory emphasizes the role of the societal context in understanding individual and organizational behavior (Friedland and Alford, 1991; Thornton and Ocasio, 2008). This approach looks at institutions in the societal environment as the primary source of organizing principles or logics that govern individual and collective action, which is often nested within organizations (Friedland and Alford, 1991; Scott and Davis, 2006).

The institutional theory, therefore, shifts attention away from an isolated and focus on formal goals and structures within singular organizations, such as schools, to prevailing institutions and related logics in the larger societal environment that shape individual relationships and organizational practices. However, institutional theory suggests that the nature of services provided and who receives them may also be influenced by institutional logic. In this way, institutions "control and constrain" certain activities, as they also "support and empower" other types of actions, shaping common understandings of what objectives, roles, and behaviors are legitimate (Scott, 2001).

One of the common criticism against the institutional theory is that it tends to overshadow the role of individual agency in creating and mediating social structures, emphasizing top-down (macro to micro), rather than bottom-up processes of change (Burch, 2007). That is to say, the theory tends to be overly mechanical in its view of how social structures are reproduced, with insufficient attention paid to the ways in which people resist and mobilize against dominant institutions.

METHODS

This study adopted the descriptive design approach. Secondary data were generated through desktop review of existing literature, online materials and archival records of state institutions on environmental protection in Taraba State. Content analysis was used in the analysis of the data collected.

RESULT and DISCUSSION

The mandate of State Institutions in Environmental Protection

The State institutions were established with specific mandates to achieve in respect of environmental protection. This section examines some of the mandates

of these institutions and the challenges undermining their capacity for environmental protection in the state.

Federal Ministry of Environment

Act 58 of 1988 established the Federal Environmental Protection Agency (FEPA). In 1999, FEPA and other relevant Departments in other Ministries were merged to form the Federal Ministry of Environment (FMEnv). Currently, the power to enforce all activities that may impact the Nigerian environment is vested in the Federal Ministry of Environment (FMEnv). The ministry has the mandate to coordinate the environmental protection and conservation of natural resources for sustainable development in Nigeria. The specific responsibilities of the ministry include:

- i. Monitor and enforce environmental protection measures;
- ii. Enforce international laws, conventions, protocols and treaties on the environment;
- iii. Prescribe standards and make regulations on air quality, water quality, pollution and effluent limitations, the atmosphere and ozone layer protection, control of toxic and hazardous substances; and
- iv. Promote cooperation with similar bodies in other countries and international agencies connected with environmental protection.

Pursuant to the FEPA Act 58 of 1988, a number of other environmental regulations were created. Most of the 36 States in Nigeria have also created their environmental regulations backed by State laws based on their peculiarity.

In Taraba State, the Ministry of Environment was created in the year 2000 to formulate and implement government policies on the environment. The Ministry since its inception has had 8 Commissioners and 7 Permanent Secretaries. The ministry has four departments as follows; Administrative department, Department of finance and supply, Department of planning, research and statistics (DPRS) and Department of forestry and wildlife.

The Ministry started with 350 staff at the time of its establishment. Since then many have retired or died and the number of staff has reduced to 144 staff presently. The mandate of the Taraba State Ministry of Environment include; Control and management of wildlife, Environmental Protection, Monitoring of Hazardous and Radioactive Materials in the Environment, Control of illegal mining activities in the State, Establishment and maintenance of forest plantations, Raising of seedlings, tree planting and weeding, Solid minerals exploration and exploitation and Management of air, water and soil quality against pollution and degradation.

Taraba State Environmental Protection Agency (TASEPA)

Unlike the Ministry of Environment, the Taraba State Environmental Protection Agency (TASEPA) was established and empowered by the Taraba State Edict of 1994. TASEPA was established as agency under the direct supervision of the Taraba State Ministry of

Table 1. Taraba State Budget Allocation From 2000-2021

S/N	Year	Taraba state budget allocation	Budget allocation to Min. of Environment	Percentage (%)
1	2000	1,349,984,295	No Allocation	-
2	2001	2,423,289,128	115,885,015	4.7
3	2002	6,228,281,297	79,023,860	0.12
4	2003	12,129,963,189	111,600,000	0.9
5	2004	21,593,421,875	601,600,000	2.7
6	2005	24,129,234,120	603,600,000	0.24
7	2006	24,231,108,740	86,354,660	0.35
8	2007	31,934,660,280	59,702,140	0.18
9	2008	37,560,261,475	569,951,605	1.51
10	2009	45,300,000,000	282,935,345	0.62
11	2010	64,144,351,808	279,238,675	0.43
12	2011	70,298,282,182	298,709,585	0.42
13	2012	73,852,442,531	290,084,630	0.39
14	2013	80,239,331,111	349,765,000	4.3
15	2014	83,355,337,529	366,153,549	4.35
16	2015	25,680,000,000	378,746,711.4	1.47
17	2016	110,168,983,94.00	411,933,914.44	0.15
18	2017	104,232,552,706.51	22,129,5540.03	0.2
19	2018	146,073,726,882.10	34,352,440	1.32
20	2019	146,073,726,882.10	1,780,735,468	1.2
21	2020	213,632,076,810.00	1,123,863,224	0.52
22	2021	139,460,435,961.80	2,119,9240,071	1.52

Source: Ministry of Finance, Jalingo, 2021.

Environment. The Agency has the statutory responsibilities for the protection, conservation and monitoring of the state environment through environmental surveillance and regulation activities that impact negatively on the state environment in order to maintain a balance natural endowment and to achieve sustainable development of the state. The agency presently has 28 staff with six departments as follows: Administrative and Finance, Environmental Quality Control, Environmental Standard Inspection and Enforcement, Environmental Engineering, Nature Conservation and Planning, Research and Statistics. Each department is headed by a Director with staff under it while the executive Director oversees the day-to-day running of the Agency.

Challenges of State Institutions in Environmental Protection

Lack of Political will

One of the greatest challenges to state institutions in environmental protection in Taraba state and Nigeria as a whole is the lack of political will on the part of the politicians and public officeholders. This lack of political will is manifested in many ways ranging from lack of commitment, lack of enforcement of environmental regulations and inadequate funding of the sector.

Inadequate funding

Environmental protection is an undertaking that requires adequate funding to achieve success. The budgetary allocation to the Ministry of environment from inception to date is presented in Table 1.

Table 1 revealed that it was only in the years 2000, 2013 and 2014 that the Ministry received up to 4% of the state

budgetary allocation. The lowest allocation was in 2002 (0.12%), 2016 (0.15%) and 2007 (0.18%). The picture above is not far from what is obtainable at the Federal level. This goes to show the low-level attention paid to environmental issues over the years.

Inadequate qualified personnel

TASEPA has 28 staff while the Ministry of Environment has 144 staff as against the expected number of 350 as at the time of the creation of the state in 1991. Since then, many staff have retired and others died without any replacement.

Inadequate environmental protection infrastructure

The State institutional environmental protection laboratory is in very poor condition at the time when the state is expected to have a modern state of the art laboratory that can be able to handle the increasing complexity of environmental challenges.

Poor capacity development

There is poor capacity building in the state institutions of environmental protection which is also linked to poor funding of the Ministry and its agency. Capacity-building should be viewed as more than training. It is human resource development and includes the process of equipping individuals with the understanding, skills and access to information, knowledge and training that enables them to perform effectively. It also involves organizational development, the elaboration of management structures, processes and procedures, not only within organizations but also the management of relationships between the different organizations and sectors (public, private and community) (FGN, 2009).

Over the years, not much attention has been paid to capacity development of the staff of the organizations. This is mainly as a result of the poor funding and negligence of the sector.

Corruption

Corruption and the abuse of positions and privileges by government officials and political officeholders. This is seen in the general lack of accountability and responsiveness of state governments, serious capacity constraints, and misallocation of state resources. This has greatly undermined the capacity of the state institutions to respond to even the most pressing environmental challenges.

Lack of office buildings for staff

The staff of the state environmental protection institutions lacks adequate office buildings that will enable them to carry out their statutory responsibility of making policy regulations, implementing, monitoring and enforcement of these regulations.

CONCLUSION

This study has examined the challenges of state institutions in environmental protection in Nigeria using the case of Taraba state. The study adopted the institution theory as a theoretical framework for the study. Data for the study was generated using desktop reviews of secondary, online and archival materials. The study findings revealed that the challenges of the state environmental protection institutions include lack of political will, inadequate funding, inadequate qualified personnel, inadequate environmental protection infrastructures, poor condition of environmental protection laboratory, lack of office buildings for staff and poor capacity development. The poor funding of the state institutions has greatly undermined the capacity of these state institutions to achieve environmental protection in the state.

RECOMMENDATIONS

Based on the findings of the study, the following recommendations are made;

- i. There is a need for more political commitment to the issues of environmental protection in the state. This can be achieved through increased funding by way of increased budgetary allocations to the institutions.
- ii. The State government should employ more qualified personnel in various aspects of environmental protection.
- iii. There is a need to rehabilitate the existing environmental protection laboratories in the state and as well establish more state-of-the-art laboratories.
- iv. The State government should pay more attention to the issue of capacity development to meet up with the changing nature of environmental problems.

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