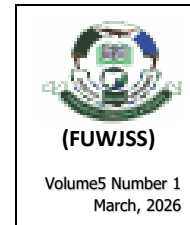


**OMISSION OF ENVIRONMENTAL
PROTECTION IN THE UNITED NATIONS'
RESPONSIBILITY TO PROTECT (R2P)
NORMATIVE FRAMEWORK**



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Abstract

The Responsibility to Protect (R2P) has emerged as a normative framework in international relations, aimed at preventing and responding to egregious human rights violations such as genocide and crimes against humanity. It permits the provisional suspension of state sovereignty in cases where governments are either complicit in or incapable of halting mass atrocities. While widely endorsed by the international community as a humanitarian safeguard, R2P largely overlooks environmental concerns. This paper critically examines the omission of environmental protection within the normative and practical implications of extending its mandate to encompass environmental harms. Drawing on various case studies and international legal system, the paper reveals significant support for integrating environmental considerations into the R2P framework. Notably, the paper highlights the United Nation's inconsistent response to environmental injustices, particularly to indigenous populations and ecosystems in oil-exporting states of the global South. The paper argues that despite the proliferation of environmental treaties and declarations, the inaction of the UN in protecting indigenous populations suggests a contradictory posture. Hence, the paper concludes by advocating for the repositioning of environmental protection within the domain of high politics and recommends its formal inclusion under the enforceable provision of the R2P.

Keywords: Environment, high politics, environmental justice, R2P, United Nations

Introduction

On March 17, 2011, the United Nations Security Council (UNSC) adopted Resolution 1973, granting states the authority to use “all necessary measures” to protect civilians in Libya. This resolution was grounded in

the Responsibility to Protect (RtoP/R2P) doctrine, which prioritises human rights and civilian safety (Doyle, 2015, p. 127). Given the high-politics directive to protect human rights, this paper is worried when such authorisations will be focused on environmental protection.

Despite the existence of international legal instruments—such as the Rome Statute, the ENMOD Convention, and the Hague Convention, as well as major international environmental conferences, including the 1972 Stockholm Conference, the 1992 Rio Conference (also known as the Earth Summit), the 1997 Earth Summit II, the 2002 World Summit on Sustainable Development and so on; environmental rights have not been elevated to the status of high-level political concern that justifies military intervention. The paper is also concerned that the economic interests of states that rely on and are rich in natural resources hinder the implementation of R2P for environmental protection from launching a preemptive military attack. In others, “all necessary measures” should be taken to protect the environment, similar to protecting the human rights.

Given that the deployment of R2P is biased toward human rights, preemptive military attacks for environmental reasons appear to be an uphill battle. In the light these concerns, this paper advocates for the adoption of stronger international responses—ranging from economic sanctions, denial of technical aid to, in extreme cases, preemptive military intervention against states responsible for environmental degradation. It argues for an expansion of the R2P framework to include environmental rights, especially in cases where the survival and well-being of marginalised and indigenous communities are at risk (de Varennes, 2015).

Although, the United Nations has prioritised the protection of human rights since its establishment in 1945, its understanding and articulation of these rights have historically neglected the intrinsic connection between environmental well-being and human dignity (Atapattu & Schapper, 2019). This oversight is, particularly, evident in the context of indigenous communities, whose livelihoods and cultural survival are deeply intertwined with the natural environment (Woods, 2020). Thus, global actors must recognise and respond to environmental harm as a violation of fundamental human rights which compels a framework for ecological intervention. The framers of the 1948 Universal Declaration of Human Rights (UDHR) did not account for the broader socioeconomic and environmental determinants of human rights. As Hunt (2008) observes, human rights extend beyond political repression to include systemic issues such as poverty and preventable health crises. Although, environmental considerations were absent from early human right discourses, they have become increasingly central in contemporary debates around human rights. Nevertheless, 21st century civil rights continue to rely heavily on

cooperative mechanisms rather than enforceable protections (McGaughey, 2019). Compounding this challenge is the limited authority of key UN environmental institutions like the United Nations Environment Programme (UNEP), which remain largely ineffective in the face of collusion between resource-exporting states in the global South and resource-consuming nations in the global North, often facilitated by transnational corporations (TNCs) that perpetuate widespread environmental destructions.

Reflecting on the historical disconnect in environmental consciousness, it could be inferred that the responsibility for both environmental stewardship and human rights has traditionally been seen as lying within the purview of state sovereignty (Sarkin, 2009). However, non-state actors often challenge state sovereignty and impose obligations beyond their national interests (Erskine, 2003). For these reasons, former British Prime Minister Tony Blair argued for a reinterpretation of the non-intervention norm, suggesting that absolute state sovereignty must be reconsidered in certain critical contexts (Lee, 2015). Similar to the views of Tony Blair, the 2000 Constitutive Act of the African Union (AU) marked a significant departure from the traditional doctrine of non-interference by embracing a principle of non-indifference. Article 4(h) explicitly grants the AU the right to intervene in a member state pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide, and crimes against humanity (Hehir, 2012, p. 52). However, it is notable that neither Tony Blair nor the AU addressed environmental destruction within this framework. Environmental harm remains absent from legal and political definitions of crimes warranting international intervention, including those cited in the AU's doctrine of non-indifference.

A new framework for environmental protection is desperately needed, as the security risks associated with environmental degradation are becoming more widely acknowledged. It is vital to note that:

Of the challenges identified...climate change and biodiversity loss are important multipliers of other global threats, and are guaranteed to continue to worsen over the next decade: six of the top ten risks for the decade ahead identified by the World Economic Forum relate to climate, the environment and nature. (Milburn, 2024, para: 2)

These developments are mapped in the paper, by focusing on the justifications/explanations for deploying R2P to protect the environment. In the discourse that follows, Section II explains the research methodology deployed in preparing the paper, Section III forms the analytical core, offering a rationale for invoking R2P where ecological harm violates the

rights and survival of indigenous communities and Section III concludes the paper by proposing that environmental rights be recognised as global humanitarian imperatives, warranting enforcement—even through pre-emptive intervention where necessary. However, the paper acknowledges a major obstacle in the strategic and economic priorities of states that often hinder decisive action on environmental protection.

Research Methodology

This paper primarily adopted and utilised qualitative data sources, including journal papers, textbooks, online articles, etc., in generating the relevant information in preparing and writing this paper.

Environmental Explanations/Justifications for R2P Intervention

In its 2001 report, the International Commission on Intervention and State Sovereignty (ICISS) insisted that “overwhelming natural or environmental catastrophes, where the state concerned is either unwilling or unable to cope, or call for assistance, and significant loss of life is occurring or threatened” could justify invoking the R2P by any means necessary (Viikari, 2013, p. 319). However, the 2005 World Summit Outcome Document, which formalises the concept of R2P, narrowed its application to include only four specific atrocities of genocide, war crimes, ethnic cleansing, and crimes against humanity. At the time, then UN Secretary-General Ban Ki-Moon, cautioned against broadening R2P to address issues such as climate change, public health emergencies like HIV/AIDS, or natural disaster response, warning that such an extension would dilute the principle and undermine its intended function (Evans, 2009).

This restrictive stance of Ban Ki-Moon has been criticised for overlooking the broader spectrum of human rights. According to Robertson and Mirrells (1996, p. 274), all human rights are universal, indivisible, interdependent, and interrelated. Yet, much like the framers of the 1948 UDHRs, the drafters of the 2005 R2P framework failed to acknowledge the growing recognition of environmental rights as an integral part to the human rights discourse, even after 57 years (Zarshy, 2002). This stands in contrast to various UN human right bodies, which have consistently affirmed that a healthy environment is fundamental to the fulfillment of basic rights, including access to clean water, adequate housing, healthcare, food security, and even life itself (Boyle, 2015). Neglecting environmental protection can have devastating human consequences. When government fails to safeguard natural ecosystems, or ignores the harm caused by ecological disasters, it may not only be engaging in negligence—it could also be complicit in crimes against

humanity. This is particularly true for indigenous populations, who rely on the natural environment not only for their physical survival but also for the preservation of their cultural identity and spiritual practices (Baldwin & Morel, 2008). This implies that R2P is blind to environment.

The deliberate environmental devastation that strips communities of their means of survival—particularly their fertile land—is deeply alarming and can be equated to acts of genocide, war crimes, and ethnic cleansing. When people or entire populations are cut off from the resources they need to live, they are essentially been sentenced to slow death. However, the foregoing rationales, the following justifications further bolster the environmental arguments warranting R2P intervention:

a. The Right to a Healthy Environment Explanation

The 2001 report of the ICISS outlines that the R2P may be invoked in cases where “serious and irreparable harm occurring to human beings, or imminently likely to occur” (Viikari, 2013, p. 319). Several environmental charters, conventions, and declarations foresee the possibility of the occurrence of this conditionality. The United Nations Draft Principles on Human Rights and the Environment explicitly affirms the right to a clean and healthy environment (Emeseh, 2011; Atapattu & Schapper, 2019). Similarly, the 1988 Additional Protocol to the American Convention on Human Rights enshrines the right of individuals to “live in a healthy environment” (Baldwin & Morel, 2010). Furthermore, the 1994 principles of the U.N. Sub-Commission on the Prevention of Discrimination and Protection of Minorities submits that “human rights, an ecologically sound environment, sustainable development, and peace are interdependent and indivisible” (Hiskes, 2012, p. 401). Repeated breaches of these legal and ethical commitments have resulted in irreversible environmental degradation with profound human consequences (Hannum, 2003).

In the African context, environmental rights are embedded within regional legal frameworks. The African Charter on Human and Peoples' Rights and the 1991 Bamako Convention on the Ban of the Import into Africa and Transboundary Movement and Management of Hazardous Wastes are two critical instruments that address environmental protection (Addaney & Jegede, 2020). Article 24 of the African Charter articulate that all peoples are entitled to an environment that is generally satisfactory and conducive to their development. These provisions are intended to ensure that environmental arm, particularly from extractive industries such as oil and gas, does not undermine human rights. However, in many parts of sub-Saharan Africa (SSA), communities from resource-rich regions continue to suffer from severe ecological degradation resulting from fossil fuel operations. The persistent failure to uphold these environmental rights

suggests a compelling need to consider R2P mechanisms in addressing the structural injustices faced by affected populations (Chenwi, 2018).

States of the global North, motivated by the pursuit of nonrenewable energy resources such as oil and gas (Leech, 2006), rentier states in the global South—particularly those in SSA focused on maximising royalties and state revenues (Timamy, 2007; Yates, 2015; Harris & Mavambu, 2022), and transnational corporations (TNCs) primarily driven by profit motives (Korten, 2001), all operate based on divergent yet intersecting interests. This convergence of economic agendas has contributed significantly to the violation of environmental rights in SSA. The extractive activities of the oil and gas industry have caused extensive ecological harm, including contamination of water bodies, degradation of land and vegetation, destruction of fisheries, and loss of biodiversity, all of which in turn obstruct the realisation of broader human rights (Udo, 2012). The persistence of these environmental injustices in the region is largely attributable to systemic governance weaknesses, such as “weak governments, poor regulation, lax enforcement, corruption, or simply a too-close relationship between business and government” (Boyle, 2015, p. 210). TNCs take advantage of this governance gap for their own gain (Brown, 2016).

In proceeding, two important clarifications are in order. First, the landmark Ogoni case, is significant for its interpretation of environmental rights under Article 24 of the African Charter on Human and Peoples’ Rights. In this case, the Nigerian government was found to have been complicit in allowing Royal/Dutch Shell to undermine the environment and the right of the Ogonis to a healthy environment (Frynas, 2000). Second, environmental degradation is not confined to the global South; it is a shared issue affecting communities in both hemispheres North and South. For instance, environmental spoliations affect both the environment and the residents of Port Arthur, Texas, and Norco, Louisiana. They both agreed to nickname Shell “The Neighbour from Hell” due to the terrible environmental conditions brought on them by the unhealthy exploitation of petroleum resources in their communities. In the global South, regions such as the Niger Delta, Nigeria and the Cabinda region, Angola have endured over five decades of severe ecological destruction due to oil and gas operations, with dire consequences for local populations (Kashi, 2010). A 2005 report by the African Commission's Working Group of Experts on Indigenous Populations/Communities, confirms that extractive industries continue to undermine the environment and disrupt the traditional livelihoods of indigenous communities (Bojosi & Wachira, 2006).

These patterns reflect a misalignment between the economic pursuit of profit maximisation and resource exploitation, which leads to unhealthy environments (Timamy, 2007). One of the critical consequences of unregulated resource extraction is environmental degradation, which not only contributes to climate change but also fuels social instability by intensifying scarcity, hunger, and poverty—conditions that have been linked to the emergence of armed conflicts, genocide, and other mass atrocities (U.N., 2019). Moreover, many states in sub-Saharan Africa fall short of their obligations under Framework Principles 1, 2, and 3 of the U.N. Framework Principles on Human Rights and the Environment, which require states to ensure a safe, clean, and sustainable environment (Knox & Morgera, 2022). The looming danger posed by environmental decline—once described by former U.N. Secretary-General, U Thant as the potential setting for a “Third World War” to protect the environment—remains an urgent but often neglected global concern (Moore, 2010, p. 7).

Interpretations of Article 24 of the African Charter on Human and People’s Rights insist that, African governments have a legal obligation to safeguard their environments from destruction, including harms caused by TNCs. The Nigerian state, as illustrated in the Ogoni case, has consistently failed to fulfill this duty—exhibiting indifference and inaction in protecting both the environment and affected communities. This failure underscores the need for international engagement. Under the R2P framework, there is a compelling argument for international actors to intervene in cases where resource-abundant states, such as Nigeria, allow severe ecological harms that threaten human rights and well-being. Furthermore, it has long been U.N. policy that “the Security Council has jurisdiction to authorise even military intervention if it interprets a domestic atrocity—whether environmental or otherwise—as affecting international peace and security” (Viikari, 2013, p. 327). This framework should theoretically be extended to address environmental disasters with cross-border impacts, especially those resulting from fossil fuel extraction (Fishel, 2018). However, practical enforcement remains uncertain. The major powers that hold permanent seats on the UN Security Council—many of which are themselves involved in environmentally harmful activities in the global South—are unlikely to support R2P-based military intervention against practices they are complicit and from which they benefit. These conflict-of-interest casts significant doubt on the feasibility of such international military responses.

b. The War Crimes Justification

For many years, it has been believed that armed conflicts will inevitably result in collateral environmental damage. However, there have also been

numerous instances of warring parties purposefully altering the environment so that it can be used as a weapon (i.e., the weaponisation of infrastructure). Thus, there is no scarcity of instances, throughout history, where armed conflicts have frequently manipulated the environment for military advantage, resulting in significant environmental harm. This occurs, especially when military forces manipulate landscapes (i.e., weaponisation of infrastructure) to gain a strategic advantage (Kolpak, 2020).

One of the earliest recorded examples dates back to around 2500 BC, when Urlama, the King of Lagash, redirected the water flow (i.e., weaponisation of water) from his region to dry out canals along the border during a conflict with Umma (Kassim & Barcelo, 2009). This action dried up the boundary ditches. Similarly, Sargon II of Assyria destroyed the irrigation system of the Armenians between 720 and 703 BC so that their land would flood (Alao, 2007, p. 321). Again, the Romans knew that human habitation was impossible when the environment deteriorated, which is why they salted the Carthaginian fields (Milburn, 2024). These historical instances highlight how altering natural environments has long been a tool in warfare.

Environmental manipulation during conflict generally falls into three categories. The first, involves a state exploiting or degrading its own environment, such as overharvesting natural resources to support war efforts or deny resources to the enemy. The second type includes environmental damage in neutral territories or regions of shared international significance, such as wetlands protected under the 1971 Ramsar Convention or heritage sites under the 1972 World Heritage Convention. The third form targets the environment of the adversary directly, aiming to weaken their infrastructure and ecosystem (Bodansky, 2003). These destructive practices can take place at any stage—before, during, or after conflict—and often result in long-term consequences. The toll is not only human, with loss of life, health crises, and displacement, but also ecological, including the depletion of natural resources and long-term pollution of air and water systems. The wreckage of war leaves behind damaged roads, housing, sanitation facilities, and industrial sites, with effects that linger for years or even decades (Biswas, 2001). War is characterised as “a miserable thing. Both soldiers and civilians are killed and maimed by it. It devastates communities, cultures, and infrastructure. It exacerbates issues of poverty and development. Additionally, it degrades and impairs essential environmental and ecological resources” (Gleick, 2019, para: 1).

An example of wartime environmental destruction occurred during the invasion of Kuwait by Iraq in 1991. A United Nations investigation

revealed that nearly half of Kuwait's active oil wells—about 650 of the 1330 had been deliberately set ablaze, which emitted massive clouds of smoke into the atmosphere. Such events demonstrate how nature can become both a strategic objective and a casualty in war (DeWeerd, 2008). Worrisomely, when military solutions are favoured in resolving global disputes, environmental concerns are often sidelined (Kelly, 1992).

International treaties such as the Rome Statute, the Environmental Modification Convention (ENMOD), and the Hague Convention all emphasise the importance of safeguarding the environment during armed conflicts. These legal frameworks explicitly prohibit combatants from inflicting ecological harm as part of their military strategies. Articles 5 and 20 of the World Charter for Nature mandated that “military activities damaging to nature shall be avoided...nature shall be secured against degradation caused by warfare or other hostile activities” (Szasz, 1996, p. 279). Likewise, Principle 24 of the Rio Declaration on Environment and Development highlights the incompatibility between warfare and the goals of sustainable development. Given these mandates, nations are legally and ethically obligated to respect and uphold international environmental protections during conflicts and to promote environmental preservation collaboratively when necessary (Szasz, 1996, p. 279). Nonetheless, the continued deliberate environmental destruction by states and armed groups illustrates that existing treaties, declarations, and conventions have failed to effectively deter such practices—thereby reinforcing the necessity and legitimacy of invoking the R2P in such cases.

c. The Anthropogenic Reasons Explanation

Anthropogenesis maintains that human existence is sacred and that love for one another is the most valuable thing there is (Light & Rolston, 2002). This view supports the use of the R2P doctrine in environmental context, arguing that safeguarding the natural world is essential for promoting human health and welfare (Patterson, 2012). International legal frameworks and politics have also pushed for environmental justification through R2P through the operations of charters and declarations. For example, Article II of the 1968 African Convention on the Conservation of Nature and Natural Resources argues for member states to manage and preserve soil, water, wildlife, and plant life in a way that benefits humankind (Gillespie, 1997).

Similarly, the 1972 Declaration of the United Nations Conference on Human Environment affirms the necessity of environmental care as part of a broader human responsibility under the R2P framework. From this standpoint, some development theorists argue that natural resources derive their importance primarily from their utility to people rather than from any

intrinsic value they may possess (Gillespie, 1997). The United Nations Environment Programme (UNEP) also emphasises that protecting the environment is inseparable from upholding human rights. According to UNEP (2021), environmental degradation contributes to a range of serious issues, including the increased emergence of zoonotic diseases, a decline in life expectancy, deteriorating public health, diminished food quality, and weakened medical effectiveness.

d. The Economic Reasons Justification

For economic reasons, R2P is unquestionably necessary to protect the environment. Numerous accounts serve as the foundation for this argument. In the global South, state authorities either wantonly deny or destroy economic rights. Across many regions in the global South, governments routinely disregard or violate economic rights, despite their enshrinement in foundational international documents such as the 1948 Universal Declaration of Human Rights (UDHR) and their legal reinforcement through the 1966 International Covenant on Economic, Social, and Cultural Rights (ICCPR). These include essential rights like access to food, housing, land, and a decent standard of living. In pursuit of economic gains, state authorities often enter into agreements with large-scale agribusinesses seeking fertile land for industrial farming. These corporations frequently use harmful chemicals that degrade the environment and jeopardise public health (Yates, 2015). Furthermore, the environmental and economic rights of indigenous communities are systematically eroded by the actions of TNCs that pollute the environment. Major financial institutions such as the World Bank (WB) and the International Monetary Fund (IMF) have also come under criticism for funding large dam projects that, while aimed at economic development, often result in long-term ecological damage and displace vulnerable communities who rely on the land for survival (Gedicks, 1993, 2001; Int'l Rivers, 2015; Egbe, 2022).

In sub-Saharan Africa (SSA), many indigenous communities have been dispossessed of their ancestral lands, despite legal principles forbidding states from exploiting their territories in ways that harm their own citizens, neighbouring nations, or shared environmental resources (Craik, 2008). Where these precautionary measures are wantonly ignored, indigenous peoples often end up as environmental refugees living in their own countries. For instance, dam-induced flooding has forced some communities to abandon their homes, turning them into internally displaced persons (IDPs) (HRW, 2012 a, & b, 2013; Zhang et al., 2015).

A stark example of these economic and environmental injustices can be seen among the Ogoni people in the Niger Delta, where pollution has

rendered the land infertile, plunging communities into poverty (Onuoha, 2008). For many facing hunger and displacement, immediate needs like food become the most tangible expression of justice and survival. These forms of deprivation often trigger, sustain and escalate into broader social unrest and violence. In fact, mass displacement, particularly when unaddressed, is itself a driver of conflict, making the case for international intervention under R2P even stronger (Roberts, 2011). Alarming, while terrorism and natural disasters together account for tens of thousands of deaths, the death toll linked to poverty caused by lack of access to vital environmental resources reaches into the tens of millions—over 22 million deaths, according to estimates (Hertel & Minkler, 2007).

The enormity of these developments is that it undermines the guidelines of several international treaties, charters, conventions and declarations. Section 18 of the Maastricht Guidelines on Violations of Economic, Social and Cultural Rights provides that as part of its duty to protect, the state must make sure that no one is deprived of their economic, social, or cultural rights by private organisations or individuals, including TNCs under its control. When states fail to take appropriate regulatory actions, they can be held responsible for the resulting harm caused by these non-state actors (Pariotti, 2012). A related case in 2019, overseen by the United Nations Human Rights Committee under the International Covenant on Civil and Political Rights, found that a state violated its obligations by not adequately managing the use of hazardous chemicals in industrial agriculture. This regulatory failure led to deaths, serious health conditions, and the destruction of crops, livestock, water sources, and fruit-bearing trees (Knox & Morgera, 2022).

In addition to anthropogenic effects, the aforementioned actions of financial institutions, TNCs, and industrialised farmers have a negative influence on non-anthropogenic factors such as the natural environment. These actions contribute to the decline of biodiversity, lower food and water quality, depletion of natural resources, pollute the air, and increase the risk of species extinction. Other environmental harms include rampant deforestation, falling fish population, and unsustainable land use (Udoye & Onuorah, 2007; Newbold et al, 2015).

Another key aspect often overlooked is the interdependence between wildlife and agriculture. Many animal species provide essential services to farming systems, which is why they are afforded protection under several international conventions. For example, the 1902 Convention for the Protection of Birds Useful for Agriculture was established specifically to conserve bird species that support farming practices (Shiva, 2015, 2016). Recognising the deep connection between the environment and the economy, experts have long argued that sustainable economic policies

must take environmental considerations into account (Pearce & Barbie, 1990).

Despite these concerns, current state-driven economic initiatives often bypass key principles outlined by John Knox, the former U.N. Special Rapporteur on Human Rights and the Environment. His framework Principles—specifically Principles 8 and 9—stressed that government must evaluate the environmental consequences of proposed developments or policies in advance, especially where these may impact the realisation of human rights. Moreover, states are expected to actively involve the public in environmental decision-making and consider public input before finalising such decisions (Knox & Morgera, 2022). Unfortunately, there is no sign that the current level of economic activities in SSA will reverse the course in order to align economic policies with environmental objectives.

e. The Religious Reasons Explanation

In response to the extensive environmental harm caused by state actions, religious perspectives have increasingly been invoked as a moral framework to prevent, reduce, or resist such destructions. Principle 8(f) of the Global Consensus on the Management, Conservation, and Sustainable Development of all Types of Forests, highlights the importance of safeguarding forests that hold spiritual, religious, and cultural significance, recognising them as essential components of sustainable forest managements (Gillespie, 1997, p. 64). This principle underscores the necessity of protecting marginalised communities—including ethnic minorities, indigenous groups, and forest-dependent peoples, whose cultural identity, spirituality, and livelihoods are closely tied to the natural environment (Cox et al, 2014).

For these communities, environmental preservation is not only a matter of survival but also a means of maintaining sacred traditions and economic sustainability (Peterson & Liu, 2008). For instance, indigenous groups in both national and international contexts; such as those in Niger Delta, Nigeria and the Brazilian Amazon, have shown a connection to their unique environments by coexisting peacefully with the natural world, cultivating the land for their own needs, and preserving the environment for their creator (Negi, 2005). In situations where this sacred relationship has been threatened, indigenous groups—often supported by religious environmental advocacy organisations—have actively resisted. In extreme cases, they have opposed national governments, global financial institutions like the World Bank and IMF, and TNCs such as Shell International, which have been accused of desecrating sacred forests,

polluting traditional lands, and converting spiritual territories into sites of environmental exploitation (LaDuke, 1999).

Conclusion and Recommendations

This paper demonstrated that whereas the R2P remains a vital mechanism for shielding populations from such atrocities as state-led violence, it falls short in addressing the environmental foundations that sustain human life. This oversight is, particularly, glaring in resource-rich areas across both the global North and South. Such selective applications expose a troubling contradiction—an apparent environmental negligence within a doctrine designed to uphold human security. Thus, this paper promoted the idea that R2P should actively prevent environmental degradation rather than relying on states merely adopting declarations, conventions, treaties, etc. as a means of preventing environmental deterioration brought on by resource-rich, resource-dependent, and their transnational corporations (TNCs) in the global south. By doing this, a serious threat to human security is avoided.

In exploring the reasons behind this disconnect, this paper highlights how powerful interests—especially those of rentier states and TNCs deeply invested in oil and gas—often influence how global institutions like the United Nations and its Security Council respond. When environmental harm is linked to the activities of these actors, especially in oil-producing regions, international accountability mechanisms tend to remain silent. Despite its multilateral frameworks, R2P has never been activated to protect ecosystems or respond to instances of environmental degradations. The paper suggests that this silence reflects the preponderance of economic priorities—particularly those of fossil fuel-dependent states and influential global powers—over environmental justice. Meanwhile, agencies such as the United Nations Environmental Programme (UNEP) appear constrained and ineffective when powerful Security Council members and their corporate allies are involved. In response to these systemic failings, the paper presents a series of environmentally focused arguments advocating for the expansion of R2P to include environmental protection as a legitimate ground for intervention.

The paper concludes that environmental protection and the recognition of environmental rights should be treated as a shared global responsibility with direct implications for all individuals. Rather than addressing environmental issues in abstract or state-centred terms, it argues for a people-focused perspective that highlights the tangible effects of environmental degradation on human health and daily life. This more personalised framing could drive stronger commitments from governments to address pollution and ecological harm, especially when

such impacts threaten public well-being. To reinforce environmental accountability, it is essential to hold government official and regulatory bodies accountable for neglecting to manage environmental risks, including those linked to transnational corporate activities (Boyle, 2015). Achieving meaningful change would require repositioning the R2P within the sphere of high-level international policy, supported by a robust, potentially military-enforced framework capable of safeguarding both human population and the ecosystems they depend on.

References

- Addaney, M. & Jegede, A. O. (Ed.) (2020). *Human rights and the environment under African Union law*. Palgrave Macmillan.
- Alao, A. (2007). *Natural resources and conflict in Africa: The tragedy of endowment*. University of Rochester Press.
- Atapattu, S. & Schapper, A. (2019). *Human rights and the environment: Key issues*. Routledge.
- Baldwin, C. & Morel, C. (2008). Group rights. In M. Evans and R. Murray (eds.), *The African charter on human and peoples' rights: The system in practice, 1986-2006* (pp. 244-288). Cambridge University Press.
- Biswas, A. K. (2001). Scientific assessment of the long-term environmental consequences of war. In J. E. Austin and C. E. Brush (eds.), *The environmental consequences of war: Legal, economic, and scientific perspectives* (pp.303-315). Cambridge University Press.
- Bodansky, D. (2003). Legal regulation of the effects of military activity on the environment.
<https://www.Legal+regulation+of+the+effects+of+military+activity+on+the+environment>.
- Bojosi, K. N. & Wachira, G. M. (2006). Protecting indigenous peoples in Africa: An analysis of the approach of the African Commission on Human and Peoples' Rights. *African Human Rights Law Journal*, 6(2), 382-406.
- Boyle, A. (2015). Human rights and the environment: Where next? In B. Boer (ed.), *Environmental law dimensions of human rights* (pp. 201-239). Oxford University Press.
- Brown, G. (Ed) (2016). *The universal declaration of human rights in the 21st century: A living document in a changing world*. Open Book Publishers.
- Chenwi, L. (2018). The right to a satisfactory, healthy, and sustainable environment in the African regional human rights system. In J. H. Knox and R. Pejan (eds.), *The human right to a healthy environment* (pp.59-85). Cambridge University Press.
- Cox, M.; Villamayor-Tomas, S.; Hartberg, Y. (2014). The role of religion in community-based natural resource management. *World Development*, 54, 46–55.
- Craik, N. (2008). *The international law of environmental impact assessment: Process, substance and integration*. Cambridge University Press.

- de Varennes, F. (2015). R2P and the protection of minorities. In P. Hilpold (ed.), *Responsibility to Protect (R2P): A new paradigm of international law?* (pp. 274-292). Brill Nijhoff.
- Doyle, M. C. (2015). *The question of intervention: John Stuart Mill and the responsibility to protect*. Yale University Press.
- Egbe, O. D. J. (2022). "Let them eat their declarations": Interrogating natural resource-rich state's inertia towards biodiversity conservation treaties in sub-Saharan Africa. In S. C. Izah (ed.), *Biodiversity in Africa: Potentials, threats and conservation* (pp. 505-523). Springer.
- Emeseh, E. (2011). Human rights dimensions of contemporary environmental protection. In M. Odello and S. Cavandoli (eds.), *Emerging areas of human rights in the 21st century: The role of the Universal Declaration of Human Rights* (pp. 66-86). Routledge.
- Erskine, T. (2003). Introduction: Making sense of responsibility in international relations-key questions and concepts. In T. Erskine (ed.), *Can institutions have responsibilities? Collective moral agency and international relations* (pp. 1-16). Palgrave Macmillan.
- Evans, G. (2009, March 26). The responsibility to protect in environmental emergencies. <https://www.crisisgroup.org/global/responsibility-protect-environmental-emergencies>.
- Fishel, S. (2018). Is climate change a threat multiplier? R2P and environmental disasters. <https://www.e-ir.info/2018/04/24/is-climate-change-a-threat-multiplier-r2p-and-environmental-disasters/>.
- Frynas, J. G. (2000). *Oil in Nigeria: Conflict and litigation between oil companies and village communities*. Lit Verlag.
- Gedicks, A. (1993). *The new resource wars: Native and environmental struggles against multinational corporations*. South End Press.
- Gedicks, A. (2001). *Resource rebels: Native challenges to mining and oil corporations*. South End Press.
- Gillespie, A. (1997). *International environmental law, policy and ethics*. Clarendon Press.
- Gleick, P. (2019, September 21). Protecting the environment in times of war. Earth Ecology.
- Hannum, H. (2003). Indigenous rights. In G. M. Lyons and J. Mayall (eds.), *International human rights in the 21st century: Protecting the rights of groups* (pp. 72-99). Rowman & Littlefield Publishers, Inc.
- Harris, T. & Mavambu, R. (2022, April 15). DR Congo chooses oil over rainforests and human rights: Greenpeace Africa calls to scrap "historic error" to auction 16 new oil blocks. <https://www.DR+Congo+chooses+oil+over+rainforests+and+human+rights+%3A+Greenpeace+Africa+calls+to+scrap+%E2%80%9Chistoric+error%E2%80%9D+to+auction+16+new+oil+blocks>.
- Hehir, A. (2012). *The responsibility to protect: Rhetoric, reality and the future of humanitarian action*. Palgrave Macmillan.

- Hertel, S. & Lanse, M. (2007). Economic Rights: The Terrain. In S. Hertel and L. Minkler (eds.), *Economic rights: Conceptual, measurement, and policy issues* (pp. 291-310). Cambridge University Press.
- Hiskes, R. P. (2012). Environmental human rights. In T. Cushman (ed.), *Handbook of human rights* (pp. 399-409). Routledge.
- Human Rights Watch (2012a). *Waiting here for death: Forced displacement and 'villagisation' in Ethiopia's Gambella Region*. Human Rights Watch, www.hrw.org.
- Human Rights Watch (2012b). *What will happen if hunger comes: Abuses against the indigenous peoples of Ethiopia's lower Omo valley*. Human Rights Watch, www.hrw.org.
- Human Rights Watch (2013). *Abuse-free development: How the World Bank should safeguard against human rights violations*. Human Rights Watch.
- Hunt, P. (2008). UN Human Rights Council: Statement to the Panel on Maternal Mortality and the Human Rights of Women. <https://www.UN+Human+Rights+Council%3A+Statement+to+the+Panel+on+Maternal+Mortality+and+the+Human+Rights+of+Women>.
- International Rivers (2015). The World Bank and dams. Part 1: Lessons not learned. International Rivers.
- Kashi, E. (2010). *Curse of the black gold: 50 years of oil in the Niger Delta*. powerhouse Books.
- Kassim, T. A. & Barcelo, D. (2009). *Environmental consequences of war and aftermath*. Springer-Verlag Berlin Heidelberg.
- Kelly, K. M. (1992). Declaring war on the environment: The failure of international environmental treaties during the Persian Gulf war. *American University International Law Review*, 7(4), 921-950.
- Knox, J. H. & Morgera, E. (2022). *Human rights and the environment: The interdependence of human rights and a healthy environment in the context of national legislation on natural resources*. FAO Legal Papers No. 109. FAO.
- Korten, D. C. (2001). *When corporations rule the world*. Kumarian Press, Inc. & Berrett-Koehler Publishers, Inc.
- Kolpak, G. (2020, April 7). From ENMOD to geoengineering: The environment as a weapon of war. <https://ceobs.org/from-enmod-to-geoengineering-the-environment-as-a-weapon-of-war/>.
- LaDuke, W. (1999). *All our relations: Native struggles for land and life*. South End Press.
- Lee, P. (2015). *Truth wars. The politics of climate change, military intervention and financial crisis*. Palgrave Macmillan.
- Leech, G. (2006). *Crude interventions: The US, oil and the new world (dis)order*. Zed Books.
- Light, A. & Rolston, H. III. (Ed.) (2002). *Environmental ethics: An anthology*. Wiley-Blackwell Publishing.
- McGaughey, E. (2019, November 20). 21st century human rights are technological, environmental and co-operative. <https://www.opendemocracy.net/en/oureconomy/21st-century-human-rights-are-technological-environmental-and-co-operative/>.

- Milburn, R. (2024, February 2). A new concept: Military assistance to protect the environment. <https://www.rusi.org/explore-our-research/publications/commentary/new-concept-military-assistance-protect-environment>.
- Moore, P. (2010). *Confessions of a Greenpeace dropout: The making of a sensible environmentalist*. Beatty Street Publishing Inc.
- Negi, C. S. (2005). Religion and biodiversity conservation: Not a mere analogy. *International Journal of Biodiversity Science and Management*, 1, 85–96.
- Newbold, T., Hudson, L. N., Hill, S. L. L., Contu, S., Lysenko, I., Senior, R. A., Borger, L., Bennett, D. J., Choimes, A., Collen, B., Day, J., De Palma, A., Diaz, S., Echeverria-Londorio, S., Edgar, M. J., Feldman, A., Garon, M., Harrison, M. L. K., Alhusseini, T., Ingram, D. J., Itescu, Y., Kattge, J., Kemp, V., Kirpatrick, L., Klever, M., Correia, D. L. P., Martin, C. D., Meiri, S., Novosolov, M., Pan, Y., Philips, H. R. P., Purves, D. W., Robinson, A., Simpson, J., Tuck, S. L., Weiher, E., White, H. J., Ewers, R. M., Mace, G. M., Scharlemann, J. P. W., & Purvis, A. (2015). Global effects of land use on local terrestrial biodiversity. *Nature*, 520, 45–50.
- Onuoha, A. (2008). *When communities confront corporations: Comparing Shell's presence in Ireland and Nigeria*. Adonis & Abbey Publishers Ltd.
- Pariotti, E. (2012). Transnational corporations and human rights. In T. Cushman (ed.), *Handbook of human rights* (pp. 466-475). Routledge.
- Patterson, R. (2012). Growing a global green economy: Getting Africa prepared to lend a hand. In T. Falola, and E. Brownell (eds.), *Landscape, environment and technology in colonial and postcolonial Africa* (pp. 311-327). Routledge.
- Pearce, D. W. & Barbie, E. W. (1990). *Sustainable development: Economics and environment for a green economy in the third world*. Earthscan.
- Peterson, M. N. & Liu, J. (2008). Impacts of religion on environmental worldviews: The Teton Valley case. *Society and Natural Resources*, 21, 704–718.
- Roberts, A. (2011). Refugees and military intervention. In A. Betts and G. Loescher (eds.), *Refugees in international relations* (pp. 213-235). Oxford University Press.
- Robertson, A. H. & Merrills, G. (1996). *Human rights in the world: An introduction to the study of the international protection of human rights*. Manchester University Press.
- Sarkin, J. (2009). The role of the United Nations, the African Union and Africa's sub-regional organisations in dealing with Africa's human rights problems: Connecting humanitarian intervention and the responsibility to protect. *Journal of African Law*, 53(1), 1–33.
- Shiva, V. (2005). *Earth democracy: Justice, sustainability and peace*. North Atlantic Books.
- Shiva, V. (2016). *Soil, not oil: Climate change, peak oil and food insecurity*. Zed Books.
- Szasz, P. C. (1996). Comment: The existing legal framework, protecting the environment during international armed conflict. In R. J. Grunawalt, J. E.

- King and R. S. McClain (eds.), *Protection of the environment during armed conflict* (pp. 397-415). Naval War College.
- Timamy, M. H. K. (2007). *The political economy of technological underdevelopment in Africa: Renaissance prospects, global tyranny and organised spoliation*. Centre for Black and African Arts and Civilisation.
- Udo, R. K. (2012). Population pressure and the Nigerian environment. In M. F. A. Ivbijaro and F. Akintola (eds.), *Sustainable environmental management in Nigeria* (pp. 73-102). Book-Builders.
- Udoye, E. E. & Onuorah, M. E. (Ed.) (2007). *Environment and conflicts in Africa: Issues and problems*. Prefabag Investment Ltd.
- UN (2019). Atrocity alert No. 173: Climate change and the responsibility to protect, 25 September. <https://www.Atrocity+Alert+No.+173%3A+Climate+Change+and+the+Responsibility+to+Protect>.
- UNEP (2021). Six reasons why a healthy environment should be a human right. <https://www.Six+reasons+why+a+healthy+environment+should+be+a+human+right>.
- UNGA (2005). 2005 *World summit document*. The UN.
- Viikari, L. (2013). Responsibility to protect and the environment. In P. Hilpold (ed.), *Die Schutzverantwortung (R2P): Ein Paradigmenwechsel in der Entwicklungdes Internationalen Rechts?* (pp.297-346). Martinus Nijhoff Publishers.
- Woods, K. (2020). The state of play and the road ahead: The environment and human rights. In D. Akande, J. Kuosmanen, H. McDermott, and D. Roser (eds.), *Human rights and 21st century challenges: Poverty, conflict, and the environment* (pp. 297-304). Oxford University Press.
- Yates, D. A. (2015). The rise and fall of oil-rentier states in Africa. In J. A. Grant, W. R. N. Compaore and M. I. Mitchell (eds.), *New approaches to the governance of natural resources: Insights from Africa* (pp. 45-66). Palgrave Macmillan.
- Zarsky, L. (Ed.) (2002). *Human rights and the environment: Conflicts and norms in a globalising world*. Earthscan Publications Ltd.
- Zhang, Y., Block, P., Hammond, M. & King, A. (2015). Ethiopia's grand renaissance dam: Implications for downstream riparian countries. *Journal of Water Resources Planning and Management*, 141(9), 1-10.