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Environmental Awareness and Public Participation: A Driving Force for Environmental Protection in Sierra Leone

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ABSTRACT

Countries globally have enjoyed unprecedented economic growth in the present times, even though this economic growth has its consequence on the environment and public health. This development has seen the unrestricted cutting down of forests, waste generation, extinction of species, etc. Addressing these predicaments, the United Nations, at the global level, has urged States to develop and enforce environmental legislation, policies, and strategies. As a member of the United Nations, Sierra Leone has promulgated several environmental legislations and policies to address and regulate environmental matters. Besides developing these laws, Sierra Leone has historically witnessed massive environmental degradation, ranging from illegal and reckless cutting down of forests, waste generation, illegal dumping, and more. To this, add the extreme lack of awareness and education. Based on library research, this paper discusses the relevant environmental laws in Sierra Leone and other specific international laws and argues that despite the ongoing environmental degradation in Sierra Leone with the inadequacies in the legal framework, Environmental awareness and Public Participation will play a significant role in mitigating environmental degradation in Sierra Leone.

Contribution/Originality: This paper is one of the few that has been written on the need and advocating for public participation and environmental awareness in Sierra Leone. The paper discussed the relevant laws in Sierra Leone on the subject matter and concluded that there is a significant lacuna in the existing laws, while the specific provisions within the law speak very little on the subject matter. Thus, the study argues that having knowledge about the environment can significantly contribute to its protection.

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1. Introduction

All over the world, the exponential economic growth, massive expansion of cities, and urban concentration have significantly affected the environment and public health. These and many other reasons have called for states to be mindful and stay alert to the consequences of their actions and in-action toward the environment. Realising the short- or long-term impact of these developments on the environment, countries all over the world have enacted a plethora of environmental laws, policies, and strategies to ensure that development and urban migration are regulated and thus have minimal impact on the environment.

As the focal point of this piece of paper, Sierra Leone has also enacted a plethora of environmental legislation (which will be discussed later in this paper) to regulate activities that are prejudicial to the environment and public health. Whether these laws are adequate to protect the country's environment or not will be elucidated in the forthcoming segments of this paper. Besides, Public education and participation in environmental conservation are highly valued in international environmental regulations. The Convention on Biological Diversity, for example, highlights the need for public education and awareness through promoting and encouraging the conservation of biological diversity (STOCK, 1992). Environmental awareness in this regard refers to the "efforts that increase public concern and knowledge about environmental issues and provides the critical thinking, problem-solving, and decision-making skills needed to make responsible decisions about the environment" (Michael, 2014).

This paper attempts to discuss the related environmental laws in Sierra Leone and other relevant international treaties on environmental awareness and public participation, thereafter, highlighting the need for environmental awareness and public participation, which is believed can be instrumental for environmental protection in Sierra Leone.

2. The Current environmental situation in Sierra Leone

The Republic of Sierra Leone is located on the West Coast of West Africa, bordering Liberia in the Southeast, Guinea Conakry surrounding the Northern Half of the country. Sierra Leone has a tropical climate with a diverse environment ranging from rainforest, sandy beaches, savanna, and more, and a population of 7.977 million as of 2021, with a land mass of 71,740 km^2 (27,699 sq. mi). The rapid population growth urbanization, and urban concentration in Sierra Leone, among others, have led to unprecedented economic development, resulting in a detrimental effect on the environment and public health. Deforestation, illegal mining, and poor waste management have reached dismal heights, as the consequences of these negative activities highly affect public health and the environment. Additionally, a large part of Sierra Lone lack proper waste facilities; as a result, solid and liquid waste has been discharged and dumped in public places, drainages, and grey and polluted water directly into rivers and the sea. So far, there is no available (updated data) to determine the extent of the numerous environmental damages in the country. The pollution of waters, marine environment, land contamination, deforestation and illegal mining are among the major environmental degradations affecting Sierra Leone (Gogra et al., 2010).

To this add extreme poverty, lack of education and environmental consciousness. To address this problem, the Sierra Leone government passed numerous legislations, policies and strategies to regulate environmental matters in the country. Also, Sierra

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Leone is a signatory to many international treaties protecting the environment. While these laws exist in the country, execution and enforcement are lacking.

Despite Sierra Leone's abundant natural resources ranging from Diamonds, Bauxite, rainfall, and so on, Sierra Leone today remains among the poorest countries in the world, leading to the failure to address environmental matters adequately; this includes not having an evolved viable environmental policy and nor the strong legal framework for environmental protection. These problems may not necessarily be attributed to the lack of legislation, as there exists a handful of policies and strategies promulgating environmental protection. Also, Sierra Leone is a signatory to international treaties protecting the environment. While all these laws exist in the country, execution and enforcement are lacking.

Among the numerous environmental problems, Sierra Leone is struggling to cope with the massive waste generation and illegal dumping and the risks posed by this waste to the public and the environment. The citizens are suffocated by the odors of waste disposal in public and private places. The available system to address this state of emergency has a lot of unanswered questions from concerned citizens (Abdul Rashid, 2012). The United States Agency for International Development (2013) stated that poor governance at national levels contributed to illegal logging, overexploitation of marine fisheries, indiscriminate cutting of trees for fuelwood and charcoal, and illegal fishing done by artisanal and commercial actors. Sannoh affirmed that Sierra Leone is already facing environmental problems such as global warming, natural disasters, and deforestation (Gogra et al., 2010).

As earlier highlighted, there are enacted environmental legislation in Sierra Leone; whether these laws are adequate to address environmental degradation or not will be discussed in the upcoming sessions.

2.1. National Environmental Laws

To avert environmental degradation, the post-independence in Sierra Leone saw the enactment of a plethora of legislation, institutional and regulatory frameworks that address and govern various types of the country's natural resources (namely, wildlife, forestry, fisheries, minerals, etc.), management, protected area system management and biodiversity conservation. Two crucial instruments, namely, the National Environmental Protection Act (NEPA) and the National Environment Policy (NEP) were formulated in 1994 and 2000, respectively, this was to properly regulate activities pertaining to the environment (Blinker, 2006).

2.2. The National Environmental Policy

The cabinet approved the National Environmental Policy (NEP) in 1990, which was later revised in 1994 (Fayiah, 2020). The NEP aims to achieve sustainable development in Sierra Leone through the creation of proper environmental and natural resources management.

The policy objectives are to:

i. Provide and guarantee all residents in Sierra Leone a quality environment
ii. Protect and utilise available natural resources for the benefit of both the present and future generations. Also, to maintain, restore, and improve ecological

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processes and the ecosystems necessary for the proper functioning of the biosphere; protect biological diversity; and support the principle of optimum sustainable yield in the use of living resources.

iii. Promulgate awareness and understand the primary linkages between the development and the environment, and encourage individual and public participation in all environmental matters.

2.3. National Environment Protection Act 2000

Another enacted legislation to protect the Sierra Leone environment is the Environment Protection Act (EPA) 2000. The Act contains some provisions for the establishment of an Environmental Impact Assessment (EIA) for specific projects undertaken in Sierra Leone that may have large impacts on the environment. For example, agriculture, mining, construction, and the exploitation of hydraulic resources. In addition to this Act, sectoral legislation was enacted to regulate activities on Lands and surveys, Mining and Minerals, Agriculture, Forestry, and Water Supply. In 2008, through the Act of parliament, the Environmental Protection Agency (EPA-SL) and other laws were established to govern and regulate the environment in Sierra Leone (Ameyaw et al., 2011).

Under the leadership and Agenda for Prosperity of the former President, Dr. Ernest Bai Koroma, several laws were promulgated to protect the environment. In 2008, through the Act of parliament, the Environmental Protection Agency (EPA-SL) and other laws were established, which has been seen as a stepping stone to providing comprehensive coverage to protect the environment (Ameyaw et al., 2011).

2.4. Environmental Protection Agency Act (EPA-SL)

Sierra Leone Environmental Protection Agency Act 2008, amended in 2011, provides the institutional framework, both legal and administrative, to enforce and execute environmental policies and legislations in Sierra Leone. The establishment of this Act marked the country's serious stand in regulating environmental matters. Critical reading of this Act indicates that the Act provides little coverage on the discussed topic. Nevertheless, the Act places a strict prohibition on the dumping of waste in Sierra Leone and further makes it a criminal offence if anyone should violate the law by dumping waste in any part of Sierra Leone. According to section 12(m) of this Act, the Agency shall initiate and pursue formal and non-formal educational programmes for the promulgation of public awareness of the environment and its relevance to Sierra Leone's economic and social life.

3. Environmental education and awareness at the international level

Several countries, including Australia, Singapore, and Malaysia, have acceded to some international conventions to address environmental challenges (Desai, 2015). These agreements are intended to regulate, report, and monitor all aspects of the environment in support of the pursued objectives (Bergman et al., 2013). As a signatory to these international instruments, Sierra Leone has committed itself to develop several environmental legislations (as discussed earlier) to protect its environment. These treaties, among others, have deliberated on the importance of environmental awareness and public participation as contributing factors to environmental protection (Owens & Rayner, 1999).

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4. Rio Declaration 1992

The Rio Declaration (1992) is a set of principles that recognize the relevance of the environment and establish international guidelines for doing so. The 27 Principles of the Rio Declaration were compiled at the United Nations Conference for Environment and Development in Rio de Janeiro in 1992 (Handl, 2012). The Rio Declaration serves as some of the standards by which United Nations member countries create international and domestic environmental policies. They formed agreements or organizations with one another pertaining to the environment and its protection. Principle 10 of the Rio Declaration, which promotes public participation stated that:

> "Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, everyone shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided" (ESCAP, 2021).

The Rio Declaration demands individual access to information, public awareness, and participation regarding potentially harmful activities to the environment. The motivation behind these voluntary guidelines is to give a broad guideline, if possible, to assist States in effectively implementing their commitments to Principle 10 of the Declaration within the context of their national legislation, policies, and strategies. By so doing, the guidelines seek to assist such countries in filling possible gaps in their relevant legal norms and regulations as appropriate for the implementation of the guidelines (Ochieng, 2015).

Rio Principle 22 emphasizes the "vital role of indigenous people and their communities and other local communities" in the protection and sustainable management of the natural environment, providing their knowledge and traditional practices. The Declaration suggests that States "recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development". Even at the time of its drafting, this was a modest statement, given that cultural identity and environmental protection are closely linked in the case of indigenous peoples (United Nations, 2020).

The participation of indigenous people in environmental protection necessitates their education and awareness of the subject matter. Their knowledge of the environmental value is important, and this will shape their general perspective and attitude towards the environment, thus leading to its protection.

5. Prior Informed Consent and Common Heritage and Common Concerns of Humankind

The question of whether indigenous peoples or local communities have the right to Prior Informed Consent (PIC), sometimes known as (free, prior, and informed consent or FPIC), for the exploitation of their knowledge and genetic resources has become a legal issue. Prior informed consent, as well as Common Heritage and Human Concern, are two notions

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that reflect the world community's growing understanding of the biosphere's interdependence and environmental concerns, as well as the global dimension of many environmental issues and their vital importance (Hunter, Singh & Aguon, 2018).

The protection and enhancement of the environment, especially addressing the climate system, fauna and flora and biological diversity, are largely recognized as a common concern. The education and awareness of the masses on the significance of the natural environment becomes crucial, and the restriction or depriving them of this vital information should not be allowed as this may affect both the current and future generations. The knowledge on the sustainable use of resources should be known to the public, as this will help in avoiding any potentially harmful activities to the environment (Hunter, Singh & Aguon, 2018).

It is pertinent to mention here that public participation as a principle of international environmental law was first articulated in Agenda 21, as it was stated that:

> "One of the fundamental prerequisites for the achievement of sustainable development is broad public participation in decision making. Furthermore, in the more specific context of environment and development, the need for new forms of participation has emerged. This includes the need of individuals, groups and organizations to participate in environmental impact assessment procedures and to know about and participate in decisions, particularly those which potentially affect the communities in which they live and work." (Sulich & Zema, 2018)

Agenda 21 elaborates on Principle 10 of the Rio Declaration and establishes three agendas, reorienting education towards sustainable development, increasing public awareness, and promoting training (Koy, 2019).

6. The Declaration of the United Nations Conference on Human Environment 1972

The United Nations Conference on Human Environment was convened in Stockholm, Sweden in 1972, in response to the growing relevance and necessity of environmental protection. The United Nations Conference on Human Environment Declaration was the first major UN conference on worldwide environmental issues, and it was a watershed moment in the evolution of international environmental politics. The Conference was widely recognized as the genesis of modern pollical and public awareness of the global environment (The Rio Declaration on Environment and Development, 2012). The Declaration of the United Nations 1972 provides that:

> "to achieve ... environmental goal will demand the acceptance of responsibility by citizens and communities and by enterprises and institutions at every level, all sharing equitably in common efforts. Individuals in all walks of life as well as organizations in many fields, by their values and the sum of their actions, will shape the world environment of the future" (Handl, 2012).

The Biosafety Protocol of 2000 further requires parties to encourage public awareness, education, and involvement "concerning the safe transfer, handling, and use of live modified organisms in the context of biological variety conservation and sustainable use." Certain treaties stipulate that unique protected areas, maritime navigation dangers, or

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obligations for the prevention, reduction, and control of pollution in the marine environment be made public.

7. The Aarhus Convention 1998

The United Nations Economic Commission for Europe's (UNECE) Convention on Access to Information, Public Participation in Decision-making, and Access to Justice in Environmental Matters, which was signed on June 25, 1998 in the Danish city of Aarhus, is another important and relevant convention to our topic. The Convention entered into force on October 30, 2001, binding on states upon ratification. The Aarhus Convention guarantees the public the rights regarding public participation, access to information and access to environmental justice in governmental decision-making processes on matters regarding the local, national, and transboundary environment (Mason, 2010).

The Convention places ratifying nations under a series of important obligations, including the collection of information-which necessitates awareness- held by private bodies and requiring public bodies to affirmatively make information available to the public, respond to requests, and provide strong rights of appeal. It also established rules for public participation, appeals, and access to justice measures.

Principle 10 of the Convention was promoted through the national application, as well as establishing a body, the Aarhus Convention Compliance Committee, to hear complaints where it is claimed that the Nation States are not adhering to the Convention. It stated that:

> "Although regional in scope, the significance of the Aarhus Convention is global. It is by far the most impressive elaboration of principle 10 of the Rio Declaration, which stresses the need for citizens' participation in environmental issues and for access to information on the environment held by public authorities. As such, it is the most ambitious venture in the area of 'environmental democracy' so far undertaken under the auspices of the United Nations." (Stephen & Susan, 2000)

The Aarhus Convention establishes several rights for the public (individuals and their associations) regarding the environment. Parties to the Convention are required to promote the necessary provisions of the Convention so that public authorities (at the national, regional or local level) will contribute to these rights to become effective. Among others, the Convention stated that,

i. Everyone has the right to obtain information from public authorities regarding the environment (access to environmental information). This includes information on the state of the environment, the implementation of measures or policies, and the state of human health and safety, all of which are affected by the environment. On request, applicants are allowed to get this information within one month or according to local standards. Furthermore, the Convention mandates that public authorities actively share any relevant environmental information in their possession.
ii. The right to involve in environmental decision-making. The Convention requires public authorities to make the necessary arrangements to allow affected citizens and environmental non-governmental organisations to comment on, for example, proposals for environmental projects or plans and programmes; these comments

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must be taken into account in decision-making, and information on final decisions and their reasons must be provided (public participation in environmental decision-making).

iii. The right to challenge public decisions that violate the aforementioned rights or environmental legislation in general through review procedures (access to justice) (Peters, 2018).

Furthermore, public environmental education is essential to environmental protection, it provides accountability and transparency for environmental matters. Article 4(1)(i) of the 1992 United Nations Convention on Climate Change encourages parties, including non-governmental organisations, to promote public awareness and engagement in the process. In addition, the 1994 Desertification Convention stresses the importance of including civil society within the action of the state (Panjabi, 1992).

8. Bali Guidelines

The Bali Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters (Bali Guidelines), were adopted by the Governing Council of the United Nations Environment Program in decision S.S. XI/5, part A of February 26, 2010, to catalyze and accelerate action in terms of implementing Principle 10 (Ochieng, 2015). The Guidelines demonstrate a willingness by Governments to engage the public more comprehensively at all levels to protect the environment. Within the framework of national legislation and processes, the guidelines emphasize the need to fill gaps in legal norms and practices to facilitate broad access to information, public engagement, and access to justice in environmental concerns (Etemire, 2016).

Among the salient components of the Guidelines are:

Appropriate Access to Information: this component requires the following:

i. access to obtain environmental information in possession of public authorities.
ii. the access should be appropriate, and the information should be widely available
iii. Openness and transparency by the public authorities in providing access
iv. More efficient and effective environmental regulations

Opportunity to Participate in Decision-making Processes: this requires:

i. The people should participate in decision-making processes; this refers to being timely, informed, and meaningful input and influence on general policies, strategies, and plans at various levels and on projects that may potentially affect the environment.
ii. In the forms of providing information, suggestion, criticism, or questioning decisions
iii. A mechanism for integrating citizen concerns into public policymaking
iv. Enhanced ability of governments to respond to the need and concerns of the public, build consensus, improve acceptance of and compliance with environmental decisions.

Enhance Public Awareness: this calls to:

i. Promote, facilitate, and encourage public awareness and participation by making information widely available

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ii. Publication and dissemination of information through appropriate means, such as mass media, newspapers, public forums, etc.
iii. Appropriate place and time for displaying information
iv. Environment education program.

9. Discussion

The study shows that environmental degradation in Sierra Leone has been given legal consideration, and this has led to the establishment of numerous environmental laws (as discussed earlier). Despite the promulgation of these legislations, the paper shows that environmental degradation continues. Besides, the enacted laws contain minutiae provisions on environmental awareness and public participation. The provisions so far have little or no effect on Sierra Leone's environmental challenges. In addition to that, the lack of implementation of these laws and the absence of political will to combat has exacerbated the country's environmental problems.

Though the domestic laws of Sierra Leone do not reflect our topic of focus, it is pertinent to reaffirm that, as stated in the above-discussed treaties, environmental awareness and public participation play a significant role in environmental protection. Since societies are potential major polluters and, at the same time, affected by the environment, it is worth their involvement in all the processes affecting the environment.

Environmental awareness would be a stepping stone in achieving a desired environmental result. With this kind of knowledge, the public will be able to take part in the legal process and decisions in a meaningful and active way. Active participation will require learning more about the environment, putting what you know into action, and using what you know to help other people. It will also enlighten individuals, groups, or communities and provide them with a greater overview of the importance of the environment and the need for its preservation. Also, environmental awareness can help find several ways of injecting good culture and behavior to overcome any negative or harmful behavior towards the environment (Norris, 2016).

10. Conclusion and Recommendation

Based on the above deliberation, there is systematic neglect and failure from the government and relevant authorities to regulate and protect the country's environment. It appears that the government and regulators view the environment as a secondary and unnecessary concern. Yet what is unavoidable is that refusal or neglect to take appropriate measures to address the root cause of the ongoing environmental problems in Sierra Leone has its future consequences.

The study has shown that though there are scanty existing environmental laws in Sierra Leone, the provisions are too general, vague, and poor. On this premise, the study recommends revising and improving these laws. Also, there should be a political will to address all environmental matters in the country, the provision of a sufficient budget and adequate infrastructure, and the establishment of a sound institutional framework. Apart from that, there is an urgent need for the promulgation of environmental awareness, campaign programs, and the provision of an avenue for public participation.

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Conflict of Interests

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