THE TWO THIRDS DIVIDE

PATHWAYS FOR A JUST TRANSITION IN LAGOS’ BUILT ENVIRONMENT

LAGOS SUMMARY REPORT

AS PART OF THE GLOBAL RESEARCH, VISIONING AND ADVOCACY PROJECT

Building for Today and the Future: Advancing a Just Transition in the Built Environment

Making respect for human rights part of every day business
ACKNOWLEDGMENTS AND PARTNERSHIPS


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ABOUT THE BUILDING FOR TODAY AND THE FUTURE PROJECT

This is one of eight city research summaries as part of the global project “Building for Today and the Future: Advancing a Just Transition in the Built Environment”

Buildings and construction contribute 37% of global energy-related carbon emissions. At the same time, cities are often where people experience the impacts of climate change, raising living costs, and socio-economic inequalities.

The project examines ecological transition processes in the built environment of 8 cities globally with the goals to (1) strengthen the understanding of social justice and human rights issues in each context and globally, and (2) open up pathways for local and international action to improve the social sustainability of these processes. The results of this project help stakeholders make informed decisions in urban and sustainability policies, and their implementation steps (in various contexts and at various levels of governance).

The project is structured in four research cycles, each undertaking parallel research in two cities to maximise comparative insights. The pairs of cities are: Lagos and Prague, Lisbon and Melbourne, Copenhagen and Jakarta, Athens and Valparaiso.

The intended audience is policy-makers, investors, and business involved in shaping the built environment in Prague, as well as civil society actors working to expand the space for socially inclusive climate action.

TERMINOLOGY:

Built environment: Buildings, infrastructure and the spaces that connect them.

Built environment decarbonisation: Measures to reduce GHG emissions from the built environment by improving the energy efficiency of new and existing buildings, switching to renewable energy supplies, and reducing the climate footprint of construction materials.

Built environment resilience: Measures to strengthen the resilience of buildings and infrastructure to the impact of climate-related events such as flooding, extreme heat, and sea level rise.

Just transition: Involves a series of aligned and coherent climate actions that effectively fulfil both environmental and social purposes:

1. a transition to an ecological-conscious model that allows societal development within planetary boundaries, and
2. ensure the benefits of that shift are equally spread and enjoyed throughout the population, and that its costs are not borne by workers or traditionally excluded or marginalised groups.

The project focuses particularly on four thematic areas: the right to housing; workers’ rights on site and through supply chains; non-discrimination and spatial justice; and meaningful participation. The project recognises that the phrase “just transition” is context specific, and frequently not recognised or understood. It therefore aims to engage with local language, narrative and perspectives while also building international momentum for positive change. The local research is accompanied by visioning sessions that bring stakeholders together to envision pathways towards a more inclusive, sustainable and just city.
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SUMMARY

With the increasing impacts of climate change in the built environment and vice versa, there is growing awareness of the need to build for all (local and migrants), and to consider both environmental and human rights aspects of the building process. Lagos, home to 10% of Nigeria’s population, is the most populated conurbation in the country, with its metropolitan area projected to reach 16 million in 2023. At the same time, two thirds of this megacity live in informal settlements, under living and working conditions that do not respect the right to live in dignified, affordable, and healthy housing.

This briefing examines the degree to which climate action in Lagos’ built environment acknowledges and addresses human rights dimensions. It also identifies underlying social, political, and economic explanations of the status of the just transition in the built environment. The report provides an overview of the national-local context, and the human rights risks and opportunities found, especially regarding governance, participation and decision-making processes, socio-spatial inequalities, and the right to housing.

Findings revealed lack of collaboration and coordination between stakeholders, a top-down centralised government structure facing significant corruption, and ineffective enforcement of locally-driven policies. The research also highlights the important role of civil society organisations working to expand the space for residents - particularly the young - to participate in built environment decisions that impact their lives.

Recommendations aim to inform key stakeholders in government, finance and businesses on the roles each can play to help address these issues and move towards a just transition in Lagos’ built environment.

“It is necessary to change the attitude, the willingness and approach to governance. There is an attitude required to deliver governance: an attitude of humility, of acknowledging power and responsibility as a privilege, which requires you to value individual citizens and motivates you to create policies for citizens.”

President of the Nigerian Institute of Town Planners (NITP), Tpl. Olutoyin Ayinde
Interview, October 2022

1 Conurbation: an extensive urban area resulting from the expansion of several cities or towns so that they coalesce but usually retain their separate identities.
RESEARCH PROCESS IN LAGOS

Field research was conducted in Lagos between September and December 2022, including literature review, stakeholder mapping, 19 semi-structured interviews with academia (3), finance (2), professional organisations (3), local and state government (3), non-governmental organisations (5), and the private sector (3) (see appendix for interview list). The data was collected and analysed through a framework at three levels: (a) national climate action and urban development policies, plans and governance, (b) city strategies for decarbonisation including issues and limitations, and (c) specific examples at the local level. Furthermore, a visioning session was held online on 3 November, 2022 to present the initial research findings and co-create a vision and pathways for a just transition of Lagos’ built environment.

CONTEXT: CRITICAL GOVERNANCE ISSUES AT 3 LEVELS AND THEIR MANIFESTATION IN LAGOS’ BUILT ENVIRONMENT

Approximately 75% of Africa’s total CO2 emissions come from four countries: South Africa, Egypt, Algeria and Nigeria. Nigeria, one of the biggest oil-producing countries in Africa is yet a context where many lack access to electricity. Therefore, it is crucial that the decarbonisation of the built environment in Nigeria is aligned with non-polluting methods e.g. renewable energy, and that it reaches people who need it most: the informal two-thirds of Lagos population. Efforts to decarbonise in ways that respect human rights and seek to address current injustices, are fundamental for policy makers and all built environment actors. However, the current context shows critical governance issues at three levels (national, city, and local) that express themselves in Lagos’ built environment, and hinder efforts to achieve a just transition for those most affected.

(a) National climate policies and lack of a built environment decarbonisation roadmap

The Department of Climate Change within the Federal Ministry of Environment (FMEnv) and the National Council on Environment lead the enactment and development of national climate policy in Nigeria. Key climate policies and plans considered in this study are:

- **Nigeria’s Energy Transition Plan** defining the roadmap to meeting NetZero targets;
- **Nigeria Long-Term Vision** (LTV-2050) proposing to cut emissions in half by 2050 (vs. 2020);
- **National Action Plan on Gender and Climate Change for Nigeria** (2020) which aims at mainstreaming the consideration of gender equality in climate change initiatives;
- **Nigeria Climate Change Act 2021** which aims to drive the country to net zero emissions by 2060.

These national policies and plans reflect the right direction for Nigeria, moving policy towards the ecological transition and attempting to include some social considerations. However, there are gaps in their full adoption. These documents are high-level overviews, and seldom mention the built environment as a key sector for climate action. Also, there is missing a concrete tool such as a built environment decarbonisation roadmap that can be practically applicable at local level by multiple stakeholders.

(b) Neoliberal urban development plans transition strategies related to the built environment

At the same time, there are several and diverse plans, policies, and urban development strategies carried out by the Lagos State Government (LASG), supported by international cooperation agencies, the private sector, and international foundations. For example:

- **Lagos Climate Action Plan 2020–2025**
- **Lagos State Development Plan (LSDP) 2052**
- **Mainland Central Model City Plan** (commissioned to Dar)
- **Ikeja Model City Plans**, among many others.

However, many of these plans and regulations draw on imported policies, ideas and models that are hardly adaptable to the local context. The LSDP 2052, for example, has a vehement focus on accelerating economic growth (GDP) by a factor of 10 and Lagos “becoming Africa’s Model Mega City and Global, Economic and Financial Hub that is Safe, Secure, Functional and Productive”. However, the plan’s strategy provides no detail on how to go from the current two-thirds divide (two thirds of people living in slums), to the proposed “exciting future”. The Ajegunle-Ikorodu Community Resilience Action Plan by Heinrich Böll Stiftung is the only plan that acknowledges and proposes to address the current acute human rights deprivations, and the real needs of the population regarding access to water, education, infrastructure, dignified housing, and clean environments.

Hence there is a clear gap between the status quo of Lagos and the futuristic visions of a liveable and thriving city. Since LASG and these plans fail to consider local precarity and because human rights are compromised to begin with, the government is unable to implement and enforce these plans and policies, especially with residents who rely on self-help to cover their basic needs.

(c) Gaps manifested at the local level

National climate policies and state urban development plans are disengaged from the social and urban reality experienced by two thirds of the population living in slums. Government-led initiatives lack roadmaps to address precarity as a priority. So, despite the multitude of plans and policies, there is still a governance vacuum at caring for basic services in the built environment. This has largely resulted in a self-help approach—residents having to provide basic infrastructure and cover basic needs for themselves— which is unsustainable from the social, economic, urban planning, and political points of view. Lagos’ urgent urbanisation challenge is evident through its housing struggles, disorganisation, and inadequate urban systems that cannot cover inhabitants’ basic needs. The results are marginalisation, social exclusion, and various human rights risks.

HUMAN RIGHTS RISKS AND OPPORTUNITIES

The following sections cover some of the human rights issues found in Lagos’ built environment. A rigid government structure with limitations of resources and authority poses serious hindrances to the delivery of basic infrastructure, which in turn, denies the right to a clean and dignified environment and right to physical and mental health. Socio-spatial inequalities—a physical manifestation of discrimination— are shaped by asymmetric investment flows and provision of public and social infrastructure to some neighbourhoods and not others. Also, the right to housing is alarmingly compromised by the acute inequalities in the territory and growing housing unaffordability, this is exemplified by the Eko Atlantic Project. Furthermore, lack of mechanisms for citizen participation in city-making processes deepen exclusion.

GOVERNMENT STRUCTURE: MISMATCH OF RESPONSIBILITIES AND CAPACITIES

Many urban issues in Lagos are derived from a rigid and centralised government structure—from the central, state, and local governments – where the responsibility for infrastructure development and management is tied to the state government. These limitations handcuff local administrations through lack of flexibility and authority to govern, and therefore lack the executive power to attend to the needs of citizens at local level. This governing incapacity further reinforces the perception of citizens towards the Lagos State Government and its local authorities as inefficient and uncaring, in this way fueling a cycle of distrust.

Concentrating local responsibilities and competences at the state level, in practical terms, also means excluding residents from (a) having a local go-to government that is close to them to hear their concerns; and (b) from participating in the processes that shape their own natural and built environments. However, this situation does not diminish the local authorities’ central role, quite the contrary: “Nigeria’s local governments are disproportionately important; if they functioned well, they would be best positioned to meet people’s basic needs and to build their resilience to cope with everyday challenges”.

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7 https://ng.boell.org/sites/default/files/180920_upp_2nd_digital.pdf
PARTICIPATION AND Decision-MAKING PROCESSES

Corruption and many bottle necks with bureaucracy and lengthy processes frustrate the desire of residents to be acknowledged and to participate in transition processes. Psychological and physical marginalisation is further accentuated with the criminalisation of living in informal settlements. This results in a direct form of discrimination against these city dwellers and a systematic denial of their right to equal access to public services. The criminalisation also expresses a hardly- escapable paradox imposed by a contradicting, ineffective, and uncaring government system.

Results showed top-down unilateral decision-making from the government and the private sector, with little or no engagement from other sectors. Consultations with a wide range of actors in academia, NGOs, and CSOs clearly voiced the need to reshape decision-making methods, to make such processes more inclusive, and thus more aligned with international standards addressing rights to access to information, and participation in public life. Changes would account for meaningful participation of small developers, academia and research institutes, community organisations, residents’ associations, related independent professionals and activists. Just opening up the space for dialogue with other actors would contribute to activating a pathway that is more just, where the voices and interests of directly-affected groups can be heard. Some organisations already working to open these ‘Spaces for Change’ are the Heinrich Böll Stiftung projects, NGO Spaces for Change, HOMEF - Health of Mother Earth Foundation, Futuresavers Sustainable Development Initiative, Ijikoo Research NGO, and Justice & Empowerment Initiatives, among others.

Socio-spatial inequalities

Lagos is faced by acute socio-economic segregation and inequality by income, class and race. Social discrimination against the most vulnerable has been a pattern since the early 2000s in Lagos and other parts of Nigeria. On one hand, massive forced evictions (with no genuine consultations, legal remedies nor compensation) violate the right to housing and also impact the right to work. On the other hand, private foreign direct investment in luxury residential developments has made them completely unaffordable to the middle class. The result is an increase, rather than reduction, of the gap between supply and demand of affordable housing, exacerbating the long-present urban inequalities in Lagos.

New and various city plans offer an opportunity to address urban governance errors of the past such as the criminalisation of informal settlements. Formal planning with the community in these settlements would help reintegrate and inclusively redevelop these neighbourhoods, while also strengthening people’s agency. Most of the city development plans already have a vision of a sustainable and thriving future. What is missing is the formulation of the participatory process, rooted in community-led initiatives and actions that can be transformative towards that vision.

THE RIGHT TO HOUSING: THE CASE OF THE EKO ATLANTIC CITY PROJECT

The Eko Atlantic City (EAC) Project is one of the largest urban developments in Africa. It is located in Victoria Island’s waterfront, a prime area in Lagos tailored for the elite and wealthy class. The mixed-use development is a public-private initiative between the Lagos State Government (LASG) and South Energy Nigeria Limited (SENL) with the advertised aim of “mitigating coastal threats, closing the demand and supply housing gap, and attracting foreign direct investment”, apparently bringing environmental, social, and economic benefits. However, the project’s capacity to close the [affordable] housing gap, and meet criteria of human rights, social justice, and social sustainability is very questionable.

11 See ‘Context’ section of this report
12 [https://www.ekoatlantic.com] The project is officially advertised as: “Eko Atlantic is a new coastal city being built on Victoria Island adjacent to Lagos, Nigeria, to solve the chronic shortage of real estate in the world’s fastest-growing megacity. It is a focal point for investors capitalising on rich development growth based on massive demand – and a gateway to emerging markets of the continent.”
This is an exemplary case of "dispossession and repossession" which is reflected in the 3 main concerns of NGOs, environmentalists, and human rights activists: (1) there are concerning transparency issues as the promoter disregarded regulations e.g. the Environmental Impact Assessment (EIA) was done only 3 years after dredging started, and it did not include the construction phase; (2) insensitivities to potential negative impact on the neighbouring communities, as public engagement was not part of LASG and SENL plans; and (3) the elitist nature of the project.

According to an informal record gathered from the EAC office in October 2022, the minimum allottable area of land is 1,000 m² (and up to 3,000 m² plots) at $1,800/m² (₦803,620,000 Nigerian nairas) for inner plots, and $5,000/m² (₦2,280,000,000) for plots on major roads and waterfront. This sets minimum purchases at $1.8 million and up to $15 million USD.

By striking contrast, the minimum wage in Nigeria is ₦30,000/month ($66 USD), and average income for residents in vulnerable neighbourhoods of Lagos is approximately ₦23,000/month ($50 USD). It would take one of these citizens up to 36,000 months of their full salaries to save for the minimum plot purchase at EAC, so the possibility of accessing this housing is 3,000 years away from them. Hence, the fulfilment of the social aim of the project to "close the demand and supply housing gap" is also thousands of years away.

It could be argued that 1,000-square metres plots are meant to be bought by real estate developers who would in turn build apartments at scale, and not to be bought directly by the citizens. Nonetheless, there is no guarantee whatsoever that at such scale the developer-led prices would ever become affordable to the average-income citizen. Therefore, following their profit-making model, the business transaction is rather an acquisition for investment and high-rent extraction.

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15 https://spacesforchange.org/eko-atlantic-city-project-in-whose-interest/

CONCLUSIONS

This research found multiple obstacles in the path towards a just transition in Lagos’ built environment: (1) a central government system that allows corruption and incapacitates local authorities, (2) private-led elitist urban development, (3) difficulties in urban planning and policy enforcement due to the self-help model of urbanisation, (4) hyper-exclusion of city dwellers, manifested (5) spatially with two thirds living in criminalised slums, and (6) in the suppression of civil society and academia from decision-making processes.

Overall, there is a disconnection between the national and local scales, between policy and practice, norm and enforcement, and theory and reality. Foreign, privately-led, highly financialised, extractive urban development projects exacerbate socio-economic inequalities to the point of creating parallel societies juxtaposed in the same territory, that do not interact with each other e.g. the residents of Eko Atlantic City Project and two thirds of Lagos population living in slums.

At the same time, there are also many opportunities to leverage for an inclusive and sustainable Lagos. The most evident opportunity for change is towards a decentralised inclusive governance structure that empowers local authorities to deliver programmes that meet the immediate needs of their communities. Empowering and monitoring the performance of local authorities would also aid transparency. There is also an incredible potential for innovation and sustainable solutions in the built environment being driven by Lagos’ youth, the next generation of designers and architects, and the technology sector. Therefore, it is fundamental to support and channel funding to these emerging and promising grassroots actors.

Another key opportunity is making a conscious effort to strengthen multi-level collaboration between government, businesses, international investors, NGOs, CSOs, unions, universities, and citizens themselves, to ensure residents and workers’ rights are upheld. These would be the first steps in rebuilding ties between governments and communities, especially showing more empathy and care towards residents (e.g. by stopping criminalisation of informal settlements) and harnessing the power (talent, knowledge, sources for ideas/solution, and labour force) of marginalised communities. Besides the benefit of improving relations, recognising and utilising community knowledge and local expertise can also generate innovative solutions to various (current and future) urban problems.
RECOMMENDATIONS

This research study revealed the need for more interactions between sectors, transparent governance, and the development and implementation of local policies to decarbonise the built environment. Interviewees emphasised the need to strengthen collaboration, especially inclusion of currently marginalised communities e.g. indigenous peoples and slum dwellers (who make up two thirds of Lagos’ population). There was common agreement among interviewees that this should be championed by local governments by creating avenues for engagement and participation of these groups, which often lack institutional, technological, and financial capacities.

NATIONAL GOVERNMENT

2023 and the following years, present a crucial opportunity for new president-elect Bola Ahmed Tinubu and his cabinet to prioritise human rights in the built environment to (1) address the current deficit of basic services in Lagos to approx. 10 million people; and (2) in relation to climate action, fill in the gaps between current policies and plans, and their implementation in practice. The new government should take the lead on a decentralisation process to allow for locally-driven policies. This could be achieved by delegating competences and financial flows to local authorities, with strict transparency and accountability mechanisms to avoid corruption.
SUMMARY REPORT

MINISTRY OF EDUCATION AND ACADEMIA

Initiate, conduct and oversee a curriculum overhauling process that, from primary education to tertiary education, is built around environmental and social sustainability, including just transitions and circular economy. Also, centre curricula around the current issues in the local context, and focus on root causes in the approach to solutions. This is essential for generational change of vision, attitude, and future actions.

LAGOS STATE GOVERNMENT (LASG)

The Lagos State Ministry of Physical Planning and Urban Development should shift to an inclusive urban planning approach, with efficient methods for citizen participation in city-making processes. This would actively employ the currently overseen knowledge, expertise, and scaling power of Lagos’ 15 million people. Establish financial mechanisms and incentives to encourage developers, architects and builders to invest not only in mixed-income housing, but also inclusive and sustainable housing. Also, LASG should ensure training on and enforcement of local building codes, including their sustainability provisions.

MUNICIPAL GOVERNMENT

Adopt the social urbanism model of governance to prioritise provision of basic services in the built environment e.g. water, sanitation, electricity and dignified affordable housing, in the slums, followed by social infrastructure e.g. health facilities, schools, and community centres. The focus should be on reducing urban inequalities, and respecting human rights of all residents, in particular slum dwellers (two thirds of the population).

BUSINESS (ARCHITECTURE, ENGINEERING AND CONSTRUCTION)

Seek to engage in projects that benefit the two-thirds of Lagos residents who live in informal settlements and are often overlooked in built environment investments. Avoid corruption and conduct meaningful consultation and human rights due diligence from the earliest stages of projects. Respect workers’ rights, and train workers with the skills necessary for rights-compliant and climate resilient construction practices.

FINANCIAL ACTORS

Financial profit is compounded by two variables: price and quantity. The predominant (and easier) model of investment in the built environment is extracting profits from a low quantity of projects at a very high price, but the converse model, of low price and high quantity, could work as well for financial profit while benefiting citizens at a massive scale. Hence it is recommended that instead of extracting rents from one high-priced project, such as Eko Atlantic City, private and financial actors work together with the local and/or state government to create a city-wide housing development/investment model that allows financial gains from low-priced locked rents at a massive (15 million people) scale.

See more and similar recommendations on how to embed human rights in built environment processes in IHRB’s resources below:

- Slides: ‘Introduction to a just transition in the built environment’
- Framework for Dignity in the Built Environment
- Series of interviews: ‘Community-led and participatory approaches to climate action in the built environment’
- Podcast with Lagos-based NGO ‘Spaces for Change’

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Appendix: List of interviews

1. Spaces for Change, Community Relations Officer
2. Nigeria Institute of Town Planners (NITP), President
3. Flour Mills of Nigeria, ESG Sustainability Officer
4. Health of Mother Earth Foundation (HOMEF), Director
5. Futuresavers Initiative, CEO
6. Ijikoo, Director
7. Arctic Infrastructure, Project Director
8. Pan-Atlantic University, Associate Professor Planning at School of Science and Technology
9. Dar Group, Environmental and Social Development Specialist
10. CityCode Mortgage Bank, Officer
11. Green Building Council Nigeria, President
12. University of Lagos, Professor of Urban and Regional Planning
13. Lagos State New Towns Development Authority (NTDA), Engineering Services Department
15. Nigerian Institute of Builders- Lagos State Chapter, Treasurer
16. MTN Foundation, Sustainability and Impact Reporting Manager
17. Lagos State Ministry of Physical Planning and Urban Development, Senior Town Planning Officer
18. University of Lagos, Urban and Regional Planning Department Lecturer
19. Nigeria Institute of Estate Surveyor and Valuers (NIESV), Chairman
Making human rights part of everyday business.

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