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Obani, P.C.

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STRENGTHENING THE HUMAN RIGHT TO SANITATION AS AN INSTRUMENT FOR INCLUSIVE DEVELOPMENT

PROPOSITIONS FOR ACADEMISCH PROEFSCHRIFT

BY

PEDI CHIEMENA OBANI

AGNIETENKAPEL

16 MAY 2018

1. One of the consequences of the historical linking of water and sanitation is the poor theoretical development of the human right to sanitation norm; this is a major justification for the study of sanitation as a self-standing right.
2. The human right to sanitation can ensure human dignity, wellbeing, participation in development processes, and environmental sustainability. This makes the imperative of inclusive development, comprising social, ecological and relational inclusion, an appropriate guiding norm for a sustainable human right to sanitation.
3. There are eleven human right to sanitation principles, garnered from the core content of the right and cross-cutting human rights principles, representing the standard of judgement for sanitation governance institutions.
4. States are the primary duty bearers with the responsibility to respect, protect and fulfil the human right to sanitation within their jurisdictions; non-State actors are also obliged to refrain from violating the human right to sanitation.
5. The implementation of the human right to sanitation as an instrument for inclusive development is enmeshed in three potential conflicts over: cost recovery; the legalisation of informal settlements; and the relegation of vulnerable rightsholders in favour of vocal rightsholders.
6. International humanitarian law and the broader water and sanitation governance discipline can proffer complementary instruments for addressing the conflicts and achieving a sustainable human right to sanitation; this calls for greater synergy between human rights and other disciplines that are involved in the study of sanitation or affect sanitation service delivery.
7. Changing a baby's diaper is about the best preparation for opening a reviewer's email; you cannot be too sure that you will like the content, but you open it anyway.
8. My friends say that I am ambitious. I do not know if they are right. Nonetheless, a lady once said to me: 'the degree you need now is Mrs., and not Ph.D'; I went for both and the man of my dreams.
9. The more things change, the more they remain the same.