

Comparative lessons for a human rights-based approach to water in Nigeria: Kenya, South Africa, India and Colombia in legal perspective

Niyi-Gafar, O.L., and Igbayiloye, O.B. (2023)

Al-Hikmah University Law Journal vol 4 No 1

With the botched water resources bill of 2017, the “unknown” and “unimplemented” human rights to water in Nigeria and the ongoing climate change, it has been reported that over 179 million Nigerians lack access to potable water nationwide. In this article, the need to consider water as a human right is argued and comparative lessons of a human-rights-based approach to water is highlighted. In the obvious light of development and climate change it is strongly opined that unless a human rights-based approach to water is considered and a progressive realisation is adopted, many more Nigerians will lack access to potable water. This article considers lessons from South Africa, Kenya, India and Colombia and suggests three major recommendations which are that Nigeria should recognize the human right to water and put in place a legal framework and monitoring mechanisms for the right to thrive; that from the existing rights, particularly the right to life, the courts can further interpret it to include the right to water as pronounced in India Courts; and that civil society organisations should propagate the right to water through advocacy.