

Environmental Sanitation: A Human Right to Ghanaians

Sylvester Agbezuge

Multi-Disciplinary Studies Department, Ho Technical University, P O Box HP 217, Ho Ghana.

Abstract

The paper draws attention to Ghana's poor sanitation situation which has been disregarded by governments over the years. It holds the view that sanitation is a human right which ought to be protected and respected by governments of Ghana like all other human rights. I intend to argue that sanitation is closely linked with right to life because poor sanitation deprives people of their right to life. This is because poor sanitation leads to diseases and death. Our survival as human beings depends to a large extent on good and proper environmental sanitation. Lack of it leads to communicable diseases like cholera. It is therefore a right to enjoy proper sanitation. Sanitation is not a privilege but a right to all Ghanaians and ought to be regarded as such in Ghana.

Keywords: Environment, sanitation, hygiene, rights, human, law, survival

1. Introduction

Ghana's sanitation situation over the years has not been good. Almost every year, a number of people die due to poor sanitation related diseases. This calls for attention to finding a lasting solution to the menace.

Unfortunately, governments over the years have not paid much attention to improving the poor sanitary conditions in which majority of Ghanaians live. Environmental sanitation so far seems to be a preserve of the rich who live in areas reserved for the elite.

The paper discusses in a considerable detail the sanitation situation of Ghana. It traces the human rights regime under international bodies such as the United Nations Commission on Human Rights and the African Charter on Human and People's Rights. It argues that, having ratified some of the relevant treaties and conventions under those bodies, the nation should consider sanitation as a right to the people of Ghana. It also argues that sanitation as human right ought to be justiciable. It concludes by making some useful suggestions towards the provision of proper sanitation to Ghanaians.

2. Literature Review

Sanitation is defined as conditions relating to public health especially the provision of clear drinking water and adequate sewage disposal¹.

According to the World Health Organization (WHO), sanitation generally refers to the provision of facilities and services for the safe disposal of human urine and faeces. It also refers to the maintenance of hygienic conditions, through services such as garbage collection and waste disposal.²

A closer look at the two definitions suggests that sanitation is closely related to health. When wastes of whatever kind are handled well and human beings have access to good and safe drinking water, they would be healthy as well.

Sanitation therefore is one of the hygienic means of promoting health through prevention of human contact with hazards of waste. It also has to do with treatment and disposal of sewage or waste water. Improper disposal of human and animal excreta, solid wastes, domestic waste water, sewage, industrial waste and agricultural waste can cause health problems. Generation of waste in all its forms is inevitable. What is important is that proper and adequate facilities are provided to contain them.³

Priis A. et al³ observed that for any social and economic development, adequate sanitation in conjunction with good hygiene and safe water are essential to good health. According to them, it is estimated that inadequate sanitation is responsible for 4.0 percent of deaths and 5.7 percent of disease burden worldwide. Sanitation is a necessity for a healthy life.

Lack or inadequate sanitation is a serious issue that is affecting most developing nations around the globe and Ghana has its fair share in the effects of poor sanitation over the years. Sanitation and hygiene are essential and critical to health, survival and development.

According to Global Water, Sanitation Hygiene (WASH), basic sanitation is described as having access to facilities for safe disposal of human waste as well as having the ability to maintain hygienic conditions. This could be realized through services such as garbage collection, industrial or hazardous waste management and waste water treatment and disposal.

It observed that many countries are not able to provide adequate sanitation for their entire populations. This

¹The Oxford Dictionary of English, online: <https://www.oxforddictionaries.cc> (15/11/17

²“WHO/Sanitation”, online: <http://www.who.int/topics/sanitation/en> (15/11/17)

³ Priis A, Kavy D, Fewtrell L & Batram J. “Estimating the Burden of disease from water, sanitation and hygiene at a global level”. (2002) Environmental Health Perspectives, 110:537-542

leaves people at risk of water, sanitation and hygiene – related diseases. Throughout the world an estimated 2.5 billion people lack basic sanitation (more than 35 percent of the world’s population)

Like many other countries around the globe Ghana’s sanitation is not the best. Some commitment has to be made by the state to improve upon the situation. I now turn to look into Ghana’s environmental sanitation in some detail.

2.1 Ghana’s Sanitation Situation

Ghana’s fast development pace has earned her many accolades. One of them is ‘the gate way to Africa’. However, one of the challenges that the nation faces is its poor sanitation. This problem has been with us as a nation for a very long time.

The World Health Organization(WHO) and United Nations Children’s Fund (UNICEF) in their Millennium Development Goals (MDGs) assessment in 2015 ranked Ghana as the seven worst performing country in the world in terms of poor sanitation.¹

According to the report even though the country registered some increases in access to basic sanitation, it is minimal. Over the fifteen year period of the MDGs Ghana’s basic sanitation increased from 6% to only 15% and the rate of 15% has remained static since 2011.²⁷

Waste generation, in all its forms – human, domestic, industrial, agricultural etc are inevitable. What is important is how the generated waste is managed or disposed of. This is where Ghana has a great challenge. In almost every community one finds heaps of garbage left rotten and emitting horrible smell. Our drains are choked with all sorts of waste materials including human excreta. Our beaches are full of filth and our water bodies are polluted by both animal and human activities.

People still defecate indiscriminately on our beaches and on refuse dumps. This is one of the sources of Ghana’s perennial cholera outbreak. Our streets remain filthy with waste. Drains are clogged with plastic waste. Mountains of waste sit uncollected at various points. People, both urban and rural, lack clean and potable water.³

Manteaw, in his article: *National Sanitation Day: why it failed*,⁴ observed that Ghana’s sanitation challenges are first and foremost human problems. If Ghanaians are able to change their attitude towards creation and management of waste, our sanitation situation as a nation would drastically improve.

Apart from behavioral and attitudinal challenges, he also identified lack of policy and regulatory enforcement as another set of challenge. Coupled with these, are the deficits in waste and sanitation infrastructure in the country.⁵

Consequently, he suggested that solutions to the above challenges should be focused on people first and foremost. Attention should as well be paid to other areas such as law and policy enforcement, meaningful and functional public-private partnerships.⁶

From environmental perspective, Sarpong, in his article, *From Stockholm to Rio: Some Ghanaian Responses to the Problems of the Environment*, described Ghana’s sanitation situation in the following words:

“... Ghana faces an environmental crisis of grave dimension: ... Improper use of hazardous chemicals in agriculture and industry have created additional threats to human health and safety ... rapid urbanization have led to the development of slums and a rather dismal picture of our urban environment: problems of acute sanitation and disposal of waste, rampant disregard for approved land use allocations, noise, overcrowding, ... and filthy beaches. The costs of these are rather high”.⁷

Of course, Ghana has made some improvement, over the years. However, much more is needed to be done to augment successes chalked so far.

According to the World Health Organization (WHO) report on Ghana’s sanitation and water situation in 2015, the nation has taken significant steps in improving the enabling environment for the delivery of water, sanitation and hygiene services. Moreover, the provision of the services is accompanied with measures to ensure sustainability and behavioral change towards proper water, sanitation and hygiene practices.⁸

Despite some general improvement in the sanitation problem of the country, much more need to be done. Our governments must show more commitment towards issues of sanitation. They must see it a human right which, must be respected and protected and must not relegate it to the background.

It is estimated that as in 2015, 3.5 million people in Ghana were still without access to safe drinking water and about two out of five water sources were polluted. Furthermore, pollution during transport and household

¹“Water and Sanitation”, online:<http://www.gh.one.un.org/content/unit/ghana/en/home/our-work/...water-and> sanitation.html.

²*Ibid*

³ Bob Manteaw, “National Sanitation Day: Why it Failed” *The Daily Graphic* (6 February, 2017) 48

⁴*Ibid* at 49

⁵*Ibid* at 49

⁶*Ibid*

⁷G.A. Sarpong, “From Stockholm to Rio: Some Ghanaian Responses to the Problems of the Environment” (1993-1995)19 U.G.L.J 53 at 67

⁸ Water and Sanitation *supra* note 4

storage imply that three out of five Ghanaians were still drinking unsafe water¹

In reality, Ghana's sanitation situation currently is bad. Sanitation properly so called is concentrated in the areas reserved for the elite. Sanitation situation in rural communities all over the country is precarious.

I hold the view that the nation has not paid much attention to sanitation. Sanitation is closely related to good health. Good health guarantees life. Just as the nation protects and respects the right to health and life, so must it consider sanitation as a human right issue and tackle it from that angle. This position I intend to argue under the next sub heading.

2.2 Sanitation as Human Right

All nations around the globe recognize the right to life as a fundamental human right. This is in line with article 3 of the Universal Declaration of Human Rights². It states that everyone has the right to life, liberty and personal security.

I daresay that every nation has incorporated this provision into its national laws or constitution. If right to life is a fundamental human right, then it ought to be safeguarded and protected. Life itself thrives in an environment- of course a sanitary one.

As Sarpong observed; the environment is the sum total of our being and surroundings – ranging from our habitats, the food we eat, the air we breathe, our resources like land and water bodies and their attendant impacts on the lives of the people.³ He added:

“.....the environment is our lives; our very existence, not just where we live. For, take away our environment, and we cease to be in existence”⁴

In addition, as the World Commission on Environment and Development (WCED) puts it, the environment is where we all live.⁵

From the foregoing, I hold the view that there is no life without the environment. More so, there is no life without a clean and a sanitary environment. Human beings cannot survive in a dirty or insanitary environment. A dirty environment breeds all sorts of diseases which often lead to death.

As the Supreme Court of Costa Rica puts it;

“...life is only possible when it exists in solidarity with nature; that it constitutes a right which all citizens possess to live in an environment free from contamination...”⁶

Again, the Indian Supreme Court in the case of *Subbash Kumar v. State of Hihar* emphasized that the right to life includes the right to the enjoyment of pollution free water and air.⁷

From the authorities cited, it is clear that human life and the environment are inseparable. They are intertwined. Therefore, once people are guaranteed right to life, they are equally guaranteed the right to the environment. Environmental right is therefore a right to all. It is a fundamental human right, I submit.

The authorities I have cited on the subject so far have equally emphasized that human beings have the right not just to an environment, but a clean and unpolluted environment. I hold the view that sanitation is nothing but a clean environment for human existence. Sanitation is about an environment where waste is managed well. To this end, if the right to life and the environment are guaranteed them by implication, the right to sanitation should equally be guaranteed.

As Miti rightly observed in his article, *Water as Human Right*, water, a component of sanitation is a human right. He stated: “As a human right, all peoples everywhere, without regard to their geographical location, race or any identifying variables are entitled to accessing, and using safe and clean water ...”⁸

United Nations Organization, over the years has made several attempts to safeguard and protect the environment – sanitation. For example in 1972, it organized the Stockholm Conference on the environment. The object of the conference was to conscientize governments and international organizations on the need to protect the environment.⁹ This was followed by the Earth Summit in Rio de Janeiro in 1992.

All these and many similar interventions were aimed at making the right to environment and by extension, sanitation a reality. No wonder in July, 2010 the United Nations General Assembly passed a resolution to the effect that sanitation and water are recognizable human rights. The resolution emphasized and acknowledged clean drinking water and sanitation are essential to the realization of all human rights.¹⁰

Sanitation is currently recognized by the United Nations as a human right and ought to be considered so by

¹ *Ibid*

² Adopted and proclaimed by the UN General Assembly Resolution 217(iii) of 10 December 1948

³ G.A. Sarpong, “Environmental Justice in Ghana” (1996-2000) XX RGL 91 at 93

⁴ *Ibid* at 93

⁵ WCED Our Common Future XI (Oxford, 1987)

⁶ Sarpong, *supra* note 14 at 97

⁷ *Ibid*

⁸ J.J. Miti, “Water as a Human Right” (March-April 2017) 167 *New People*, 20

⁹ The UN Conference on Human Environment (UNCHE) 5-16 June, 1972

¹⁰ United Nations General Assembly Resolution 64/292, July 2010

Ghana, being a member of the United Nations.

3. Sanitation as a human right to Ghanaians

Ghana inherited the common law tradition having been colonized by the British. Thus international law forms part of our laws. This is why art the 1992 Constitution of Ghana enjoins the government of Ghana to conduct its international affairs in consonance with the accepted principles of public international law and diplomacy in such a way as to be at par with the national interest.¹

Furthermore, the 1992 Constitution of Ghana enjoins the Government of Ghana on dealing with other states, *inter alia*, to promote respect for international law and treaty obligations. The Government of Ghana under the same provision is to adhere to the principles and ideals of the United Nations Charter and those of other international bodies and institutions of which Ghana is a member²

As Sarpong rightly observed, the Fundamental Human Rights provisions under the 1992 Constitution are reproduction of texts from the International Covenants on Civil and Political Rights (ICCPRs); the International Covenant on Economic, Social and Cultural Rights (ICESCRs) and the African Charter on Human and People's Rights (ACHPRs).³

Even though Ghana has ratified all these conventions and treaties, it unfortunately shifted the responsibility to accord its citizens the right to a clean sanitary environment to the citizenry. This is sad for Ghana.

Suffice it to say however, that since Ghana is a member of United Nations and the African Union, and having ratified the above conventions, it has to respect her obligations thereto. I therefore hold the view that Ghana as a nation ought to recognized sanitation as a human right. This is because the United Nation has passed a resolution to that effect in 2010.⁴

The Constitution of Ghana provides that:

“The rights, duties, declarations and guarantees relating to the fundamental human rights and freedoms specifically mentioned shall not be regarded as excluding others not specifically mentioned which are considered to be inherent in a democracy and intended to secure the freedom and dignity of man”⁵

I argue that though sanitation is not specifically mentioned as a fundamental human right under the 1992 Constitution of Ghana, it could be couched under article 33(5) of the Constitution. Sanitation is life. Human beings survive in a healthy environment. Democracy gives credence to life. It guarantees the right to dignifying life and sanitation makes life dignifying. Therefore, sanitation ought to be recognized as a human right in Ghana. It must in effect, be accorded the protection and the respect given to other similar rights under the Constitution.

Sanitation, when accorded the recognition as a human right would enable the citizenry to enforce its violation against the State. This would make our government more responsive to sanitation issues and concerns in the country.

As it stands now, the nation is not adequately responsive to addressing sanitation needs of Ghana. But if the citizens are educated on their right to an improved and sustained sanitation they would rise up to the occasion.

4. Justifiability of sanitation as Human Right

So far, I have argued that sanitation is crucial for the survival of human beings. Poor sanitation leads to diseases and eventual death. I have also established sufficiently that Ghana's sanitation situation is very poor. This has led, in many parts of the country, to outbreak of diseases like cholera which has claimed a lot of lives so far. I have also established that sanitation is a human right, closely associated with the right to life and good health. I intend to argue under this section that sanitation being a human right is justiciable. As such, it is the right of citizens of Ghana to demand from the government proper or improved sanitation. Failure to provide same, they should be able to seek legal remedies in the courts of law.

As has already been discussed,⁶ Ghana, like many other States has ratified many international treaties and conventions on human rights and their ramifications. This means that it has to comply with those treaty obligations arising therefrom. This is not the case in many respects.

As Sarpong⁷ observed;

“The oversight responsibility accorded the legislature under articles 267 and 269 must be exercised short of partisanship; with the well-being not only of the present but future generations as the overriding factors. The 1992 Constitution as observed imposes a duty on the citizenry to protect the environment. Regrettable, however, it does not accord the citizenry the right to a healthy environment; a right accorded all peoples under the African

¹ Constitution, 1992 article 73

² *Ibid* article 11

³ *Ibid* art. 40

⁴ Sarpong, *Supra* note 14 at 94

⁵ UN General Assembly, *supra* note 22

⁶ Constitution, 1992 *supra* note 23 article 33(5)

⁷ Sarpong, *supra* note 14 at 97

Charter which has been ratified by Ghana. Indeed, if the right to a healthy environment is a collective right which belongs to groups, communities or peoples and if when the group secures the right in question then the benefits rebound to its individual constituents, then I submit that the individual citizen ought to be entitled to the right to free and healthy environment, a right which ought to be enforceable against the state”.

I support this view and submit that sanitation and the environment are inseparable. Sanitation is nothing but a clean and healthy environment which guarantees good health. The right to life is closely linked with the environment and sanitation.

Consequently, so long as the right to a healthy environment ought to be considered justiciable, the right to sanitation should be justiciable as well.

The 1992 Constitution of Ghana makes provision for unenumerated or derivative rights. It reads:

“The rights, duties, declarations and guarantees relating to the fundamental human rights and freedoms specifically mentioned in this chapter shall not be regarded as excluding others not specifically mentioned which are considered to be inherent in a democracy and intended to secure the freedom and dignity of man”.¹

On this provision Atupare² commented:

“The vision underlying article 33(5), it is suggested, that the socio-economic rights (such as the right to health, housing, shelter, work, food, livelihood, water etc.) that are intimately related with the civil and political rights specifically mentioned in the Constitution are also constitutionally protected. To ignore this all-inclusive vision is to jettison the theory of public law rights which is sensitive to questions of appropriate remedies from the courts that hold sacrosanct such constitutional values central to the preservation of human dignity and just democratic governance”.

In support of this view, I submit that sanitation ought to be considered one of the unenumerated or derivative rights. As such, it must be justiciable. This is because sanitation is essential in every civilized democratic dispensation. Sanitation defines or clothes citizens with dignity just as its absence dehumanizes people. To this end, sanitation ought to be a justiciable right in Ghana.

The Constitution of Ghana has given jurisdiction to the High Court in all matters. It provides: ³

“The High Court shall, subject to the provisions of this Constitution, have jurisdiction in all matters and in particular, in civil and criminal matters and such original, appellate and other jurisdiction as may be conferred on it by this Constitution or any other law”.

I am of the view that issues bothering on sanitation are not outside the scope of matters envisaged under the above article of the Constitution. Individuals or groups of people, communities etc. who may be affected by poor or improper sanitation due to failure of government or its agencies to provide same, should be able to seek protection at the courts.

In *Adofo and Others v. Attorney General & Cocoa Board*,⁴ the Supreme Court held:

“...the unhampered access of individuals to the courts is a core value which informs the general provision in article 125(5) of the 1992 Constitution and is also a fundamental prerequisite to the full enjoyment of fundamental human rights”.

The import of this quotation is that once the courts have jurisdiction in a matter, individuals should not be prevented from exercising their individual or collective rights. They have a constitutional right to seek justice where it is denied.

I am of the view that sanitation is a right and not a privilege. Therefore if the government fails to provide proper sanitation or fails to enforce laws on sanitation, leading to abuse of people’s rights, the government should be held responsible.

One of the many ways to institute a legal action against the government for creating nuisance or improper sanitation is to sue its agents.

In *CFC Construction Co. v. Accra City Council*⁵ the plaintiffs brought an action against the defendant for damages and interim injunction for dumping garbage and refuse in a quarry in the plaintiff’s residential area in Tesano. The garbage and the refuse created an offensive and pestilential smell. The plaintiffs also averred that the stench emanating from the refuse had seriously interfered with the comfort and wellbeing of the residents of the area. The defendant in its defense sought refuge in its statutory authority and functions under the then Local Government Act, 1961⁶ which mandated the defendant City Council to carry out services for the removal and destruction of all refuse, filth and carcasses of dead animals from any public private place.

The Court held that any interference, whether temporary or not with a person’s enjoyment, tranquility, liberty, convenience or comfort provided the degree of interference was sufficiently serious, constitutes

¹Constitution, 1992 *supra* note 23 article 33(5)

²Atidiwe P. Atupare, *Constitutional Justice in Africa*(Durban: LexisNexis 2013 at 173

³ Constitution, 1992 *supra* note 23 article 140(1)

⁴ [2005-2006] SCGLR 42 at 43

⁵ [1964] GLR 496

⁶ Act 54 s. 47(2)

actionable nuisance. In effect, the smell and vapour emanating from the refuse dump in the quarry near the residences of the plaintiffs constituted a nuisance to them.

Taking a cue from the decision of the court in the above case, individuals groups of people and communities could take legal action against local government intuitions such as the Metropolitan, Municipal and District Assemblies who create nuisance in our localities by dumping refuse or waste in inappropriate places.

In addition, the Local Governance Act¹ assigns to the District Assemblies the responsibility to maintain environmental sanitation in their respective areas. A planning authority for instance has the powers under the Act to carry out instant removal, or demolition of unauthorized developments that encroach or will encroach upon a community right of space.

Thus if they fail in this duty, (which is often the case) individuals or groups or communities affected by their negligence could sue them under the tort of negligence.

In short, I am of the opinion that sanitation as human right ought to be justiciable. This is because, it is a derivative right associated with the right to life and good health. Since those rights are justiciable, sanitation should as well be justiciable.

5. Improving Ghana's Sanitation – the Way Forward

As already identified, Ghana's sanitation situation is not in good shape. Much needed to be done to improve sanitation in the country. Looking at the intensity of the challenge, improvement on Ghana's sanitation situation have to be a shared responsibility. The Government, the law enforcement agencies, the Local Government outfits – Metropolitan, Municipal and District Assemblies, National Commission on Civic Education, (NCCE), the Environmental Protection Agency (EPA), Civil Society Groups, the Media, Churches and Mosques, and individuals must all come on board.

5.1 The Government

Provision of sanitation facilities has so far mainly rested on the government. This, in my opinion is in place to a large extent. It is the responsibility of the government, first and foremost to provide proper environmental sanitation to the people of Ghana. Governments ought to be interested in the wellbeing of the people they govern. The health of the people in a particular nation, to a large extent, determines the growth and development of that nation. This is why a government in power ought to take keen interest in environmental sanitation of the nation. Above all, since sanitation ought to be considered a human right, government's responsibility to that effect is a huge one.

Even though governments over the years have done a lot in this direction, for instance, by establishing a Ministry of Water and Sanitation, much more needed to be done to meet international standards.² I have observed that over the years, our governments have been more reactive rather than proactive in sanitation matters. One hardly hears something about environmental sanitation unless and until there is outbreak of sanitation related disease like cholera. It is usually on such occasions when everybody gets busy, cleaning chocked drains etc. afterwards, everybody goes back to sleep.

The Government, first and foremost, may have to recognize sanitation as a human right as declared by the United Nations.³ When this is done, it would accord it the necessary attention and allocate to the sector the needed resources for its improvement. Until the nation recognizes sanitation as a human right which ought to be respected and protected, Ghana's sanitation woes are not likely to end. In fact, the situation gets worse day by day. As one drives or walks along the streets of our towns and villages, you come across chocked drains which emanate unusually bad odour difficult to endure. This implies that virtually nothing is being done by the State on its sanitation situation.

The creation of government Ministry tasked with addressing issues of water, sanitation, and hygiene in the country is welcome news. It is expected that it would focus on formulating actions to address Ghana's sanitation challenges. It is equally expected that it would assist the law enforcement agencies in the discharge of their duty to enforce sanitation laws in the country.

5.2 Enforcement of Sanitation Laws

There are number of laws on sanitation and the environment in Ghana. For instance, Environmental Protection Agency Act, 1994 (Act 459); the Local Governance Act, 2016 (Act 936); Criminal Offences Act 1960 (Act 29); the Common Law and Equity. There are also scattered provisions on sanitation and the environment in much other legislation.

It is sad to know however, that some of these laws are hardly enforced. It is provided for example, under

¹ 2016 (Act 936) s. 81 (1) (f)

² Water and Sanitation, *supra note 4*

³ UN General Assembly, *supra note 22*

the Criminal Offences Act of Ghana¹ that whoever creates nuisance in the form of rubbish, filth, dirt or any offensive matter on a street, yard or enclosure or open space except as set apart by the local authority shall be prosecuted. When found guilty the accused would be fined.

Enforcement of the above provision by the police in Ghana is almost non-existent. The Ghana police seem not to be interested in the arrest and prosecution of people who commit sanitation offences in Ghana. The situation is not only worrying, but worsens the already precarious situation.

The result is that people dump garbage on the streets, drains, yards and even open spaces with impunity. I believe that when our legislations on sanitation are made to work, it would improve Ghana's sanitation situation drastically.

The sanitation courts that have been provided by the Judicial Service to prosecute sanitation offences in the country are a step in the right direction. I am of the view that these courts would serve the right purpose if only we change our attitude. It is alleged that those who arrest people who commit sanitation offences demand bribes from them. Those who agree to the proposal are set free and do not end up in the sanitation courts. The result is that people create nuisance in the form of waste with impunity and make the situation worse.

5.3 Metropolitan Municipal and District Assemblies

The Metropolitan, Municipal and District Assemblies have been tasked under the Local Governance Act, 2016 (Act 936) to be responsible for sanitation in areas under their jurisdiction. Even though these institutions have bye-laws on sanitation, they hardly enforce them. They take more interest in activities which would bring them more revenue instead. Many of the District Assemblies in Ghana do very little to manage waste generated in their districts.

The consequence is that our cities, towns, and villages remain filthy, drains are choked with garbage.

The Government should supervise the performance of these institutions. It should make them discharge their responsibilities towards sanitation improvement. Those District Chief Executives who are not up and doing could be replaced. Government should commit more resources to the provision of sanitation management facilities and equipment for the District Assemblies. These would help them discharge their responsibilities efficiently.

5.4 National Commission on Civil Education

The National Commission on Civil education (NCCE) was established under the 1992 Constitution of Ghana.² Its functions, *inter alia*, is to educate citizens of Ghana on their national and civic responsibilities. This has made this institution of State one of the best to carry out the fight against poor sanitation in Ghana. It is a civic responsibility as Ghanaians to preserve and protect the environment which defines our very existence. It is the duty and responsibility of NCCE to constantly educate Ghanaians on these values.

Sadly however, this outfit of State is ill-equipped and not well resourced. It is therefore not able to discharge its constitutional mandate to the later.

I suggest that government resourced this institution adequately so that it can educate the public on the need for sanitation.

5.5 Civil Society Groups /Non-Government Organization

Civil Society Groups and Non-Governmental Organizations have great influence in our society. This is so because they live and interact with the people on daily basis. They can therefore make significant strides in the fight against improper sanitation. They can equally engage in educative programmes to create awareness on sanitation and its benefits to the society. It would be appropriate that government engages them to contribute their quota towards improving Ghana's sanitation problems.

5.6 The Media

The Media in Ghana play significant roles in information sharing and education in various respects. In fact, most of the information available on Ghana's sanitation comes from the media. They create awareness, conscientize and educate the populace on sanitation issues.

I suggest that the government encourages them and particularly resource the national media so that they can educate the public on sanitation issues. At the same time, they are one of the useful tools that could be used to expose the poor state of our sanitation so as to address the issues adequately.

5.7 Churches/Mosques

A large number of Ghanaians go to either churches to worship or the mosques. In my view, these are another

¹ *Criminal Offences Act*, 1960 (Act 29) as (Amended by Act 554, s 18; Schedule)

² *Constitution*, 1992 *supra* note 23

important media that can be used to educate the general public on sanitation issues. In Ghana, a large number of people are either Christians or Muslims. People who profess either of these faiths adhere to exhortations given by their pastors and imams. Issues on sanitation could be taken up during sermons. Special education fora on sanitation could equally be organized by these religious bodies. For instance, the Ghana Catholic Bishops Conference has launched an E-waste Management Project to manage electronic waste through aggressive education in order to preserve a safe environment for future generations.

5.8 Individuals

As observed by Manteaw¹ Ghana's sanitation challenge is about attitudes and conduct. The general attitude of Ghanaians towards sanitation is not an encouraging one. Generally most Ghanaians lack the sense of cleanliness. Most people live, sell and even eat in dirty environment yet see nothing wrong with it. Individuals must be conscientized on the need to change attitude towards sanitation issues from negative to positive. This would improve sanitation in Ghana.

5.9 Educational Institutions

One of the best ways to inculcate virtues in people especially young people is to include them in the educational curriculum. In order to become responsible adults, the youth must be taught cleanliness, hygiene and sanitation. I believe that the Ghana Education Service has already included in the syllabi of both basic and second cycle institutions environmental sanitation. Environmental sanitation should be thought not only as an academic course, but one that is aimed at instilling values of cleanliness in the students.

CONCLUSION

Ghana's environmental sanitation challenge is a huge one. Governments over the years have not paid much attention to it. This has left a huge gap as far as meeting international standards are concerned. In order to address the nation's sanitation challenges, I am of the view that sanitation ought to be considered a human right. Human beings have the right to life and life thrives on sanitary environment. On that score, I hold the view that environmental sanitation ought to be regarded as human right in Ghana.

Once the nation's sanitation problems are seen from a human right perspective, I believe it would be given the needed attention like all other human rights. As a human right issue, the government must be in the forefront in the fight against the nation's sanitation wreckers. It is also suggested that the issue be considered a shared responsibility so that stakeholder participation may help improve the current poor environmental sanitation situation in Ghana.

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¹Manteaw, *supra* note 6