

**FROM RIGHT TO LIGHT: A HUMAN RIGHTS-  
BASED APPROACH TO UNIVERSAL ACCESS  
TO MODERN  
ENERGY SERVICES**

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A THESIS SUBMITTED FOR THE DEGREE OF DOCTOR OF  
PHILOSOPHY

ADELAIDE LAW SCHOOL  
UNIVERSITY OF ADELAIDE

28 NOVEMBER 2014

‘FOR IF ONE SUFFERS, WE ALL SUFFER’.

1 CORINTHIANS 12:26

# ABSTRACT

The thesis re-introduces the human rights-based approach to achieve universal access to modern energy services to offer an integrated and coherent legal strategy and implementation framework that brings renewable energy technology and rural electrification under the common logic and language of human rights. Although access to modern energy services is indispensable to providing basic needs, eradicating poverty and meeting sustainable development goals, 1.3 billion people remain without access to electricity and 2.6 billion people are still without access to clean cooking facilities. Essentially, the challenge lies in how to enhance access to modern energy services, particularly for those who are in impoverished rural areas of the developing world, while achieving universal coverage and sustainable development at the same time. In response, the United Nations called the world's attention to this challenge and launched the 'Sustainable Energy for All' initiative that focuses on three interlinked objectives: 1) enhancing universal access to modern energy services; 2) improving the rate of energy efficiency; and 3) increasing renewable energy use. Beyond catalysing global awareness, however, the critical stage of turning the vision into reality with concrete commitments to action beckons.

The imperative of developing a coherent and appropriate legal response is vital to advancing international and national development agenda and goals. For this reason, it is strongly posited that there is a need to embody the notion of basic needs such as access to modern energy services in clear, preferably legally binding standards. However, the legal response to the lack of access to modern energy services is not clearly articulated, particularly from a developing country perspective. In the meantime, the lack of universal access to modern energy services continues to drive the widening gap between the 'haves' and 'have-nots' resulting in marginalisation especially of the rural energy poor. With this marginalisation, the human rights dimension of energy poverty due to lack of access to modern energy services comes into the fore as such a situation amounts to deprivation of basic needs, entails disempowerment, and gives rise to serious equity considerations. Intuitively, these typically fall within the purview of human rights conversations prompting some scholars to suggest a human rights-based approach to achieve universal access to modern energy services. Yet the human rights perspective does not figure prominently in such a global initiative.

From the foregoing, the thesis contextually describes human rights, including the challenge of definitions, associated with such a term. Also, the thesis revisits the conceptual and historical underpinnings of human rights and how these evolved in the modern context. Next, it examines the merits and limits of the language of human needs compared to the language of human rights in terms of enhancing universal access to modern energy services. The thesis then analyses the plausibility of integrating needs-talk into rights-talk, which lays the basis for subsequent discussions on renewable energy technology and rural electrification as integral components of the human rights-based approach. Finally, it looks into the practical significance of adopting such an approach to addressing the energy poverty challenge in a developing country setting such as the Philippines where no similar study has yet to be undertaken.

# DECLARATION

I certify that this work contains no material which has been accepted for the award of any other degree or diploma in my name, in any university or other tertiary institution and, to the best of my knowledge and belief, contains no material previously published or written by another person, except where due reference has been made in the text. In addition, I certify that no part of this work will, in the future, be used in a submission in my name, for any other degree or diploma in any university or other tertiary institution without the prior approval of the University of Adelaide and where applicable, any partner institution responsible for the joint-award of this degree.

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Signed: Manuel Peter Samonte Solis

Date: 28 November 2014

# ACKNOWLEDGMENTS

More than an academic pursuit, my doctoral program has largely been a journey of faith, love, hope, and transformation for the last three years. I am, therefore, eternally thankful and grateful for the love and support I received while on this journey.

Foremost, I give praise and glorify the Heavenly Father for the answered prayers and showing me great and unsearchable things I would never know and find on my own. So many times I was in a quandary to fill the gaps in my research and to search for answers to the difficult questions that arose in the process. I learned to be patient and to enjoy the small victories every time I discovered a book, an article, or any material that helped me move forward. I thank Him for his indescribable gifts and for lifting my head high especially when I am engulfed by fear, worry, and doubt.

To my beautiful wife, Dina, I am forever grateful and indebted for her love, support, patience, inspiration, and understanding. She carried the entire family and me on her shoulders especially on occasions where I was physically present but mentally absent, although in most instances missing in both, as I was wont to be in the last three years. Aside from this, Dina is my confidant, critic, motivator, and editor and her generous heart and inputs gave warmth to my otherwise drab ‘technical’ writing approach.

To our children, Niko, Nayde, Micah, Marithe, Marga, and Rej, thank you for all your love, understanding and support, particularly when I could not join family and school affairs or I was simply not available to be with, or for, you. Yet the maturity all of you demonstrated while I was ‘away’ belied your relatively young age, which made me so proud and feel blessed.

I am thankful and grateful to my mom, Corazon Samonte Solis, whose love, warm embrace, prayers and reminders I will always cherish. Also, I remember and give thanks to my dad, the late Ricardo Acopio Solis, for telling me to never stop dreaming and for inspiring me to complete a doctoral degree. It was spoken to me almost three decades ago as a teenager, and I wish that he is smiling in heaven together with granddad, ‘Lolo’ Lorenzo Jose Samonte, who motivated me to study abroad, widen my horizons, and be adventurous like him.

Finally, to my supervisors, Adrian Bradbrook and Paul Babie, thank you for the precious time reading, critiquing, reviewing, and supporting my thesis. Both of you showed how fortunate and privileged I was to have such wonderful supervisors and exemplars. Your invaluable support, friendship, direction, and guidance made possible what was once a distant dream become a reality. Special thanks also for the support and resources I received from the International Postgraduate Research Scholarship, Australian Postgraduate Award, and Adelaide Law School, Peter Burdon for his friendship and encouragement, Laura Grenfell for providing comments to my early chapters on human rights, and to my adopted family in Adelaide, colleagues and friends, who became a part of my journey.

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