

UNIVERSITY OF NAIROBI

COLLEGE OF HUMANITIES AND SOCIAL SCIENCES
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THE RIGHT TO A HEALTHY ENVIRONMENT AS A FUNDAMENTAL HUMAN RIGHT:

A CASE STUDY OF KENYA

BY

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ABSTRACT

This research effort set out to investigate how effectively Kenya has been able to link environment and human rights in the process of protecting and promoting the environment. The focus of the study is on the right to a healthy environment as a fundamental human right. The study sought to: examine human rights dimension of environmental issues; explore the extent to which the Kenyan government has responded to the right to a healthy environment as a fundamental human right; evaluate the commitment of the Kenyan government in implementing environmental treaties it has signed and ratified; and to evaluate the effectiveness of the existing laws in Kenya in addressing environmental issues as human rights issues.

The work concludes that although there is a conducive legislative environment, which can effectively address environmental issues in the local authorities, the mere existence is not enough to guarantee an efficient environment management system. There is a need for an equally efficient enforcement mechanism. The study also concludes that corporations, urban residents and slum dwellers are generally not aware of the pieces of environment-related legislation and by laws they are required to abide by. Local authorities do not have the resources to conduct education programmes despite acknowledging the importance of the programmes. A considerable number of people are earning a living out of waste but there are few institutions providing them with financial resources and capacity building programmes to enable them to do their work safely and more profitably.