ACCESS TO JUSTICE IN ENVIRONMENTAL DISPUTE RESOLUTION: TOWARDS THE REALIZATION OF SUSTAINABLE DEVELOPMENT

MASTER OF LAWS PROJECT PAPER

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REGISTRATION NUMBER G62/8098/2006

A Project paper submitted in partial fulfillment of the requirements for the award of Master of Laws (LLM) Degree of the University of Nairobi

NAIROBI

NOVEMBER 2009
DECLARATION

I, Hellen Seruya Wasilwa, do declare that this is my original work and has not been submitted for a degree in any other university.

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ALL OF YOU and others not mentioned, thank you very much and God bless you richly.
DEDICATION

To my dear husband Saul and our ten bundles of joy:- Clarence, Princess, Anita, Arnold, Vera, Sheila, Mercy, Hellen, Michael and Faith-Peter.
LIST OF ACRONYMS

CBD    Convention on Biodiversity
CITES  Convention on International Trade on Endangered Species
DEC    District Environment Committees
EAC    East African Community
EC     European Commission
EIA    Environmental Impact Assessments
EIAR   Environmental Impact Assessment Report
EMCA   Environmental Management and Coordination Act
ENGOs  Environmental Non-Government Organizations
ESD    Environmental Sustainable Development
EU     European Union
GoK    Government of Kenya
KWS    Kenya Wildlife Service
KWSTI  Kenya Wildlife Service Training Institute
LAT    Land Arbitration Tribunal
LSK    Law Society of Kenya
MOU    Memorandum of Understanding
MDGs   Millennium Development Goals
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>MW&amp;I</td>
<td>Ministry of Water and Irrigation</td>
</tr>
<tr>
<td>MENR</td>
<td>Ministry of Environment and Natural Resources</td>
</tr>
<tr>
<td>MEAs</td>
<td>Multilateral Environmental Agreements</td>
</tr>
<tr>
<td>NET</td>
<td>National Environment Tribunal</td>
</tr>
<tr>
<td>NLP</td>
<td>National Land Policy</td>
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<tr>
<td>NSWCP</td>
<td>National Soil and Water Conservation Programme</td>
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<tr>
<td>NEC</td>
<td>National Environment Council</td>
</tr>
<tr>
<td>NEMA</td>
<td>National Environment Management Authority</td>
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<tr>
<td>NEPAD</td>
<td>New Partnership for African Development</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
</tr>
<tr>
<td>PCC</td>
<td>Public Complaints Committee</td>
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<tr>
<td>PEC</td>
<td>Provincial Environment Committees</td>
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<tr>
<td>NEAP</td>
<td>The National Environment Action Plan</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNCCD</td>
<td>United Nations Convention to Combat Desertification</td>
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<tr>
<td>UNFCCC</td>
<td>United Nations Framework Convention on Climate Change</td>
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<td>UNGA</td>
<td>United Nations General Assembly</td>
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<td>UNCLOS</td>
<td>United Nations Convention on the Law the Sea</td>
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<td>UNEP</td>
<td>United Nations Development Programme</td>
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<tr>
<td>UNCED</td>
<td>United Nations Conference on Environment and Development</td>
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<tr>
<td>WAB</td>
<td>Water Appeal Board</td>
</tr>
<tr>
<td>Acronym</td>
<td>Full Name</td>
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<tr>
<td>---------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>WCED</td>
<td>World Commission on Environment and Development</td>
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<tr>
<td>WRMA</td>
<td>Water Resources Management Authority</td>
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<tr>
<td>WSB</td>
<td>Water Services Board</td>
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<tr>
<td>WSRB</td>
<td>Water Services Regulatory Board</td>
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<td>WHO</td>
<td>World Health Organization</td>
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<td>WCMD</td>
<td>Wildlife Conservation and Management Department</td>
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<tr>
<td>WCN</td>
<td>World Charter for Nature</td>
</tr>
<tr>
<td>WCED</td>
<td>World Commission on Environment and Development</td>
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<tr>
<td>WSSD</td>
<td>World Summit on Sustainable Development</td>
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Convention on Biodiversity (CBD)

Convention on International Trade on Endangered Species (CITES)

Montreal Protocol on Substances that Deplete the Ozone Layer,

New Partnership for African Development NEPAD

Protocol for Sustainable Development of Lake Victoria Basin

Ramsar Convention

Stockholm Convention on Persistent Organic Pollutants (POPS)

UN Convention to Combat Desertification (UNCCD)

UN Framework Convention on Climate Change (UNFCCC)


Vienna Convention on the Law of Treaties
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