



KENYATTA UNIVERSITY

EXAMINATION FOR THE DEGREE OF BACHELOR OF LAWS

LIL 302: ENVIRONMENTAL LAW

1ST SEMESTER 2021/2022

TIME: 2 HOURS

INSTRUCTIONS:

- 1) Answer **ALL** questions.
- 2) Support your answers with relevant illustrations from case law, statutory provisions and any other references.
- 3) Your Writing must be **NEAT** and **LEGIBLE**.
- 4) Your answer booklet must bear your assigned **REGISTRATION NUMBER**, both on the cover and every written page therein.
- 5) Do not scribble or draft answers on the inner or outer cover pages of your answer booklet.
- 6) Do not write anything except your **REGISTRATION NUMBER** on this Question Paper.
- 7) **ALL** Kenyatta University Examinations Rules apply as if they were contained herein.

QUESTION 1

'In the last forty years international environmental law has evolved rapidly, as environmental risks have become more apparent and their assessment and management more complex. However, some environmentalists argue that despite the formulation of numerous international environmental laws, the environment is at least in some aspects worse. This leads some to question the value of international environmental agreements.' (Edith Weiss, 'The Evolution of International Environmental Law,' (2011))

- a. Against this background trace the reforms that have shaped environmental governance in the last century
- b. Assess the practicability of these reforms and give reform proposals on how the current status in environmental governance can be improved.

15 MARKS

15MARKS

QUESTION 2

Despite the rapid development of international biodiversity law/ treaty agreements, action plan strategies and programs in this field, the state of biodiversity continues to decline. Against this background, examine the effectiveness of biodiversity governance while noting the weaknesses.

20 MARKS

QUESTION 3

'States have in accordance with the Charter of the United Nations and the principle of international law, the sovereign right to exploit their own resources pursuant to their own environmental and development policies and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other states or of areas beyond the limits of their jurisdiction.' Discuss the various principles of international environmental law emanating from the aforementioned statement and the principles' efforts in solving environmental problems in Kenya.

20 MARKS