



KISII UNIVERSITY
UNIVERSITY EXAMINATIONS

THIRD YEAR EXAMINATION FOR THE AWARD OF THE
DEGREE OF BACHELOR OF LAWS
SECOND SEMESTER, 2023/2024
(JANUARY-APRIL, 2024)

LLBK 325: ENVIRONMENTAL LAW

STREAM: Y3 S2

TIME: 2 HOURS

DAY: TUESDAY, 12:00 – 2:00 P.M.

DATE: 09/04/2024

INSTRUCTIONS

- 1. Do not write anything on this question paper.***
- 2. Answer Question ONE and any TWO other Questions.***
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.***

QUESTION ONE

Mr. Chacha a hospital mogul seeks to establish his next hospice enterprise in Nairobi. He is seeking suitable real estate for his venture. After secretly seeking a change of user from residential to commercial of L.R 510 Mr Chacha now seeks to expeditiously set up his hospice in Imara Daima Estate. The residents on finding out that their input was not solicited have protested his intended project. They worry about the dangerous medical waste that will be generated by the operations of the hospice. The hospice plans to discharge it's untreated effluence into River Imara that is adjacent the hospital.

- Identify the various issues that arise from the above. (15 Marks)**
- Identify any remedies available. (5 Marks)**
- Climate justice is an impossibility best left to utopia. Discuss. (10 Marks)**
(10 Marks)

QUESTION TWO

a) Discuss the importance of Environmental Impact Assessment (EIA) as a tool for achieving sustainable development in Kenya. **(12 Marks)**

b) Outline the steps carried out during the Environmental Impact Assessment process. **(8 Marks)**

QUESTION THREE

Elucidate on the place of biocentric approach to environmental management. **(20 Marks)**

QUESTION FOUR

'Wetlands are considered among the most biologically diverse of all ecosystems, serving as home to a wide range of plant and animal species.' Anonymous.

In reference to the above, discuss the legal framework for the conservation of Wetlands in Kenya. **(20 Marks)**

QUESTION FIVE

Analyze the efficacy of the Basal Convention in the regulation of transboundary movement of hazardous waste. **(20 Marks)**