

CHUKA



UNIVERSITY

UNIVERSITY EXAMINATIONS

RESIT/SPECIAL EXAMINATION

**EXAMINATION FOR THE AWARD OF DEGREE OF BACHELOR OF
LAWS**

**BLAWS 211: INTRODUCTION TO NATURAL RESOURCES
MANAGEMENT AND ENVIRONMENTAL LAW**

STREAMS: BLAW

TIME: 2 HOURS

DAY/DATE: TUESDAY 28/08/2023

2.30 P.M – 4.30 P.M.

INSTRUCTIONS

- **ANSWER THREE QUESTIONS**
- **QUESTION 1 IS MANDATORY**

QUESTION ONE

The 'natural resource curse' is also known as the 'paradox of the plenty'. Discuss this statement and explain not only the various forms of the phenomenon and how it manifests, but also how it can be averted. **(30 Marks)**

QUESTION TWO

'Some natural resources are nonrenewable. They are strategically under the powers of the state, the Republic of Kenya. Their management should optimally be implemented for the purpose of providing people's prosperity and welfare' - anonymous.

In accordance with this widely accepted position, discuss both the benefits which may accrue from this sector and the methods/principles which may be used to share them.

(20 Marks)

QUESTION THREE

Natural resources play a significant role in African economies. At the same time, the exploitation involving them are fraught with major environmental issues impacting on the environment and on the well-being of people living in and/or working the areas of operation. Discuss the emerging human rights concerns with a focus on African Human Rights system. Cite relevant legal instruments and case law to support your answer. **(20 Marks)**

QUESTION FOUR

Public Participation is one of the national values and principles of governance as enshrined in the Constitution of Kenya.' With the aid of decided case laws and relevant provisions of law, discuss the concept of 'effective public participation'.

..... (20 Marks)

QUESTION FIVE

Write short notes on EACH of the following:

a) Local Content (5 Marks)

b) Concepts in Extractive Resource Law (5 Marks)

(c) Theories of ownership of natural resources (10 Marks)
