

**Journal of Conflict Management  
And Sustainable Development  
Volume 9 Issue 1**

**Journal Review by: Mwati Muriithi\***

Published in September 2022, the Journal of Conflict Management and Sustainable Development Volume 9 Issue 1 is dedicated towards critically analyzing challenges and developments in the fields of Conflict Management and Sustainable Development with a view to proposing solutions that will trigger the Sustainable Development agenda in Kenya and across the globe.

It is edited by the African Arbitrator of the Year 2022, Dr. Kariuki Muigua, PhD who has earned his reputation as a distinguished legal practitioner in Kenya and a leading environmental scholar in Africa and the world. It offers a platform for scholarly debate on thematic areas in the fields of Conflict Management and Sustainable Development.

The first article *'Resolving Oil and Gas Disputes in an Integrating Africa: An Appraisal of the Role of Regional Arbitration Centres'* by Dr. Wilfred A. Mutubwa and Eunice Njeri Ng'ang'a explores the nature of disputes in the realm of oil and gas in Africa as well as testing the limits of intra-African trade and dispute resolution and the imperatives for the African regional courts. In a bid to establish regional integration, it looks at the recent continental and sub-regional developments. It offers an analysis of the common reliefs in oil and gas arbitration and highlights the leading cases in oil and gas in international arbitration from an African context.

Dr. Kariuki Muigua in his article *'National Environment Tribunal (NET), Sustainable Development and Access to Justice in Kenya'* discusses the establishment of the National Environment Tribunal, its jurisdiction and the role played by this Tribunal in promoting access to justice and enhancing the principles of sustainable development in Kenya. The role played by NET towards environmental protection and conservation in Kenya and promotion of human rights is analysed in this article as well as highlighting some of the challenges facing the tribunal. It proposes recommendations towards enhancing the effectiveness of the Tribunal.

*'Protecting Cultural Heritage in Times of War: A Case for History'* by Dr. Kenneth Wyne Mutuma discusses the evolution of the international legal framework for protection of cultural heritage. It analyses the shortcomings of the legal framework in the Protection of Cultural Heritage as well as the Protection of the Environment during armed conflict noting that it is critical for states to take positive and tangible steps to ensure environmental conservation and protection during war within the ambit of the existing international legal framework.

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Jack Shivugu in his paper, *'The Role of Water in the attainment of Sustainable Development in Kenya'* critically evaluates the role of water in the attainment of sustainable development in Kenya. It interrogates some of the water and Sustainable Development concerns in Kenya including water pollution, water scarcity and climate change. It further suggests practical ways through which the role of water in the Sustainable Development agenda can be enhanced.

*'Collective Property Rights in Human Biological Materials in Kenya'* by Dr. Paul Ogendi examines the general trend in Kenyan laws in relation to property rights in human beings. It further analyses property rights models and addresses the reason why collective property rights in terms of state ownership of human biological material are desirable for Kenya.

Dr. Kariuki Muigua has demonstrated his prowess and sound understanding of Biodiversity Conservation in his article *'Nurturing our Wetlands for Biodiversity Conservation'*. It examines the role of wetlands in biodiversity conservation and how these wetland resources might be managed to improve biodiversity conservation. It notes that wetlands have a vital role in not just delivering ecological services to meet human needs, but also in biodiversity conservation. It further notes that wetlands are vital habitat sites for many species and a source of water, both of which contribute to biodiversity protection.

The objective of the article *'Investor-State Dispute Resolution in a Fast-Paced World'* by Oseko Louis D. Obure is to conceptualize and problematize investor-state disputes resolution in a fast-paced world. It looks at conceptualising the Nature of Investor-State Disputes Settlement. It evaluates the Efficacy of International Arbitration in Resolving Investor-State Dispute. It further examines the Evolution of Investor-State Dispute Resolution.

*'The Status of Participation of Women in Mediation: A case Study of Development Project Conflict in Olkaria IV, Kenya'* by Lilian N.S. Kong'ani and Dr. Kariuki Muigua reviews the status of participation of women in mediation that was successfully used between 2015 and 2016 to resolve conflicts between Kenya Electricity Generating Company (KenGen) and the community. It demonstrates a need for further democratization of the mediation processes to cater for more participation of women to enhance the mediation results and offer more sustainable resolutions.

*'The Business of Climate Change: An Analysis of Carbon Trading in Kenya'* by Felix Otieno Odhiambo and Melinda Lorenda Mueni is organised into various interrelated sections in order to analyse the business of carbon trading in the context of Kenya's legal framework. It explores the climate change phenomenon and examines the legal framework that underpins climate change into the Kenyan legal system.

The last article *'Critical Analysis of World Trade Organisation's Most-Favored Nation (MFN) Treatment: Prospects, Challenges and Emerging Trends in the 21<sup>st</sup> Century'* by Michael O. Okello focuses on the Most Favored Nation (MFN) Treatment within the

context of regional integration and sustainable development in the 21<sup>st</sup> century. It critically analyses certain disparities and skewed aspects, some of which have pushed both developed and developing economies to react accordingly, to cushion themselves from the misgivings of MFN yet with ripple effects.