



COUNCIL OF GOVERNORS

Environment Committee

Background

The Environment Committee was constituted to consider all matters relating to sustainable water management; mining; climate change; environment management and conservation; forestry; natural resources; pollution and waste management.

The committees' mandate revolves around current bills before National Assembly, Senate and County Assemblies relating to all the above matters; National policies, best practices and emerging trends and technologies, inter-county agreements relating to cross-county resources.

The committee provides technical assistance in terms of correspondence, inquiry, research, policy analysis, and resource development for county governments across a range of policy issues. The policies target counties as engines of sustainable economic growth.

Legal framework for the Committee's activities

The primary source of legislation on the Committee's activities is the Constitution of Kenya. It provides reference to the Environmental Management Coordination Amendment (EMCA) Bill 2014, The Water Bill, 2014; Forests Conservation and

Management Bill, 2014p; Mining Bill, 2014 ;Water Bill, 2014; The Prevention and Control of Marine Pollution Bill, 2014 ; Natural Resources (Benefit Sharing) Bill, 2014; The Climate Change Bill, 2014.

Correspondingly, various Acts of Parliament such as the Transition to Devolved Government Act (2012); County Government Act (2012) ; Public Finance Management Act(2012) ; The Environment and Land Court Act, 2011; Wildlife Conservation and Management Act, No. 47 of 2013.

The committee work is founded on the Environmental rights and freedoms as presented in Article 42 of the constitution, which states: Every person has the right to a clean and healthy environment, which includes the right –

- a. To have the environment protected for the benefit of present and future generations through legislative and other measures, particularly those contemplated in Article 69; and
- b. To have obligations relating to the environment fulfilled under Article 70.¹¹

Opportunities

The committee offers a platform for informed decision making at all levels of government for equitable and sustainable development. The committee also avails choices and opportunities to the Counties to follow universally accepted principles in environmental decision making, with emphasis on the basic right to a clean environment and the specific provisions

on proactive public participation arising from Article 69 of the constitution.

Resources

The committee develops and maintains a variety of research, technical and advisory resources on environment: climate change, water, minerals, marine, wetlands, forests, waste management, wildlife and biodiversity.

Status Briefs: The Environment Committee is currently involved in the review of legal and policy frameworks such as the Environmental Management Coordination Amendment (EMCA) Bill 2014, The Water Bill, 2014; Forests Conservation and Management Policy and Bill, 2014; Mining Bill, 2014; Water Bill, 2014; The Prevention and Control of Marine Pollution Bill, 2014; Natural Resources (Benefit Sharing) Bill, 2014 and The Forests (Charcoal) Regulations, 2009.

This will ensure coordination of urban development programs at the county level where the direct mandate for urban governance and management resides.

Our Approach

The Committee seeks to achieve its objectives and mandate through the following ways:

1. Increasing CoGs knowledge base and repository on linkages between national processes and county activities and aligning COGs institutional policies to sustainability principles

2. Enhancing COGs leadership role through inter and intra county participation in policy and legal processes
3. Enhancing County Governments' understanding of environmental issues and the need to develop in a sustainable manner;
4. Developing and mainstreaming legal/policy frameworks for incorporation into sector plans and strategies

Our Impact

The Committees' contribution to the implementation of the devolved system of governance is largely on course. The required legislation, regulations, systems and structures are at various stages of operationalization. The progress made so far sets the foundation for the realization of the objects and principles of devolved government as provided for in Articles 174 and 175 of the Constitution respectively.

Success at County Level

- Discussions on the model County Climate Change Bills are ongoing
- The Clean Energy Village Initiative (CEVI) in Kwale County