

Abstract

Rio Conference on Environment and Development in 1992 gave environmental management major impetus. Member states of the United Nations committed themselves to the principles of sustainable development as per Agenda 21. Sustainable environmental management is an integral part of Agenda 21. Following the conference, member states of the United Nations of which Kenya is one, committed themselves to initiate processes to institutionalise good environmental governance for sustainable development. As part of its commitment to the UN Conference, Kenya implemented National Environment Action Plan (NEAP) in 1994 to provide a basis for up-scaling environmental management in Kenya. NEAP process culminated into Environmental Management and Co-ordination Act (EMCA) of 1999, which came into force in 2002. Prior to the promulgation of EMCA in 1999, environmental issues had no Locus Standi. Environmental management issues were dealt with by several sectors in different ministries and good environmental governance was not highly prioritised. In cases of violations to the environment affecting the public generally, then the person who had an interest and right to sue was the Attorney General and not a private citizen. EMCA has created instruments for good environmental governance with potential to create a clean and healthy environment if only it is effectively and efficiently implemented.