

UNIVERSITY OF SWAZILAND

EXAMINATION PAPER: DECEMBER 2015

TITLE OF PAPER: ENVIRONMENTAL LAW

COURSE CODE: ERM604/BIO601

TIME ALLOWED: THREE HOURS

INSTRUCTIONS: 1 THE PAPER HAS FOUR QUESTIONS.
ANSWER THREE (3) QUESTIONS IN
TOTAL, INCLUDING QUESTION ONE (1)
WHICH IS COMPULSORY

2 TOTAL MARK: 100

3 CREDIT WILL BE GIVEN FOR CONCISE,
WELL-STRUCTURED ANSWERS AND
REFERENCE TO APPLICABLE LEGAL
AUTHORITY

SPECIAL REQUIREMENTS: NONE

**THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN
GRANTED BY THE INVIGILATOR**

QUESTION ONE (COMPULSORY)

Discuss the following:

- 1.1 The development of the term ‘Sustainable Development’ internationally and its importance in Environmental Law in Swaziland; (20)
- 1.2 ‘Administrative Justice’ ensures that decisions taken by environmental administrators are justified in terms of the law. (20) [40]

QUESTION TWO

Write a *critical note* on each of the following statements:

- 2.1 ‘The Constitution of the Kingdom of Swaziland (2005) and Legislation have played a crucial role in the development of Environmental Law in Swaziland.’ (15)
- 2.2 “State responsibility and international co-operation are fundamental principles of International Environmental Law.” (15) [30]

QUESTION THREE

Explain briefly the following:

- 3.1 The Judiciary (Judicature) must be independent in resolving Environmental Law disputes in Swaziland; (15)
- 3.2 The responsibility of a Natural Resources Manager in establishing a culture of ‘public participation’ and ‘democratic decision-making’ in environmental management in Swaziland. (15) [30]

QUESTION FOUR

Comment on the following:

- 4.1 The nature of ‘Treaty-making’ in International Environmental Law; (10)
- 4.2 The importance of Environmental Impact Assessment in the assessment of proposed projects (developments) in Swaziland. (20) [30]

TOTAL: 100 MARKS