

Journal of Conflict Management & Sustainable Development



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Editor's Note

Welcome to the *Journal of Conflict Management and Sustainable Development*, Volume 11, No.5. The Journal is an interdisciplinary publication that focuses on key and emerging themes in Conflict Management, Sustainable Development and other related fields of knowledge.

Sustainable Development has been embraced at both the global and national levels as the blue print for socio-economic development and governance. The Journal interrogates and offers solutions to some of the current concerns in the Sustainable Development Agenda. It also explores the role of Conflict Management in the attainment of Sustainable Development.

The Journal has witnessed significant growth since its launch and is now a widely cited and authoritative publication in the fields of Conflict Management and Sustainable Development. The Editorial Team welcomes feedback and suggestions from our readers across the globe to enable us to continue improving the Journal.

The Journal is peer reviewed and refereed in order to adhere to the highest quality of academic standards and credibility of information. Papers submitted to the Journal are taken through a rigorous review by our team of internal and external reviewers.

This volume contains papers on various themes including: *Protecting Our Endangered Species for Sustainability; Changing The Narrative on the Right to a Clean and Healthy Environment: Analysing Ecocentrism as a Possible Method of Environmental Governance in Kenya; Integrating Environmental Social & Governance (ESG) Principles into Corporate Governance in Kenya: Trends, Challenges, and Best Practices; Problematic Overlaps and Duplication of Mandates of State and Governmental Agencies in Kenya: Proposals for Legal and Institutional Reform; Lesson Study: Towards an Improved Instruction in Stem Education in Junior Secondary Schools In Kenya; Management of Industrial Waste water in Kenya: Case study of Mavoko; Does the Law Work? A Case of Kenyan Prison Congestion and the Witchcraft Act; Fostering Sustainable Lifestyles for Posterity; Legislating to Protect and Compensate Whistleblowers in Kenya: An Appraisal of*

the Proposed Whistleblower Protection Bill, 2023; The Phenomena of Resource Curse and How to Navigate around it; Primary Teacher Education and Kenya's Vision 2030. The Lacuna in the Transformation Agenda; Mitigating the Environmental Impact of Oil: Strategies for Sustainable Development; and The Implications of Implementing Kenya's Electronic Travel Authorisation (eTA) System: A Comparative Appraisal. The Journal also contains a book review of Towards Human Rights and Prosperity for All and a review of Journal of Appropriate Dispute Resolution (ADR) & Sustainability Volume 2 Issue 3.

We welcome feedback, comments and critique from our readers to enable us to continue improving the Journal.

I wish to thank all those who have made this publication possible including reviewers, editors and contributors.

The Editorial Team also welcomes the submission of articles to be considered for publication in subsequent issues of the Journal. Submissions can be channeled to admin@kmco.co.ke and copied to editor@journalofcmsd.net. Our readers can access the Journal online at <https://journalofcmsd.net>.

Hon. Prof. Kariuki Muigua Ph.D, FCI Arb, Ch.Arb, OGW.
Professor of Environmental Law and Conflict Management
Editor, Nairobi,
November, 2024.

Journal Review: Journal of Appropriate Dispute Resolution (ADR) and Sustainability - Volume 2 Issue 3

By: James Njuguna *

Published in August 2024, Journal of Appropriate Dispute Resolution (ADR) & Sustainability, Volume 2, Issue 3, is aimed at a worldwide audience and is focused on disseminating knowledge and creating a platform for scholarly debate on pertinent and emerging areas in the fields of Dispute Resolution and Sustainability.

It is edited by Hon. Prof. Kariuki Muigua Ph.D, FCI Arb, Ch. Arb, OGW who has earned his reputation as a distinguished legal practitioner in Kenya and a leading environmental scholar in Africa and the world. The Journal is peer reviewed and refereed in order to adhere to the highest quality of academic standards and credibility of information.

Hon. Prof. Kariuki Muigua Ph.D, FCI Arb, Ch. Arb, OGW has demonstrated his prowess and sound understanding of Climate Change in his paper *'Embracing Community Based Empowerment Approaches for Climate Change Adaptation and Mitigation'*. The paper highlights the importance of legal frameworks that support community-led initiatives and encourage collaboration among many stakeholders.

'Permanent Court of Arbitration and Contract-Based Dispute Resolution (including Conciliation)' by Dr. Wyne Mutuma captures the growth of the Permanent Court of Arbitration from its Genesis in 1899 to its present role in settling disputes.

Michael Sang in *'The Case for a Digitized Criminal Records Management System in Kenya: A Proposal for Reform'* advocates for a transformative reform in Kenya's criminal justice system through the adoption of a digitized criminal records

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management approach. Drawing lessons from jurisdictions such as the United Kingdom, the United States and the European Union, the paper elucidates the establishment of centralized authorities, independent oversight bodies, and seamless interagency coordination.

'Integrating ESG Principles into Arbitration: Challenges and Best Practices' by David Onsare explores the impact of ESG considerations on arbitration, identifying key obstacles such as the lack of standardized metrics, the tension between confidentiality and transparency and the limited expertise of arbitrators in ESG matters.

Ontweka Yvonne Kwamboka in *'The Role of Global Institutions in Advancing Environmental Justice'* primarily unravels matters on environmental justice as far as courts are concerned, the Alternative Dispute Resolution mechanisms in pursuit of solving ecological issues, and the assessment of the progress of implementation of the environmental laws already in place.

'The Permanent Court of Arbitration and Investor-State Dispute Resolution (including Conciliation)' by Dr. Wyne Mutuma highlights the significance of Investor- State Dispute Resolution in providing a clear and impartial legal framework for dispute adjudication, thereby fostering a stable and predictable investment climate and shows how the Permanent Court of Arbitration resolves disputes relating to investor-state agreements.

Paula Kilusi and Hon. Prof. Kariuki Muigua, OGW in *'Attaining Environmental Sustainability in Kenya: Challenges and Prospects'* critically examines the progress made towards attaining environmental sustainability in Kenya. It also discusses factors hindering the realization of environmental sustainability in Kenya.

'The Urgent Need for a Legal Framework for Court Interpreters in Kenya: A Remedy for Justice Lost in Translation' by Michael Sang explores the urgent need for a formalized legal framework for court interpreters in Kenya, aiming to enhance the fairness and effectiveness of judicial proceedings. Drawing on lessons from

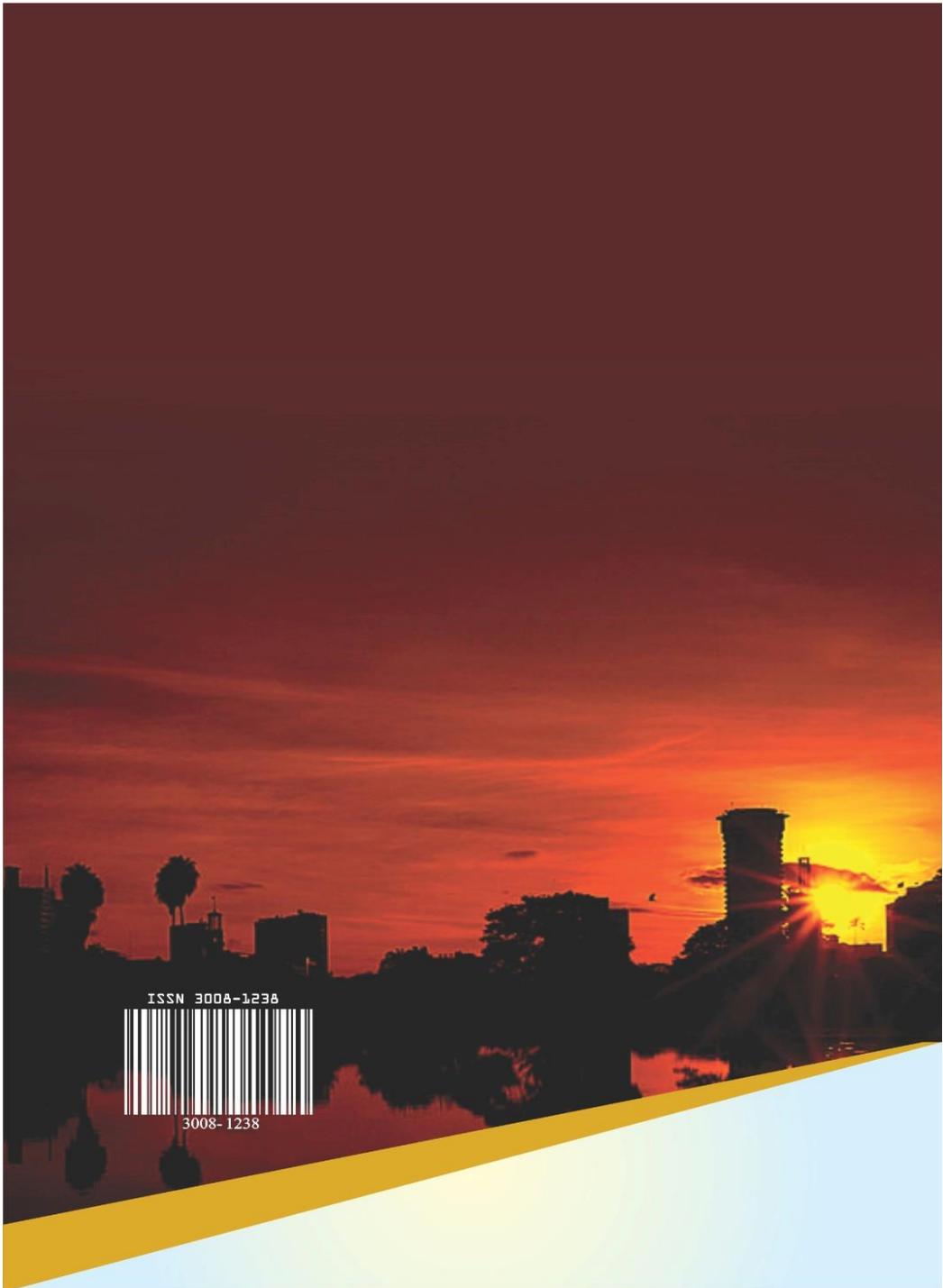
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the United Kingdom, where rigorous standards for certification, accreditation, and professional regulation of court interpreters have been successfully implemented, this paper proposes specific legislative reforms and institutional frameworks for Kenya.

Bona Bol Madut Ayii in '*Climate Change and its Impact on Health and The Economy of South Sudan*' focuses on highlighting the various challenges brought about by climate change in South Sudan.

Mwati Muriithi has undertaken a detailed review of Journal of Alternative Dispute Resolution (ADR), Volume 12, Issue 4 which is a special edition conference journal for the 2024 Chartered Institute of Arbitrators Kenya Branch 40th International Arbitration & ADR Conference held from 15th to 17th May 2024 in Nairobi, Kenya.

'The Use of Voice and Facial Recognition Technology in Kenya's Criminal Justice System: Lessons from Comparative Experience' by Michael Sang delves into the intricate landscape of Voice and Facial Recognition Technology (VFRT) within Kenya's criminal justice system, presenting a comprehensive analysis enriched by global comparative experiences.



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