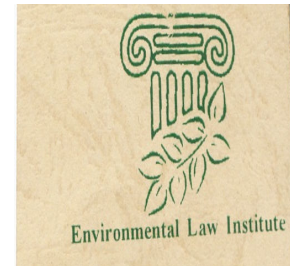


ENVIRONMENTAL LAW CASE BOOK
FOR
PRACTITIONERS
AND
JUDICIAL OFFICERS



PREFACE

Environmental Law litigation has become an essential tool for the management and enforcement of laws governing the environment and natural resources. It is founded on the principles of public participation, Public Trust Doctrine and Sustainable Development.

In Uganda environmental litigation has been developing and various environmental cases in selected issues have been brought to courts of law. Greenwatch is one of the NGOs that has used this tool to advocate for public participation, the creation of an enabling legal and institutional framework and environmental justice.

One of the greatest limitations to the use of litigation as a tool in enforcement of environmental law has been limited materials and /or training in environmental law. It is expected that with continued training and availability of materials on environmental law, the current situation will improve.

The main purpose of compiling and producing this casebook is to enhance the capacity of legal practitioners and judicial officers in dealing with legal issues relating to the environment and natural resources management in Uganda.

The Casebook contains judicial decisions in Uganda and elsewhere that relate to the application of basic principles of environmental law, which go beyond the common law principles of nuisance, negligence and trespass. It also contains cases relevant to important issues in environmental law and practice such as costs.

It is hoped that this volume will help all of us in our common duty to protect the environment and to manage our natural resources sustainably.

September 2005.

Kenneth Kakuru
Director, Greenwatch.

ACKNOWLEDGEMENT

This Compendium of environmental cases from Uganda and other jurisdictions has been compiled over a period of time from our network with local, regional and International Non Governmental Organisations.

In its ten years of environmental advocacy, **Greenwatch** has found that it is an effective environmental law advocacy tool. We believe that judicial officers, practising lawyers and advocates will find this casebook helpful and that it will promote jurisprudence and develop environmental Law.

This book is a joint work of **Greenwatch**, The **Environmental Law Institute** (ELI, Washington, D.C.), and **NEMA**.

We wish to acknowledge the invaluable help and support rendered by **Mr. Carl Bruch** and **Mr. John Pendergrass** of ELI, Mr. Peter Veit of the **World Resources Institute** (WRI of Washington D.C.) , **Mr. Robert Wabunoha** formerly of NEMA-Uganda, now of UNEP, Ms. Elizabeth Mrema of UNEP and Prof. Charles Okidi (formerly of UNEP) now of the University of Nairobi.

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September, 2005.

Kenneth Kakuru

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