

JOMO KENYATTA UNIVERSITY OF AGRICULTURE AND TECHNOLOGY LAW JOURNAL



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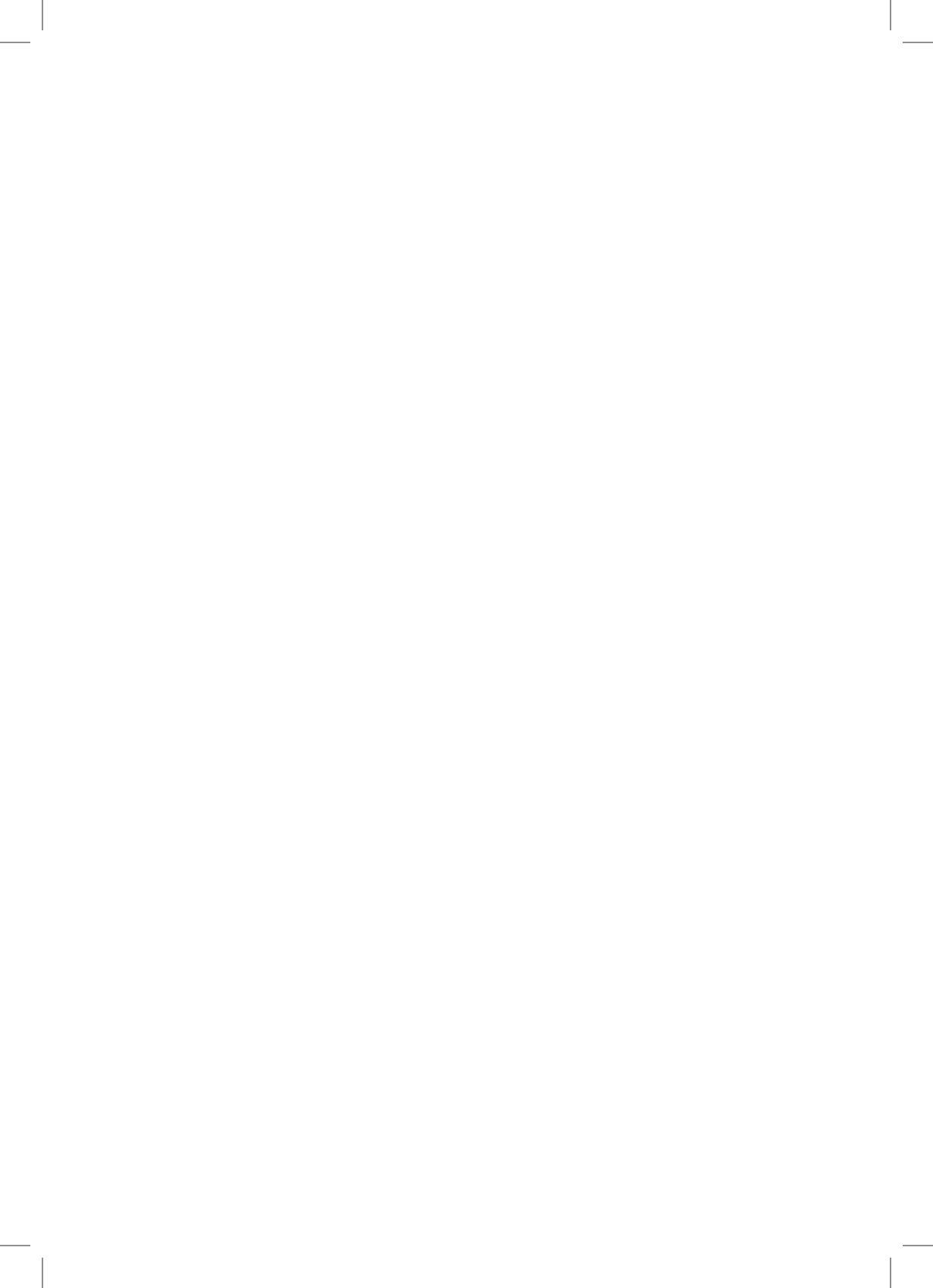


TABLE OF CONTENTS

	<i>Page</i>
PART I: LAW SCIENCE, TECHNOLOGY AND INNOVATION	1
Carbon Credit Schemes in Foreign Direct Investments in Kenya: Prospects and Challenges (<i>Paul Kanyinke Sena and Busalile Jack Mwimali</i>)	3
The Implications of the Legal Framework Governing Agricultural Subsidies in the East African Community (<i>E. Oluoch Asher's</i>)	29
Conserving the African Rhino: Reconsidering Regulated Trade in Rhino Horn in A South African Context (<i>Michael Sang and Brian Sang YK</i>)....	57
Demystifying the Quest for Devolved Governance of Agriculture in Kenya (<i>Faith Simiyu</i>)	85
Regulation of Mobile Money: A Case-Study of Kenya's M-Pesa (<i>Priscilla M. Musikali and Lois M. Musikali</i>)	101
PART II: GENERAL ARTICLES	125
Legal and Financial Responsibility in Promoting Health Equity in Kenya (<i>Attiya Waris and Laila Abdul Latif</i>)	127
Liberalizing Access to Courts in Fundamental Human Rights Cases in Nigeria: An Appraisal of the 2009 Fundamental Human Rights Enforcement Rules (<i>Peter Ademu Anyebe</i>)	143
Gay Rights in a Polycultural Society: Problematizing the Jurisprudential Flaws in the Architecture of the Obama-Kenyatta Disputation (<i>Jotham Okome Arwa</i>)	181
Recourse to Transitional Justice in Post-Independent African States: A Review of The Human Rights Violation Investigation Commission for Lessons in the Application of Transitional Justice (<i>Agbo J. Madaki</i>) ...	207



NOTE FROM THE EDITOR

We are delighted to roll out the first issue of the Jomo Kenyatta University of Agriculture and Technology Law Journal (JKUATLJ). This Journal, edited by the School of Law, Jomo Kenyatta University of Agriculture and Technology (JKUAT) is intended to be an annual peer reviewed publication providing a platform for researchers, academicians, practitioners and students to share knowledge through high quality theoretical research papers, law reviews and case studies. The inaugural issue of the Journal has been devoted to scholarly articles that will provide theoretical, practical and innovative ideas in the quest to realise economic development in Africa, and particularly in Kenya.

A wide range of themes are addressed in two parts. The first part contains article on application of law to issues in science, technology and innovation. Thus, Jack Mwimali and Paul Sena's article explores the extent to which Kenya has developed the capacity to tap into the carbon credit schemes so as to encourage foreign investments and also to conserve the environment, while Asher's Oluoch's article examines the implications of the legal framework governing agricultural subsidies within the East African Community (EAC), arguing that the practice employed by countries within the EAC tend to distort competition in the EAC. Michael Sang and Brian Sang, for their part, argue for a multipronged strategy that takes into account the peculiar circumstances in the source country and the end-market as the more promising approach to sustainable conservation of the African rhino, while Faith Simuyu, in her article, seeks to demystify the quest for the devolution of agriculture in Kenya by highlighting the indicators of devolved governance in the Constitution of Kenya of 2013 and examining the extent to which they have been incorporated in the agricultural sector, and Priscilla Musikali and Lois Musikali explore the legal and policy framework for the regulation of M-Pesa in Kenya.

In the second part, the Journal addresses some general concepts within the sphere of human rights. Attiya Waris and Laila Abdul Latif examine the legal and financial responsibility in promoting health equity in Kenya; Peter Ademu Anyebe makes an appraisal of the Fundamental Human Rights Enforcement Rules of 2009; Jotham Okome Arwa, in his article, addresses matters concerning gay rights in Kenya in light of the debate that arose during the state visit by the American President in July 2015, exposing the fallacies that underlie the arguments advanced by both the proponents and opponents of gay rights. In the final article, Agbo Madaki reviews the works of the Human Rights Violation Investigation Commission in Nigeria (otherwise known as the "oputa panel") for lessons in the application of transitional justice.

