

**A CRITICAL ANALYSIS OF THE RIGHT TO CLEAN ENVIRONMENT IN TERMS OF  
THE SOUTH AFRICAN CONSTITUTION**

**BY**

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## **ABSTRACT**

This study focuses on the right of “everyone to have access to an environment that is not harmful to their health or well-being; and to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that prevent pollution and ecological degradation, promote conservation and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development”. This study discusses the government policies, domestic legislations and international law.

## DECLARATION BY SUPERVISOR

I, **Adv. Lufuno Tokyo Nevondwe**, hereby declare that this mini-dissertation by Mr. PN Mdhuli for the degree of Master of Laws (LLM) in Management and Development law be accepted for examination.

.....

**Adv. Lufuno Tokyo Nevondwe**

**May 2012**

## **DECLARATION BY STUDENT**

I, Mr. PN Mdhulideclare that this mini-dissertation submitted to the University of Limpopo (Turfloop Campus) for the degree of Masters of Laws (LLM) in Management and Development law has not been previously submitted by me for a degree at this university or any other university, that it is my own work and in design and execution all material contain herein has been dully acknowledged.

.....

**Mr. PN Mdhluli**

**May 2012**

## **DEDICATION**

To my father Johannes Mdhuli for being such wonderful parents to me and for supporting me since childhood, with love and gratitude. I would like to thank you for your patience during my studies and for the courage you gave me when things were not good.

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## LIST OF ABBREVIATIONS

DME	Department of Minerals and Energy
EIA	Environmental Impact Assessment
EMP	Environmental Management Programme
CSD	Commission on Sustainable Development.
NEMA	National Environmental Management Act
NWA	National water Act
DWAF	Department of Water Affairs
DEAT	Department of Environmental Affairs and Tourism
SADC	South African Development Community.
DRC	Democratic Republic of Congo.
RSA	Republic South Africa.
SAHRC	South African Human Rights Commission.
UNEP	United Nations Environment Programme.
UNCLOS	United Nations Convention on the Law of the Sea
OECD	Organization for Economic Co-operation and Development.
WCED	World Commission on Environment and Development.
UN	United Nations
UNCED	United Nations of the Conference on Environment and Development
NGOS	Non – Governmental Organisations.
RDP	Reconstruction Development Programme.

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