

**UNIVERSITY OF COLOMBO, SRI LANKA**

**FACULTY OF LAW**

**MASTER OF LAWS EXAMINATION, 2016/17**

**ENVIRONMENTAL LAW**

(Three Hours)

Total Number of Questions: 03

Answer **THREE** Questions **ONLY** selecting Question No 1 and **TWO** more.

(Candidates will be penalized for illegible handwriting)

- 1) Defining a unified set of sustainable development goals is rather a challenging task, given the different development priorities of different countries in the world. In order to achieve the objectives of sustainable development the role of the judiciary is as important as the role of government policy makers and executive decision makers.

Critically analyze the above statement with reference to the relevant case law.

- 2) International Environmental Law principles serve to frame legal debates, guide policy making, direct interpretation and facilitate application of environmental treaties. They play a key role in environmental jurisprudence in any domestic system, as well as in regional forums and global negotiation.

Assess the above statement with reference to the overall function of environmental law principles in defining the scope of environmental law.

- 3) Some scholars advocate establishing an explicit constitutional guarantee to a clean environment, but other scholars point out that such a guarantee should not be considered as the only way to protect the environment. There are cases in many countries which ensure the right to a clean and healthy environment through various other avenues of law such as criminal and civil law. However, it is undeniable that the human rights approach to the environment has significantly contributed to the development of environmental jurisprudence.

Critically analyze the above statement in light of the relevant case law.

- 4) In a democratic society citizens are directly or indirectly encouraged to get involved in government decision making. Decisions taken by the administrative authorities are therefore, subjected to public scrutiny. However, other factors often prevent citizen involvement in decision making.

a) Do you agree with the above statement? Discuss in relation to the Environmental Impact Assessment process in Sri Lanka. You must cite examples in your answer.

b) What recommendations do you suggest to overcome barriers that reduce public participation in decision making within the Environmental Impact Assessment process?