

UNIVERSITY OF COLOMBO, SRI LANKA

FACULTY OF LAW

MASTER OF LAWS DEGREE PROGRAMME 2024/26

1st Semester End Examination – 2025

Fundamentals of Public Law – LLM 11403
(Three Hours)

Total number of questions: 04

Answer any **Three (03)** questions
(Candidates will be penalized for illegible handwriting)

01. 'Greening human rights is one of the approaches adopted by many countries in recent years to integrate and recognize environmental rights within human rights frameworks. This approach not only acknowledges environmental rights but also seeks to protect the environment and its invaluable resources. However, scholars have identified alternative approaches to recognizing environmental rights.'

Do you agree with the above statement? Establish your position with relevant examples and case law from Sri Lanka.

(20 Marks)

02. 'Lord Scarman, in the case of *Nottinghamshire County Council v. Secretary of State for the Environment* [1986] AC 240, observed that "...although judicial review is a great weapon in the hands of judges, it should be used by judges conscious of the constitutional context in which they function." Therefore, courts possess significant power as well as a duty when exercising the tool of judicial review, which must be grounded on certain constitutional principles.'

Critically analyze the above statement in light of the constitutional foundations of judicial review. Candidates should employ relevant case law and scholarly opinions to substantiate their arguments.

(20 Marks)

03. Examine the relationship between *actus reus* and *mens rea* in establishing criminal liability under the Sri Lankan Penal Code. Analyze the operation of strict liability offences as exceptions to the requirement of *mens rea*, and assess whether such exceptions undermine fairness in prosecutions. Support your answer with relevant provisions and case law.

(20 Marks)

04. 'The development of international law has been shaped by universal principles yet influenced by diverse legal traditions and historical context.'

Critically evaluate this statement by considering the key phases of international law and development, the balance between universal principles and the particularities of diverse legal traditions, and the factors that have shaped its global framework.

(20 Marks)
