

**THE VIABILITY OF IMPOSING SPECIFIC ENVIRONMENTAL  
LAWS FOR URBAN HABITATS: A DOCTRINAL ANALYSIS  
WITH SPECIAL REFERENCE TO MANGROVES IN SRI  
LANKA**

**By**

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**PERMANENT REFERENCE**

# DECLARATION

This dissertation contains no material which has been accepted for the award of any other degree or diploma in any university or equivalent institution, and that to the best of my knowledge and belief, contains no material previously submitted or written by any other person, except where due references are made in the text of this research paper. I carried out the work described in this dissertation under the supervision of Dr. Jagath Gunawardana.

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## ABSTRACT

One of the most prestigious objectives of human beings since the period of indigenous generation would be to live in a clean, healthy and favorable environment which means to survive in a place where, there is zero environmental degradation. However, due to the demanding and changing life cycles of mankind, the most common factor which could be seen among the population of twenty first century is that, although they tend to satisfy their daily requirements within the environment itself where they live in, unfortunately, people show their reluctance to protect, conserve and preserve the environment to attain the goals of sustainability. As a result of that, the level of environmental destruction has been gradually increasing and finally it would reach to an uncontrollable level, if such environmental destruction persists further. Presently, it is investigated that, one of the most valuable creatures of the environment namely the mangrove eco-systems have fallen into the category of endangered plant species due to the unlawful activities of the modern human beings which could be identified as one of the reasonable motives for the researcher to conduct this current thesis based on this area of study. Thus, the researcher's focus has laid to compare the existing legal framework of Sri Lanka in relation to the protection of mangroves with the present environmental laws applicable to preserve the mangrove eco-systems in the two selected jurisdictions of Philippines and Indonesia, merely because the researcher believes that the present legal framework with regard to mangroves protection which has been scattered into several legal documents does not provide insights to overcome this long lasting oppressive issue. In fact, Philippines and Indonesia has given their due recognition to protect their natural and aquatic resources. The uniform and stable legal framework available to protect and conserve the natural riches of their territories has become more convenient for them, when it comes to protection of the environment. This research takes the form of a doctrinal research, where the researcher has utilized both primary and secondary data sources to interpret the important provisions of legislative enactments and other legal sources whilst adding the researcher's own flavors and perception to obtain a fair and justifiable research outcome. Since, the researcher uses pragmatism as the research philosophy for this current thesis, the researcher has been able to successfully evaluate the core problem with regard to this and thereby provided few remedial solutions to mitigate the impact of mangrove destruction in order to achieve the goals of sustainable development. Hence, depending on the point of view of the researcher, it would be pertinent to make a legal reform to consider right to clean and healthy environment as a constitutionally validated fundamental right while implementing a particular one legal document for the convenient reference and to protect the mangrove eco-system of Sri Lanka.

**KEY WORDS** - *Mangrove Eco-systems, Natural Resources, Sustainable Development, Right to Clean and Healthy Environment, Environmental Degradation*