

**THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
LL.B. DEGREE PROGRAMME – LEVEL 5
CONTINUOUS ASSESSMENT TEST 1 – 2022/2023
ENVIRONMENTAL LAW – LLU5811/LWU3314
DURATION – 1 HOUR**



Date: 24 September 2023

Time: 01.30 p.m. – 2.30 p.m.

Answer **ONE (01)** question only.

Students will be penalised for illegible handwriting.

It is an examination offence to have unauthorized documents, mobile phones and any other electronic device with you in the examination hall.

1. *“Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well being”*

Principle 1 of the Stockholm Declaration

Many countries, including Sri Lanka have not included a specific right to a clean and healthy environment in their Constitutions. However, courts have used the existing constitutional provisions to uphold this right. Citing case law in your answer discuss the way in which a right to a clean and healthy environment and to adequate conditions of life has been developed in Sri Lanka and other countries.

(20 Marks)

2. *The public trust doctrine has evolved from a historical limitation of the State's power to alienate a few specified natural resources, into a tool for environment protection.*

Discuss this statement citing case law from Sri Lanka and other jurisdictions.

(20 Marks)