



General Sir John Kotelawala Defence University
Sri Lanka



ABSTRACTS

Promoting Legal Professionalism through
Multidisciplinary Application

11TH INTERNATIONAL RESEARCH CONFERENCE

Securing Professional Excellence through Collaboration

13th - 14th SEPTEMBER 2018



This book contains the abstracts of papers presented at the 11th International Research Conference of General Sir John Kotelawala Defence University, Ratmalana, Sri Lanka held on 13th - 14th September 2018. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form, without prior permission of **General Sir John Kotelawala Defence University, Ratmalana, Sri Lanka**

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MESSAGE FROM THE SECRETARY TO THE MINISTRY OF DEFENCE



It is with great pleasure that I am issuing this message to the International Research Conference 2018 of the General Sir John Kotelawala Defence University (KDU) as the Secretary to the Ministry of Defence and the ex-officio Chairman of the Board of Management, KDU.

I wish to place on record my sincere appreciation to KDU for playing a leading role in molding the future of the military as well as civilian youth who are in pursuit of high quality tertiary education in Sri Lanka. Today, KDU has gained recognition as an excellent seat of learning and disseminating knowledge that empowers attitudes and develops skills of the young graduates. It also contributes immensely to the much needed research and innovation.

KDU IRC is an annual event in its calendar eagerly anticipated by many due to the significance it holds in providing a platform for both local and

international intelligentsia to congregate, confer and disseminate knowledge. I am sure that, under this year's theme, securing professional excellence through collaboration, the conference will encompass a wide range of topics that are of utmost benefit for potential scientific and socio economic advancement in Sri Lanka.

While expecting to see great minds from all over the world meet and share their thoughts and knowledge at this event, once again I express my sincere appreciation to the Vice Chancellor and KDU staff for the enthusiasm and commitment shown towards making this scholarly experience a memorable one for its participants.

I wish that this international research conference would be highly productive for all participants – a conference that enriches the much needed research culture to ensure the nation's growth enabling to face its future challenges.

Kapila Waidyaratne
President's Counsel
Secretary

MESSAGE FROM THE VICE CHANCELLOR



I am delighted that we have been able to organize the 11th International Research Conference of General Sir John Kotelawala Defence University (KDU IRC – 2018) conducted on the overarching theme, “Securing Professional Excellence through Collaboration” and convened over two days, 13th and 14th September 2018 at the university premises. Hence, it is with great pride that I pen down my thoughts on this Abstract Book of KDU IRC-2018.

KDU IRC-2018 is a world class forum that brings professionals and researchers of various disciplines to a common platform to disseminate their valuable research findings. They are able to present, discuss and deliberate their research findings with peers and experts, both local and international, as well as engage in lively discussions on contemporary matters. The resource personnel of the conference are eminent Sri Lankan and foreign researchers, academics and professionals with international recognition including those of our own staff at KDU.

We are proud to have internationally eminent, Sri Lankan born scientists, such as, Prof. Mohan Munasinghe and Dr. Sarath D. Gunapala, as guest speakers at the inauguration of the conference. They have made our motherland proud in the international arena as renowned experts and intellectuals in their respective fields. Further, this conference is enriched with the participation of many local and foreign academics in varied disciplines; along with personnel from the

tri-services and the police, thus making our conference the only research conference in Sri Lanka that brings together civilian professionals and their counterparts in security forces.

What is special about this conference is that the research papers are automatically uploaded to Google Scholar with H-Index Citations. The best papers are published in journals and others as proceedings. In addition, provision is given for live telecast of oral presentations through YouTube, and presentations on Skype, for international authors. The plenary sessions, pre/post-conference workshops and oral and poster presentations, would no doubt generate productive discussion and constructive criticism which would in return instigate thoughts for development in future.

I wish to record our gratitude to the Ministry of Science, Technology and Research and the National Science Foundation, not forgetting the Ministry of Defence, for their consistent support in co-organizing our conference, and my sincere appreciation of the academic and administrative staff of KDU together with our well-wishers for their invaluable contribution towards the success of this mammoth event.

Finally, I wish you, the presenters, good luck with your scholarly presentations at KDU IRC-2018 and the participants a memorable and thought provoking experience.

JJ Ranasinghe VSV, USP, psc, MSc (DS) Mgt
Rear Admiral
Vice Chancellor

MESSAGE FROM THE CONFERENCE CHAIR



On behalf of the Executive Committee, I am honoured and delighted to welcome you to the 11th International Research Conference of General Sir John Kotelawala Defence University (KDU IRC-2018); bearing the theme, Securing Professional Excellence through Collaboration. Over the past 11 years, KDU IRC has grown to be a major international research conference, continuing with its tradition of high-quality and broad international participation in all areas of research. Hence, it is a pride and honour to preside over this prestigious research conference in Sri Lanka.

I am very pleased to welcome you to KDU IRC-2018 which is based on fundamental concerns to all scientists and non-scientists alike. This conference also enables the exchange and dissemination of useful information on multilateral initiatives. Therefore in bringing us together, KDU IRC -2018 allows to seek out and forge new partnerships, and to engage relevant sectors in advancing the social and economic well-being of mankind.

KDU is gratified to have a line-up of highly renowned keynote and plenary speakers

consisting of experts who would shed light on research and issues. In addition, this is an opportunity for undergraduates, researchers and practitioners to share their research and contribution towards the success of the respective professions, through oral and poster presentations.

The successful organization of KDU IRC -2018 required the talents, dedication and invaluable time of many academic and administrative staff of KDU, volunteers and strong support from our sponsors; the Ministry of Science, Technology and Research, and the Ministry of Telecommunication, Digital Infrastructure & Foreign Employment. Special gratitude and appreciation goes to the Presidents, Coordinators and the members of the numerous committees of the faculties. Without their wise advices and suggestions; outstanding organization, planning and performance, we would not have had such an excellent conference.

I hope KDU IRC -2018 would offer the participants a platform to exchange ideas, discover novel opportunities, reacquaint with colleagues, meet new friends and broaden their knowledge.

Dr Upali Rajapaksha
Conference Chair
11th International Research Conference

MESSAGE FROM THE PRESIDENT OF THE SESSION



It is with profound pleasure I pen this message to the Abstract Book of the 11th International Research Conference of General Sir John Kotelawala Defence University. On behalf of the Faculty of Law, I take pride in welcoming all of you, academics, scholars, professionals, presenters and participants, attending the conference. We are humbly proud of the contribution we have made so far to legal education and research in the country encouraging the researchers in the field and through dissemination of knowledge within the relative short history of the Faculty.

Knowledge, particularly the new knowledge is a dynamic force which directs the nature and patterns of human society from paradigm to paradigm. Research Conferences organized by Universities are unparalleled opportunities to display novel discoveries making additions to the current paradigm of knowledge. Every year, the Faculty of Law at KDU provides ground facilitation to create an environment for truly intellectual interaction among distinguished presenters and participants both local and foreign.

The two-day event will feature plenary sessions and technical sessions. The plenary session chaired by Prof Camena Gunarathna, Open University of Sri Lanka, would surely be a scholarly rich one. Presentations under the theme “Promoting Legal Professionalism through Multidisciplinary Application” are made by four

renowned and distinguished intellectuals, i.e. Prof S Shanthakumar, Pro Vice Chancellor and Dean of School of Law, GD Gonenka University of India, Mr Yasantha Kodagoda, PC, Additional Solicitor General, Attorney General Department, Dr Kalana Senarathne, Senior Lecturer, Department of Law of University of Peradeniya, and Mr Jagath Gunawardena, Senior Counsel.

Technical papers split between twenty oral presentations and ten poster presentations have been extracted through a rigorous peer review process done by a distinguished panel of academics. The technical sessions are chaired by Mrs Wasantha Senevirathna, Senior Lecturer, Head of the Department of Public International Law, University of Colombo, Prof S Shanthakumar, Dr Chamila Talagala, Visiting Lecturer, Faculty of Law of KDU, and Senior Consultant, Mrs Jeeva Niriella, Senior Lecturer, University of Colombo.

It is impossible to stage an International Research Conference without the team spirit of the members of the Faculty. Sincere dedication and cooperation of the Faculty coordinators and members of academic and non-academic staff to make this event very constructive is highly appreciated.

I hope this Conference will be an exciting experience filled with academic interaction and creative innovation.

Mr WM Amaradasa
President
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Technical
Sessions



PROTECTION AFFORDED TO WELL-KNOWN TRADEMARKS IN SRI LANKA: A CRITICAL ANALYSIS

KAAN Thilakarathna

Department of Law, Faculty of Management, Humanities and Social Sciences, Colombo
International Nautical and Engineering College (CINEC Campus), Malabe, 10115, Sri Lanka
akalanka.t@cinec.edu

A trademark which helps to distinguish goods of one undertaking from those of another is an important stimulus for manufacture of goods and services. In particular, when it comes to well-known trademarks, the value attached to the mark exceeds the total value of assets of such an undertaking. A strong protection for these trademarks is required to protect the interest of the owners of these trademarks. The Intellectual Property Act No 36 of 2003 governs the law relating to the protection of both trademarks and well-known trademarks. As a member state to the TRIPS agreement, Sri Lanka is obliged to meet the minimum standards set out in the TRIPS agreement regarding the protection afforded to intellectual property rights in order to enjoy the benefits granted by the agreement. This paper is aimed at answering the questions of, what is the current status of the law relating to the protection of well-known trade marks in Sri Lanka, its international obligations, protections afforded to well-known trademarks through exclusive

and additional measures, the limitations of the current system and some possible reforms that could be made. The research is conducted using a qualitative method, where it uses the primary legal sources of the Intellectual Property Act No 36 of 2003, the Trips Agreement and the decided case law. As secondary data, it uses the commentaries given on the relevant sections by reputed authors. The results of the research indicate that, most of the provisions of the IP Act are compatible with the TRIPS agreement. However, the results also indicate that, with regard to the protection of well-known trademarks, there are some lacunas, such as unregistered marks not having exclusive rights, non-registrability of sound marks and the non-availability of a single application process for multiple registration in different countries. It is therefore suggested that these lacunas be remedied.

Keywords: Intellectual Property, Trademarks, Well-Known Trademarks, TRIPS, IP Act No 36 of 2003

LEGAL PROTECTION OF PRODUCTS IDENTIFIED BY GEOGRAPHICAL INDICATIONS HAVING WEAKER LINK TO THE ORIGIN

LM De Silva

Faculty of Law, General Sir John Kotelawala Defence University, Sri Lanka
desilvalihini@gmail.com

The link between the product and the place of origin gives the product a distinguishable identity. Nevertheless, the strength of the link based on human factors and natural factors of the product's geographical origin differs from one product to another. This research firstly aims to examine whether this link between the product and the origin has been taken into account by the International Conventions when granting protection. It is also aimed to analyse how the jurisdictions of European Union, India and Sri Lanka have granted protection for Geographical Indications (GIs) when the link between the product and the origin varies. The research further aims at evaluating whether both national and international legal frameworks should grant the same protection for GIs disregarding the strength of the link to origin. In achieving the objectives, the research mainly followed the black letter

law approach, while an empirical data analysis was conducted in order to glean the practicality of recognizing GIs with a weaker link to the origin. As evidenced by the TRIPs Agreement, granting of protection is based on an irrational basis which disregards the link to the origin. The EU law even though mandates two types of GIs based on the link to the origin, the two definitions are not considered in granting protection. Notwithstanding the recognition of products with a weaker link to the origin by Indian and Sri Lankan jurisdictions, it does not make any sense as it has not been taken into account in granting protection. Hence, it is suggested in this research that a product's link to the origin must be considered in determining the level of protection.

Keywords: Geographical Indications, Human Factors, Natural Factors, Link to Origin

BEWARE IF YOU ARE A 'DIGITAL CONSUMER' – INTANGIBLE DIGITAL GOODS AND CONSUMER PROTECTION IN SRI LANKA

WAC Perera

Faculty of Law, General Sir John Kotelawala Defence University, Ratmalana, Sri Lanka
anushkacp94@gmail.com

Unlike in the past, where the sale of only physical, or rather tangible goods occurred, in the contemporary digital era, consumers are well capable of buying goods which have no physical existence, such as computer software, from numerous online stores. These goods could broadly be categorised as intangible digital goods due to the very fact that the entire transaction takes place on a digital platform without coming into contact with a human hand. Whether it be a mobile application, a video game, or even an office tool such as Microsoft Word, the buying of which has become common place as a matter of convenience, since the purchaser can simply make the payment using his/her credit card at his/her leisure. Although, this is the current social situation in Sri Lanka, from a legal point of view, it is highly doubtful as to what form

of legal protection would be afforded to these digital goods under the existing overly outdated consumer protection regime. Thus, this research is conducted with the objectives of analysing the legal system of Sri Lanka with regard to consumer protection, in order to ascertain the extent to which a 'digital consumer' is protected in Sri Lanka in respect of defective intangible goods purchased; and to propose necessary amendments through a comparative analysis of respective legislations in the UK, and New Zealand. The author uses primary sources such as Acts, and Ordinances, and secondary sources such as journal articles in achieving the aforementioned objectives of this research.

Keywords: Intangible digital goods, consumer protection, Sri Lanka

BEYOND 'MORE ECONOMICS-BASED APPROACH': A LEGAL PERSPECTIVE ON COMPETITION IN SRI LANKA

Dianarthy Suthakar

Faculty of Law, University of Colombo, Sri Lanka
dianarthys@gmail.com

The competition and consumer policy of a nation could play an important role in promoting economic growth and reducing poverty. In the absence of perfect competitive market conditions, there must be a competition policy backed by necessary legislation. It is necessary to promote competition through an institutional mechanism to enhance consumer welfare. In recent years, competition law has been viewed as a way to provide better services to consumers. The research focuses on whether the existing laws are adequate to promote fair competition and prevent anti-competitive practices. The objective is to find out the effectiveness of the laws governing competition and to identify whether such laws are sufficient to prevent mergers, acquisitions, monopolies and other anti-competitive practices. The research is exploratory in character. Research data were gathered from primary, secondary and internet sources. It is observed that even though statutory mechanisms were taken by the legislature, the effective enforcement and monitoring mechanisms capable of establishing

the effective competition legal regime have been lacking. The current legislation, Consumer Affairs Authority Act No.9 of 2003, has not made a serious effort to provide for comprehensive coverage of matters related to competition and consumer welfare. The main loophole is that the Act fails to make provisions governing mergers and monopolies. Prominently, the Act is criticized as a mixture of competition and consumer welfare policies. Compared to the previous legislations governing this area of law, this Act is considered weaker in some aspects, particularly in the removal of the provisions to investigate monopolies and mergers. However, many improvements could be effected in this new legislation, in conformity with the three core principles of transparency, non-discrimination and procedural fairness of competition legislation.

Keywords: Anti-competitive practices, Competition, Consumer welfare, Mergers, Unfair trade practice.

PROTECTING CONSUMER RIGHTS IN ELECTRONIC CONTRACTS: LESSONS FROM EUROPEAN UNION AND UNITED KINGDOM

BAR Ruwanthika Ariyaratna

Department of Legal Studies, Faculty of Humanities and Social Sciences,
The Open University of Sri Lanka, Sri Lanka
ruwanthika.ariyaratna@gmail.com

The nature and development of e-commerce cause many changes to the traditional legal conceptions. They have made a significant impact on the traditional role of the consumer as well. As a result, the modern consumer is no longer limited to the offline market, but, in contrast, he/she is more explorative in electronic market platforms. On the one hand, these emerging changes facilitate the sophisticated lifestyle of the consumer. But, on the other hand, it is evident that online consumers are more exposed to vulnerability in the electronic environment than the offline consumers. Information disclosure, privacy, lack of system security and dispute resolution are some of the key challenging issues which online consumers have to deal with today. Accordingly, these issues have been addressed in both international and domestic legal systems. European Union and United Kingdom examples provide more advanced mechanisms for protecting consumer

rights in electronic contracts. However, in the Sri Lankan context, the Consumer Affairs Authority Act or Electronic Transaction Act or any other legislation do not provide any specific protection against the violations of consumer rights in an electronic environment. Therefore, this paper aims to investigate the developments in the legal systems of the European Union and the United Kingdom in the light of online consumer rights protection. Moreover, the findings will be compared with domestic legislative provisions in the Electronic Transactions Act, Consumer Affairs Authority Act etc. in order to emphasise on the lacuna in Sri Lankan consumer law as well as the information technology law regimes. The qualitative research approach is used as the main research paradigm of the research.

Keywords: Consumer Rights, Electronic Contracts, Information Technology Law

MAJESTIC GIANT, YET A BROKEN SPIRIT: LEGAL PROTECTION OF CAPTIVE ELEPHANTS IN SRI LANKA

HMMC Herath¹ and WMASB Wijethunga²

Faculty of Law, General Sir John Kotelawala Defence University, Sri Lanka
ayeshanshanaka88@gmail.com

Sri Lanka has a great deal of historical evidence for the captivity of elephants. Although historically capturing elephants was carried out on cultural grounds, currently captive elephants are being misused as a commercial asset. This study seeks to answer the problem as to how adequate is the current legal framework on captive elephants in Sri Lanka in providing them with a due legal protection. The primary objective of the study is to assess the current laws applicable in Sri Lanka pertaining to the captive elephants and their implementation in practice. Determining the effectiveness of the existing legal provisions on captive elephants involves the secondary objective of this discipline. The scope of the study

is limited to certain types of captive elephants, thus excluding the elephants in the National Zoological Gardens. The research was carried out using two methodological approaches. The black letter approach was used to undertake a deep analysis on the legal provisions pertaining to captive elephants. Empirical research methodology was used to gather information on the consequences on the captivation of elephants and its practical implications. Towards the end, this study seeks to address certain pertinent questions on captive elephants in Sri Lanka, which still remain unanswered.

Keywords: Captive Elephants, Elephas Maximus, Captivity, Protection, Sri Lanka

CORPORATE RESPONSIBILITY FOR ENVIRONMENTAL PROTECTION WITH REFERENCE TO THE COMPANIES ACT NO 07 OF 2007 OF SRI LANKA

YP Wijerathna¹ and AA Edirisinghe²

Faculty of Law, General Sir John Kotelawala Defence University,
Ratmalana, Sri Lanka

²aaedirisinghe@gmail.com

With the increasing emphasis placed on the necessity of protecting the environment, the traditional perceptions of development have now been replaced with the concept of sustainable development. According to the Brundtland Commission's report sustainable development is the development which meets the needs of present generations without compromising the ability of future generations to meet their own needs. Irrespective of the growing consensus on the need to develop sustainably, it is sceptical whether the corporations in the contemporary world operate with due regard to the environment. The present research aims to ascertain whether the present Companies Act in Sri Lanka; Act No 07 of 2007 imposes a duty on the companies towards the environment, which will uphold sustainable development. The study further aims to analyse

the lessons that Sri Lanka can learn from the Company legislations in the United Kingdom (UK) and Australia in making the companies accountable towards the environment. This doctrinal research was conducted with reference to relevant legislations and judicial decisions as primary sources and books with critical analysis, journals, theses and electronic resources as secondary sources. The study concludes that Companies Act No 07 of 2007 does not expressly impose a duty on Sri Lankan companies towards environmental protection and therefore needs improvement in ensuring sustainable development.

Keywords: Companies Act, Environmental Protection, Sustainable Development

A BETTER APPROACH TO ANIMAL WELFARE LAW: A CRITICAL ANALYSIS OF THE LAW ON PREVENTION OF CRUELTY TO ANIMALS IN SRI LANKA

MH Pasqual

Faculty of Law, General Sir John Kotelawala Defence University, Ratmalana, Sri Lanka
maleeshapasqual@gmail.com

While human rights play an important role in a country's legal system, the rights pertaining to the welfare of animals should be awarded a special status in the environmental law regime of a country. Animals deserve an inherent right, recognized by the animal welfare legislation of a country, which would safeguard them against cruel and inhumane treatment. The Prevention of Cruelty to Animals Ordinance No. 13 of 1907 in Sri Lanka intends to serve this purpose by establishing the law to prevent cruelty to animals. However, in recent years several incidents which resulted in the victimization of elephants and stray dogs as a result of cruel and inhumane treatment were highlighted through the media. These scenarios pose a question as to the adequacy of the current animal welfare legislation in Sri Lanka to address the issue of cruel and inhuman treatment of animals in the country. Resorting to the

qualitative methodology this research intends to review and critically analyze provisions contained in the aforementioned Ordinance in order to identify four main deficiencies among the provisions, namely; the lack of a sound definition for an "animal", stringent and updated penalties, recognition of the concept of 'duty of care' and a proper authority to monitor animal welfare matters, and to make recommendations to improve the existing legal regime of animal welfare to rectify the aforementioned deficiencies, as well as to highlight the importance of expediting the implementation of the Animal Welfare Bill as a better approach to animal welfare law in Sri Lanka.

Keywords: Animal cruelty, Animal welfare, Stray Dogs

PURSuing A BETTER NATIONAL WATER POLICY ENDOWED WITH SUBSTANTIAL RIGHTS ON WATER: CASE STUDY OF SRI LANKA

D P Aluthge

Department of Military Law, Faculty of Law,
General Sir John Kotelawala Defence University,
Ratnmalana, Sri Lanka
aluthgedilantha@yahoo.com

Every state is bound to fulfill fundamental needs of each human being as a duty bearer and subsequently those needs secured more powerful status as human rights. Formerly, water was an unlimited resource, and Justinian categorized water under “Res communes” or resource common to all. However, currently, water has become a commodity and many restrictions have been implemented over water resources. Similarly, it has become a scarce resource for many areas. Accordingly, water need to be regulated through an integrated mechanism. Since the water scarcity became a universal challenge, world community presented new strategies to counter upcoming menaces. Many treaties and action plans were introduced in order to ensure the sustainable use of water resources. Right to water confronted with water rights. Land owners were against ensuring the right to water of others,

violating their water rights. But the governing bodies were bound to protect both right to water while protecting water rights. This paper intends to investigate this conflicting issue and the main objective of this paper is to introduce a proper national water policy for Sri Lanka, which could counter the water management issues. Further, this paper looks into water protection strategies and prevailing laws and appropriate mechanisms towards sustainable water use. Furthermore, this paper suggests to secure the current runoff and utilize it through proper mechanism. This research uses qualitative research methodology and mostly the secondary data and analytical and interpretative approach of writing.

Keywords: Water rights, Right to water, water policy

APPLICABILITY OF THE DEFENCE OF ACT OF GOD IN ENVIRONMENTAL DAMAGE: A CRITICAL APPRAISAL

Udapadie Liyanage

Department of Private and Comparative Law,
Faculty of Law, University of Colombo, Sri Lanka
udapadie@gmail.com

Occurrences over which man has no control are referred to as 'Acts of God.' Some natural events that we experience today are very serious and recurrent. Floods or droughts happen each year causing severe damage to the environment. Modern climatic patterns and the way that they bring loss and damage to people and the environment is not per se unforeseeable. However, not only individuals but also authorities ignore liability using the title as a defence, under the civil liability regime that governs recovery of damages for environmental damage.

In this backdrop, this study examines whether the defendants who are handling environmental

aspects within their purview, could ignore their legal duty simply because they shift the responsibility by labelling it as Acts of God. It is observed that modern jurisdictions have a limited approach towards this defence and apply strict liability against the defendants for environmental damage, if it is a non-delegable duty and a foreseeable damage. This is a qualitative study which is designed to compare selected jurisdictions with Sri Lankan law in the area of research. The study is based on primary and secondary data for its comparative analysis.

Key Words: natural events, acts of god, strict liability

AUSTRIAN MINDS: EXAMINING HOW VIENNA CIRCLE INFLUENCED ON HANS Kelsen'S NOTION OF "GRUNDNORM" AND 20TH CENTURY LEGAL POSITIVISM

Punsara Amarasinghe¹ and Anastasia Glazova²

Department of Public and Private International Law,

Faculty of Law, National Research University Higher School of Economics,

Moscow, Russian Federation

¹punsaraprint10@gmail.com

This paper seeks to explain Kelsen's pure theory of law and that his whole contribution to legal positivism was influenced and bolstered by his early stay in Vienna. Even though the foundational stone laid by Kelsen on legal positivism is clearly distinguished from logical positivism propounded by the pioneers of Vienna circle, in this article I argue the intellectual uplifting Kelsen underwent during the youth he spent in Vienna

had left a hallmark in his thoughts. Furthermore, this article illustrates how both logical positivism and legal positivism grew parallel in a same time period during two great wars. Central argument I seek to explain in this article is to demonstrate Hans Kelsen as a legal modernist and how Vienna circle made impacts upon his thoughts.

Keywords: Vienna Circle, Legal Positivism, Pure Theory

THE SPACE BETWEEN PROMISES AND RESULTS: THOUGHTS ON REGULATING USE OF FORCE BY THE UN

Charuka Ekanayake
Griffith University, Australia
charuka.ekanayake@griffithuni.edu.au

United Nations forces are today deployed into settings that cover almost all the factual signposts on the spectrum between peace and conflict. In spite of the increased tensions they encounter and ever-expanding mission objectives, the fundamental purposes of UN deployment, namely maintaining international peace and security and advancing human rights, remain unchanged. This was underlined by the March 2018 UN Secretary-General's Report on Peacebuilding and sustaining peace. The objective of this paper will be to assess how the existent gaps between UN mission objectives and outputs can be reduced or closed by adopting a regulatory framework that is more sensitive to the nature, character and purposes of United Nations deployment. The paper will adopt

a qualitative approach and ascertain objectives of UN deployment by analyzing primary sources such as enabling resolutions, Secretary General's reports and other UN documents as well as secondary literature on the subject. The appropriate regulatory framework will then be identified through a normative analysis of the applicable human rights and humanitarian norms, as deduced from primary and secondary sources. The paper will argue in conclusion that human rights law has a greater role to play in the realm of regulation than is acknowledged at present, suggest a conceptual criterion through which this could be achieved and assess the utility of such an approach with reference to practical examples.

ILO'S DECENT WORK AGENDA AND SRI LANKA: TEETH FOR TIGER

BKM Jayasekera¹ and NKK Mudalige²

¹Faculty of Law, General Sir John Kotelawala Defence University, Sri Lanka

²mnamudi@gmail.com

"Decent Work" is recognized as a normative foundation of the 'Right to Work' by the International Covenant on Economic, Social and Cultural Rights. International Labour Organization (ILO) identifies the agenda of decent work as a tool involving opportunities for work that are productive, delivers a fair income and other rights at work, and provides social protection and social dialogue with gender equality and the "Decent Work Agenda" can be designated as the sharp set of teeth of the tiger called "Decent Work". The Role of ILO and the standardization of national legal framework have a positive relationship in the arena of labour law. Thus, Decent Work Agenda adopted by ILO remains as a standard accepted worldwide in this standardization process of decent work apart from other measures such as Conventions and Recommendations of ILO. As an instrument of good governance, the decent work agenda fosters cooperation and economic performance while helping to create an enabling environment for the realization of the objective of Decent Work at the national level. Sri Lanka has reiterated its obligation towards decent work agenda during many international and regional meetings. Moreover, the 1978 Second Republican Constitution of Sri Lanka by means of fundamental right to engage in any lawful occupation, profession, trade, business or enterprise and related constitutional freedoms establishes the foundation to agenda of decent work. On the other hand, labour legislation such as Shop and Office Employees Act, Wages Boards Ordinance, Industrial Dispute Act, Employees Provident Fund Act, Employment

of Women, Young Persons and Children Act, Maternity Benefits Ordinance, Employment of Females in Mines Act that cover areas of decent work, namely; employment, rights at work, social protection and social dialogue, aspire 'Decent Work' within the domestic framework subject to legally prescribed restraints. Thereby the problem of this study was 'to what extent Sri Lanka has incorporated international standards of decent work in domestic labour law through substantive and procedural legal principles.' Objectives of the research were to evaluate decent work agenda adopted by ILO with that of Sri Lankan legal framework and to suggest recommendations to improve the legal framework of Sri Lanka in line with international standards of the same. The research was carried out based on two methodological approaches; Black letter approach and International and Comparative research methodology. Two methodologies were carried out based on primary and secondary sources. Primary sources include the Constitution, related legislations, case laws and international standards and secondary sources include peer reviewed journal articles, conference proceedings, case commentaries and online articles. The study concluded with the connotation that teeth of tiger can be sharpened through suggestions made in the study which would shape the legal framework based on 'Decent Work' that ultimately avail the employees, employers and the government to maintain 'Decent Work' within Sri Lanka.

Keywords: Decent Work Agenda, National Policy, Standardization

THE BITTER COOKIE: RIGHT TO CYBER PRIVACY IN SRI LANKA VS THE MISAPPROPRIATION OF DATA GATHERED USING COOKIES

Gananath Gunawardena

Faculty of Law, General Sir John Kotelawala Defence University, Sri Lanka
nathgunawardena1388@gmail.com

Success and progress in the technological age is dependent on the ability to collect, process and disseminate information at lightning speed, with incredible efficiency. Ironically, the same technology which improves life in the 21st century is often responsible for its setbacks. The use of cookies is a prime example of how convenience has come at a steep price. Through a doctrinal analysis of legislation, case law, and academic opinion, this paper focuses on how the use of cookies, if not properly regulated, can lead to violations of an individual's right to privacy, and how the Sri Lankan legal system is ill-equipped to counteract such violations. The study begins with the proposition that the right to cyber

privacy exists as a positive legal right, despite its absence from the Sri Lankan Constitution. It then details the function of cookies, as well as their constructive and destructive potential. The crux of the paper highlights the inadequacies within the Sri Lankan legal system, focusing on the Computer Crimes Act No. 24 of 2007. Finally, it proposes certain amendments to the law, with reference to the UK judgement in *Vidal-Hall v. Google* and the recent EU General Data Protection Regulation (GDPR), with the objective of creating a legal framework to prevent the abuse of cookies.

Keywords: Cookies, Cyber Privacy, Computer Crimes Act No. 24 of 2007

GOVERNANCE OF HIV IN THE AVIATION INDUSTRY: ANALYSIS OF MULTILATERAL LABOUR RIGHTS REGIMES

Madara Ranmuthugala

Faculty of Law, General Sir John Kotelawala Defence University, Ratmalana, Sri Lanka
madara.ranmuthugala@outlook.com

Denying employment to people based on their HIV status is a practice informed by social fears and norms, and employers appropriate existing local and international laws to strengthen their position in refusing employment. There exists discriminatory laws that inadvertently or intentionally deny or limit employment to people with HIV (PLHIV). This is especially true within the airline industry, given their high legal regulations. About 50 countries enact laws regulating the entry and stay of PLHIV. The airline industry hesitates to accept PLHIV as cabin crew citing safety regulations and international laws, and refuse work to or remove employees from positions within the company. In general, PLHIV face barriers to employment that far exceed those faced by others seeking employment. There is an exacerbated risk to PLHIV because airlines deal with multiple countries, being bound by many legal regulations extending far beyond the laws of

any one country. The research analyses regulations governing the aviation industry within the context of employment. The primary objective of the research is to determine the practical application of labour rights within the aviation industry, while the secondary objective is to examine the barriers and reasons for the barriers PLHIV face in employment within airlines. This qualitative research is aided by a constructivist approach, and exclusively uses secondary data. The cases under study in this paper are a lawsuit in 2016 involving Sri Lankan Airlines for a breach of employment law under ILO guidelines and national policies, and a lawsuit in 2000 involving South African Airlines for breach of the South African Constitution and Bill of Rights..

Keywords: Aviation Industry, Employment Regulations, Travel Bans for PLHIV

THE EFFECT OF STEM CELLS RESEARCH ON ONE'S RIGHT TO LIFE: ETHICAL AND LEGAL CONTROVERSIES IN DOMESTIC AND INTERNATIONAL ARENA

BS Senanayake

Faculty of Law, General Sir John Kotelawala Defence University, Ratmalana, Sri Lanka
Buddhimasonalis@gmail.com

Stem cell treatments have been a monumental discovery back in the 1800s. In the year 1968, two siblings were the first to be treated successfully with bone marrow transplant for an immunodeficiency. This influenced many countries globally including Sri Lanka to perform stem cells research. These cells are extracted from a human embryo (Blastocyst) and then they are allowed to grow in a laboratory environment to form healthy cells of any function. However, unfortunately this extraction will destroy the Blastocyst. Thus today the concept is tainted with controversies as the Blastocyst itself has the Right to Life and that right is violated. Hence, many countries have a tendency to vote against stem cells research while others have solid Acts and strong legal backgrounds to support it. The

objectives are to uncover the reasons behind the ethical and legal controversies of Right to Life and to explore into the legal framework of other jurisdictions to understand their laws for stem cells research. This research will be carried out based on doctrinal methodology inclusive of legal propositions and literature such as text books, case laws, online articles and journals. In conclusion, this paper proposes the expansion of the legal system of Sri Lanka and gives recommendations to build up the domestic laws by focusing on the international arena to strengthen the new technological advancements of biomedicine by overcoming the issues of human rights, as it will suit the medical needs of the society.

Keywords: Right to Life, Stem cell research, Sri Lanka

DILEMMA OF CREATING A CONSTRUCTIVE TRUST ON ILLEGAL PURPOSE

SW Siriwardena

Directorate of Legal Services, Army Headquarters, Sri Lanka
ssiriwardena@yahoo.com

English Law was absorbed to Sri Lankan legal system mainly in two ways; by statutes and by judicial activism. At present, in the Sri Lanka context, Law of trust is exercised through substantive law and common law principles, mainly from the Trust Ordinance and by judiciary precedence. For decades the trust ordinance and case laws were considered as the supreme legal authority to adjudicate legal issues relevant to the area of trust. According to the Trust Ordinance, several types of trust can be established. Mainly express trust, implied trust (Constructive trust), resulting trust, and charitable trust. For the purpose of this paper, issues relating to constructive trust are evaluated in detail. Comparing to the other types of trust, constructive trust is much controversial. Hence it does not require verbal

or documentary expressions to create a trust. In this backdrop doctoring of constructive trust is taken as an offensive and defensive weapon by legal practitioners in the area that issues relating to transactions of property. It should be the responsibility of the judiciary to evaluate cases in a wide spectrum, since judiciary precedence is conceded as a source of law and it impacts on the adjudicating process to establish justice. Based on this backdrop, it is clear that judgments should be competent and constant, if not they create ambiguities. This research paper is a basis to evaluate and indicate how creativity of judiciary impacts on establishing justice even though it creates a dilemma: whether constructive trust can be created on illegal purpose.

Keywords: dilemma, Constructive trust, illegal purpose

ANALYSIS OF INTERNATIONAL INSTRUMENTS IN RELATION TO VESSEL SOURCE MARINE POLLUTION WITH SPECIAL REFERENCE TO MARINE POLLUTION PREVENTION ACT OF SRI LANKA

Samith Thalakiriyawa

Faculty of Law, General Sir John Kotelawala Defence University, Sri Lanka
samith.thalakiriyawa@gmail.com

This research is related to the Law of the Sea under the Public International Law concentrated to the Vessel source marine pollution. Although there are many types of marine pollution, this research is limited only to vessel source marine pollution by oil. Since marine pollution adversely affects the whole environment in terms of climate change, global warming and degradation of natural resources, this research is expected to achieve objectives such as to identify the methods of vessel source marine pollution, to evaluate the effect on the environment, to determine the importance of prevention, to identify the stakeholders in prevention, to evaluate the existing laws, to identify loopholes in the law and to recommend steps to fill in the gaps in law. The Black letter research methodology is used here and statutes like International treaties, domestic Acts, case laws, scholarly books, research articles, Journal articles, web articles, and blog articles were used for primary and secondary sources.

This research recommends to include new provisions in the constitution of Sri Lanka for the protection of marine environment even beyond the territorial waters, to revise the provisions of United Nations Convention of Law of the Sea (UNCLOS) such as Article 224,225,236 and the International Convention for the Prevention of Pollution of Ships (MARPOL) such as Article 7 relating to innocent passage for introducing new provisions without ambiguities, to establish a well-trained task force for encountering the emergencies relating to marine environment including oil spills and marine casualties; a special court or tribunal for matters relating to shipping; and new ship yard facilities in Sri Lanka to repair ships found unseaworthy within the maritime boundaries of Sri Lanka, and to claim damages to marine environment from shipping agents and charterers when ship owners refuse to pay.

Keywords: Marine Pollution, Shipping, State Controls

POWER AND IDEOLOGY OF PROFESSIONS: A CRITICAL ANALYSIS OF THE ROLE OF JUDICIARY AND LAWS DELAYS IN SRI LANKA

SM Anuruddika G Senevirathne

Post Graduate Institute of Management, University of Sri Jayawardenepura, Sri Lanka
anuruddika_s@hotmail.com

Contrary to the orthodox traditional approaches and commonly adopted modern quantitative researches as well as legal framework based on statutory sources, systematic study of underlying ideologies can be used as a powerful method of examination and understanding of individual as well as collective professional conduct and organizational behaviours as well as the reasons for their performance impediments. Purpose of this study is to examine how ideology of judges affects the functioning of Sri Lankan judiciary as a professional state institution. The study further focuses on the most compelling and

contentious pragmatic issue of laws delays in the Sri Lankan context through the theoretical lenses on ideology and power relationship of judges and litigants through critical analysis. A systematic ideological analysis warrants critical insights and understanding how modern professional structures such as judiciary are able to survive amid the dissatisfaction of litigants and society, and moreover, why litigants do not directly resist and voluntarily submit themselves for such exploitation with passive reaction.

Keywords: Ideology, Judges, Laws Delays

OFFENCE OF ENFORCED DISAPPEARANCE: ENHANCING PARAMETERS OF CRIMINAL LAW OF SRI LANKA

Ishara Kumudumalee Munasinghe

Faculty of Law, General Sir John Kotelawala Defence University,
Ratmalana, Sri Lanka
isharakumudumalee@gmail.com

Enforced disappearances (ED) have been an outspoken and debatable dialogue at different spectrums across the globe during the last century due to the complexity of the situation itself. Presently, ED is considered a gross violation of human rights at both international and regional levels. Further, this approach has influenced many jurisdictions to recognise ED as an offence in the domestic levels with the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPAPED) (2010). Recently, the legislature of Sri Lanka passed the enabling statute for the previously mentioned ICPAED in order to guarantee the rights of the victims of the same and further to impose criminal penalties on wrongdoers. The study focuses on assessing and elaborating the new dimensions of recognising a novel penal offence of ED by the introduced

domestic statute in expanding the constraints of the criminal law of Sri Lanka. The study is based on legal research methodology which is totally based on the assessment of qualitative data as analysing the primary sources of domestic and international legal instruments, cases and the secondary sources of books and articles in relation to the area. The study specifies the legal validity of recognising ED as a penal offence at the domestic sphere in order to achieve justice for the harm suffered, and finally, the study develops a legal argument for achieving justice for the victims of ED in Sri Lanka from the treaty-based mechanisms.

Keywords: Enforced Disappearances, Criminal Law, Penal offence, Sri Lanka treaty-based mechanisms.

Poster
Sessions



ADMISSIBILITY OF COMPUTER EVIDENCE UNDER SRI LANKAN CRIMINAL PROCEEDINGS: A COMPARATIVE ANALYSIS

HMMC Herath

Faculty of Law, General Sir John Kotelawala Defence University, Sri Lanka
mayomiherath@gmail.com

Sri Lanka has now stepped into a new global era having overcome terrorism, which resulted in a rapid technological advancement. This study seeks to answer the question as to whether the present legal regime pertaining to computer evidence provides appropriate mechanisms to ensure the admissibility of computer evidence in Sri Lankan criminal courts, and if the findings to that question is in the negative, what reforms should be brought upon to strengthen the law regime in this respect. The primary objective of the study is to examine the existing legal framework on computer evidence currently entertained in criminal proceedings in Sri Lanka with certain other jurisdictions. The secondary objective is to identify the loopholes of the present legal framework and to propose apt recommendations to reform the existing legal regime on the admissibility of computer evidence

in Sri Lanka. The research was executed using two methodological approaches. The black letter approach was utilized for a profound analysis on the legal provisions pertaining to computer evidence. Empirical research methodology was used to gather information on the current status of computer evidence and its practical implication. Ultimately, this study raises certain pertinent questions in the legal framework on computer evidence that still remain unanswered. The main focus of the study revolves around the significant provisions of the Evidence (Special Provisions) Act of 1995, the Evidence Ordinance of 1895 (As amended by Act No 29 of 2005) and the Electronic Transactions Act of 2006.

Keywords: Admissibility, Computer Evidence, Criminal Proceedings, Sri Lanka

A STUDY OF CRIMINAL RECIDIVISM IN SRI LANKA COMPARED TO NORWAY

EMN Perera

Faculty of Law, General Sir John Kotelawala Defence University, Ratmalana, Sri Lanka
naminip93@gmail.com

Recidivism can be defined as the leaning of a convicted criminal toward reoffending. Similarly, Black's Law Dictionary has also defined recidivism as the tendency of a convicted criminal to relapse into a habit of criminal activity or behavior. In this context, there are many errors with regard to criminal recidivism in Sri Lanka when compared to Norway. The mean of the recidivism rate in Sri Lanka is 20.8 percent within the period of 2011 – 2015. In Norway the recidivism rate is 20 percent, and Norway is the country which has the lowest recidivism rate in the world. It is evident that large numbers of people reoffend in Sri Lanka when compared to Norway. There is a tendency to go back to prison again and again in Sri Lanka because most of the prisoners are reoffended for crimes. But in Norway few citizens go to prison and those who go usually go only once.

Moreover, Norway depends on a concept called 'restorative justice' that aims to repair the harm caused by crime rather than penalize people. Thus, this research study is focused on identifying the causes of criminal recidivism in Sri Lanka in comparison to that of Norway and to analyze the criminal recidivism rate in Sri Lanka compared to that of Norway. The qualitative research method used for this study. Under the qualitative research method data collected through secondary sources. Secondary data collected from published books, journals, theses and online data from websites, e-databases, e-journals, e-theses and e-books. In this research study, it is expected to find out a concrete solution to prevent a person from reoffending and educate the public on such convictions.

Keywords: Recidivism, Sri Lanka, Norway

THE 19TH AMENDMENT TO THE 1978 CONSTITUTION OF SRI LANKA : IS IT A MOCKERY TO THE CONCEPT OF DEMOCRACY?

SSH Dharmasiri¹ and S Senarathne²

Faculty of Law, General Sir John Kotelawala Defence University, Sri Lanka

¹sheruni.87@gmail.com

Any country in formalizing their constitution which is the supreme law of the country, follows some fundamental legal doctrines like democracy, good governance, checks and balances of powers as well as the concept of separation of powers. The existing constitution of Sri Lanka was introduced in 1978, and even before it passed twenty years of its existence, it has introduced 19 amendments up to date. These amendments have made crucial changes to the structure of the constitution. The 19th amendment is composed with a wide discretionary power towards the Prime Minister's office in an implied manner. The 19th amendment states that the public have the right to access information, but there was no transparency on the nominations of the constitutional council. If the 19th amendment was composed for the national interest then why does it need to undermine the rule of law? Is it a mockery of the concept of democracy? The latest amendment indicates a clear difference between the powers of the President and a conquest of the powers of the judiciary and the legislature. The objective of this study is to identify whether the 19th amendment has truly limited the excessive powers granted to

the executive President and how the amendment lays the fundamental grounds to ensure the concept of democracy and the concept of good governance. The selected methodology for the study is a library based secondary data review, where constitution and the 19th amendment have been used as the primary data and the existing literature have been used as the secondary source. Nonetheless, it has been foreseen and understood that, although there is a limitation to the powers of the executive presidency in Sri Lanka through the 19th amendment, it does not protect the fundamental democratic features and it does not ensure the separation of powers and good governance as promised by the present government. Therefore, in order to ensure the transparency and the accountability within the government as well to the people, powers exercised by the executive President must be reduced, and further the judiciary and the legislature have to be endowed.

Keywords: 19th Amendment, Concept of Democracy, Constitution, Executive President, Good Governance, Separation of Powers

TESTIMONY THROUGH SKYPE PROMOTES BEST INTEREST OF JUSTICE

Janith Jayasinghe¹ and Chathumini Samarasinghe²

Faculty of Law, General Sir John Kotelawala Defence University, Sri Lanka

¹ jayjanith@yahoo.com

Courts are gradually adopting new technologies to enhance and strengthen the administration of justice system. An emerging area with respect to promoting justice is the use of skype for the purpose of giving testimony in the event of security concerns on accused or witness and remoteness of their location. Recent developments in our law recognize the testimony through skype as valid evidence, but yet there are many technical difficulties in its implementation. The main objective of this study is to identify how testimony through skype promotes best interest of justice and to identify the technical deficiencies in implementation. Further, it is desired to suggest

recommendations to overcome the defects. The study aims to analyse legislations and case laws in Sri Lanka related to this area as primary sources, and journal articles, books, as secondary sources. For that purpose, the black letter approach will be used in this study. This paper objectifies the importance of testimony through skype in court proceedings, to afford legal regulations, judicial recognition of using skype for court proceedings, to identify the loopholes in existing legal framework and to give recommendations.

Keywords: Testimony, Skype, Best interest of justice

THE GENERAL AGREEMENT ON TRADE IN SERVICES (GATS) AND THE RATIONAL OF THE COOPERATION AND COMMITMENTS: AN EMPIRICAL APPROACH

E Nadeesh R de Silva

International University of Japan, Japan
nish521@iuj.ac.jp

Regional trade agreements on services have become a global phenomenon. The General Agreement on Trade in Services (GATS) has driven the path to enhance the service sector of the country. This article explores the role of the GATS and the Impact on it in order to enforce Regional Trade Agreements. The research has followed the mixed method. That shows that the enforcing Regional Trade Agreements are not effective for the growth of the service trade. High Level of

Human Capital and removal of restrictions for foreign suppliers affect trade in services than the GATS-type liberalization. Further this article will explore which region has the opportunity to get the advantage of committing more service agreements.

Keywords: Regional trade agreements, Services trade, WTO, GATS.

MARRIAGE CANNOT BE SLAVERY: AN ANALYSIS ON FORCED MARRIAGES AND GROUNDS FOR NULLITY IN SRI LANKAN CONTEXT

BMGD Balasooriya

The Open University of Sri Lanka, Sri Lanka
gayathridilshara715@gmail.com

When considering the concepts such as divorce and nullity in the Sri Lankan context it is very apparent that the laws remain very rigid regarding them. As a grave loophole in law, there are no direct provisions for forced marriages as well. According to our law there are only three grounds to get a divorce in the General Law and as per the Section 19 (2) of the Marriage Registration Ordinance, namely malicious desertion, adultery and incurable impotence at the time of the marriage. In contrary, in England more flexible grounds for divorce can be observed as unreasonable behaviour, adultery, desertion, two year separation with content and five year separation without consent which may lead to divorce and forced marriages can involve a range of criminal offences as well.

Therefore, the research problem here is to determine whether the grounds for nullity of marriages, divorces in Sri Lanka are adequate and whether they provide necessary provisions covering all the aspects including the forced marriages as well. The main objective is to review the existing grounds for divorce and the nullity of Sri Lanka, locus standi of the parties and to propose the new grounds for a divorce and the nullity of a marriage along with the remedies for forced marriages.

In this research the doctrinal legal research methodology is used as this topic is based on the various legal propositions and legal principles regarding the nullity of marriage. The research is qualitative in nature where the researcher has used some conventional legal sources (text books, case laws), statutes and enactments and some commentaries to derive the research accuracy. The researcher has used one of the unique cases in Sri Lanka, *Harin Hugh Dias v. Ambagahage Tekla Fernando* (DDV 00889/15) as a primary

legal source which provides inferences for nullity, forced marriages and locus standi where an old man has been cheated by a young house maid and contracted two fraudulent marriages with the same person and the same year forcefully with the help of a Registrar of marriages where the his son's locus standi to declare that marriage null and void is in uncertainty. Apart from that researcher has used a theoretical framework consisted of various jurisprudence schools such as positivism, social contract theory, American realism etc. followed by a contextual analysis.

As per the research results the researcher could find that there is also another aspect which has limited the functionality of the divorces in Sri Lanka. It is Sri Lanka's deep rooted ethics, culture and social morals. It is governing the ordinary lives of people and most of the times the aggrieved parties are discouraged to file divorce no matter how much they are suffered from their forced marriage because of the fear to the society and due to the harm that causes to their dignity. And also more flexible grounds for marriage should be declared such as the mere mismatch of the couples and locus standi to declare the marriages null and void should be provided to the external parties other than the contracted parties to the marriage. As per the conclusion since there are no statutes or laws covering directly this area as per now, the act of forcing to marry must be criminalize and should be included into the Penal Code of Sri Lanka as a separate offence directly and the severe punishments too should be included. And it is high time that the attention of the relevant law making authorities turned towards this lacuna in the law.

Keywords: Nullity, Forced Marriages, Locus standi

A CRITICAL ANALYSIS RELATING TO IMPLEMENTATION OF ENVIRONMENTAL LAW IN SRI LANKA: MARINE POLLUTION

DUBM Madushika¹ and EE Chandrasena²

Faculty of Law, General Sir John Kotelawala Defence University, Ratmalana, Sri Lanka

¹mithilamadushika@gmail.com

The issue of marine pollution is a global menace of marine debris and toxic substances entering our oceans. These substances come from mainly land-based and sea-based sources. In more general terms, oceans are used as dumping sites for various materials and substances that should not be there, hence it is very dangerous to our eco systems. The Marine Pollution Prevention Act No.

35 of 2008 of Sri Lanka has attempted to address the areas with regard to marine pollution, yet the problem keeps recurring in spite of a number of regional and global conventions attempting to deal with this issue.

Keywords: Marine Pollution, Environment, Global menace, Authority Penalties

RIGHTS AND DUTIES OF STATE PARTIES TO UNCLOS III REGARDING MARINE POLLUTION PREVENTION: A GLOBAL LEGAL PERSPECTIVE WITH REGARD TO VESSEL BASED POLLUTION AND OCEAN DUMPING

MIU Manikarachchi

Ocean University of Sri Lanka, Mahawela Road, Tangalle, Sri Lanka
imaliudeshika@yahoo.com

With the awakening signs of marine pollutions in oceans all over the world, it is of great concern to address it in terms of implementing rules and regulations under the regime of international ocean governance. The main objective of this paper is to provide a comprehensive understanding of the international legal order to prevent, reduce and control marine environmental pollution from vessels and ocean dumping, under the United Nations Convention on the Law of the Sea (UNCLOS) 1982, which is considered as the most comprehensive unified international regime that addresses the nations' rights towards the better governance of the world ocean. The convention itself has been mainly referred to in this qualitative study. Relevant Parts, Sections and Provisions have been extracted from the convention and elaborated to justify the argument that UNCLOS stipulates orders for State parties to individually and collaboratively act in order to protect the marine environment from pollution. Part XII of UNCLOS is devoted for the "protection and preservation of the marine environment", where section V addresses the international rules and national legislations, and section VI

addresses enforcement of rules and regulations by States, with respect to pollution prevention and control. UNCLOS recognizes six categories of marine pollution, of which pollution by vessels and by dumping have been specially focused in this paper. Ocean going vessels may deliberately or accidentally discharge pollutants into the sea and to address the issue, Generally Accepted International Rules and Standards (GAIRS) have been set up by the International Maritime Organization and UNCLOS have provided Flag, Coastal and Port States' jurisdiction in terms of rights and duties. UNCLOS defines "Dumping" as the deliberate disposals of wastes from man-made structures at sea and there are provisions for State parties in order to prevent, reduce and control pollution of the marine environment by dumping. For both sources, enforcement powers have been provided for Flag, Coastal, Port or any other State that has connection to the pollution activity.

Keywords: Marine Pollution, UNCLOS, Vessels, Dumping

CHILD SEXUAL EXPLOITATION AND CHILD PROSTITUTION IN SRI LANKA: A LEGAL PERSPECTIVE

FAM Basheer

The Open University of Sri Lanka, Sri Lanka
azra_basheer@ymail.com

Child sexual exploitation and child prostitution are some of the major challenges which Sri Lanka is facing as a developing tourist destination. Poverty, lack of education and inequality are some of the main causes for these kinds of issues. Sri Lanka is sometimes known as a haven for sexual relationships among tourists due to the commonly found child prostitution services. This issue arises mostly in South Asian countries such as Sri Lanka, India, Nepal, Cambodia, Thailand and Philippine. Sri Lanka has a beautiful coastline around the country as it is an island with an attractive tourist destination, and it gives the country a huge benefit for its economy, but on the other hand it exploits the country's future generation by giving

a new face to these kinds of issues. This research will be focused on commercial sexual exploitation of children and child prostitution in Sri Lanka, how it is addressed in the legal framework and how the law has tried to prevent them and protect the children. Further, it discusses the legislative provisions of some selected jurisdictions such as North Ireland, England and Wales. Finally, this normative research which is based on a literature review focuses on the pros and cons of the Sri Lankan legislative provisions, and it proposes some recommendations.

Keywords: Sex tourism, Sexuality, Child prostitutes, Beach boys, Childhood

THE IMPACT OF UMA OYA MULTIFUNCTIONAL PROJECT ON HUMAN RIGHTS

DMTGR Samarakoon¹, WMSC Bandara²

University of Kelaniya, Sri Lanka

²sarasichaya1@gmail.com

Implementation of development projects are frequent in Sri Lanka at present. Uma Oya can be identified as a heavily attracted project by many. General public of Badulla district has faced a troublesome situation due to this. The problem of the study is how the people's lives and Human rights were influenced by the project. The objective of the research is to study the human rights violations related to Uma Oya multi-functional development project. Primary data as well as secondary data were utilized in order to study the above problem. Primary data were collected through questionnaires from randomly selected 100 families in the areas of

Weheragalatenna, Makul Ella and Egodagama. Secondary data were collected through internet, reports and newspaper reports published related to this development project. Primary data were analyzed through quantitative analysis and qualitative data were analyzed through qualitative analysis. The conclusion of the study is it was able to explore that the Uma Oya development project has created serious and adverse effects on Human rights.

Keywords: Uma Oya, Development projects, human rights

