

The Application of the Strong Precautionary Principle: Suggestions for Sri Lankan Judiciary

AA Edirisinghe^{1#} and NKK Mudalige¹

¹*Faculty of Law, General Sir John Kotelawala Defence University, Ratmalana,*

Sri Lanka

#asanka.edirisinghe@kdu.ac.lk

The precautionary principle is a widely applied principle in Environmental Law. Academic literature recognizes two formulations of the precautionary principle: strong and weak. This research seeks to defend the strong precautionary principle in light of the Earth jurisprudence. It lays down suggestions to change the Sri Lankan judicial attitude towards the application of the precautionary principle while comparing the Sri Lankan judicial stance with that of India. The research is carried out using the black letter approach and international and comparative research methodologies. This research would provide a guide to ensure that the precautionary principle is best utilized against human activities affecting the environment in Sri Lanka in a non-anthropocentric attitude. It would also contribute to filling a long-felt lacuna in the existing literature on an in-depth discussion on the application of the precautionary principle in Sri Lanka.

Keywords: *the precautionary principle, earth jurisprudence, strong version of the precautionary principle*