

THE SPECIES BEST INTEREST STANDARD AND ECO CENTRISM APPROACHES: A CRITICAL LEGAL ANALYSIS ON THE PROTECTION OF WILDLIFE SPECIES IN SRI LANKA

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Abstract: Wildlife include animals and plants which owe their existence to natural phenomena or processes that occur autonomously. Anthropogenic activities such as poaching, wildlife trade, human animal conflict, and deforestation are the factors which threaten and endanger species. Small populations with limited genetic strength are more vulnerable to diseases and other disasters in comparison to large and widespread populations. The concepts such as “eco-centrism” as opposed to anthropocentrism and the “species best interest” are aimed for the protection of endangered species. Eco centrism is nature centered where humans are part of nature and non-human has intrinsic value. “Species best interest” involves focusing the attention to safeguard the interest of species, as species have equal rights to exist on this earth without becoming critically endangered due to human intervention. On this backdrop the paper aims to analyze the adequacy of the national legal frameworks in protecting and preserving the wildlife especially the endangered species. The paper utilizes the black letter of law approach and the international and comparative methodologies. Case decisions, the constitution, legislations, and conventions constitute primary sources whereas scholarly articles and journals constitutes the secondary sources. The key findings of the paper states that anthropocentrism as opposed to eco centrism focuses on the human interests and that the species best interests and eco-centrism are novel to the environmental jurisprudence in Sri Lanka and this will leads to the prejudice of the interests of the other species. The paper finally recommends introducing alternative homes for highly endangered species, investing special care and resources to protect habitats, initiating actions to prevent the “genetic swamping” of wild species, undertaking a programme of ex-situ captive breeding and rehabilitation in the wild for critically endangered species, publishing flora and fauna species status papers periodically to protect the endangered wild species in Sri Lanka. The paper concludes that, the high time has come to enact a separate legislation to reduce the extinction of the wildlife.

Keywords: Biological diversity; Eco-centrism; Endangered species; Species best interest; Wildlife