

Development and Rights of Indigenous Communities: A Comparative Analysis of Sri Lankan Law and International Standards

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With the increasing emphasis placed upon the necessity of carrying out developmental activities, the states have a duty to take necessary measures to minimize the harmful effects on the environment as well as the indigenous communities. Indigenous people are recognized as distinct social and cultural groups that share ancestral ties to the land and natural resources which they live in. With the rapid development, indigenous people have become vulnerable of losing their habitats and cultures. Therefore, it is important that rights of these communities are protected. This research aims to ascertain whether the prevailing legal system in Sri Lanka is adequate to protect rights of the indigenous community when compared to international standards regarding development. The study further recognized the loopholes within the Sri Lankan legal framework regarding violation of rights of indigenous people due to developmental activities. The research was carried out using the Black Letter approach and relevant primary and secondary sources and as a comparative analysis between Sri Lankan and International standards. The study concludes that the Sri Lankan legal system is inadequate to address the issues faced by indigenous communities due to developmental activities which violate their rights, and thereby recognizes the importance of adapting from international standards to the Sri Lankan legal system to protect rights of the indigenous community while adhering to sustainable developmental measures.

Keywords: indigenous people's rights, sustainable development, Rambakan Oya land acquisition project