

## **For Reincarnation: An Analysis of the Application of the Polluter Pays Principle for Environmental Restoration in Sri Lanka**

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In May 2021, the Singaporean container ship 'MV Xpress Pearl' en route from India to Singapore caught fire and drowned in the sea around 9.5 nautical miles Northwest of Colombo with 1486 containers containing tonnes of hazardous and highly reactive chemicals and 325 metric tonnes of bunker oil aboard. The incident created an unprecedented and unimaginable environmental disaster with widespread spill over effects on the marine environment, species and resources. While some of these environmental damages could never be rectified, the most viable solution available to preserve the pollution ravaged oceans in Sri Lanka is making the polluter to restore the environment (at least to the most part possible) into its previous condition. Therefore, this paper seeks to analyse the application of the polluter pays principle in Sri Lanka to ascertain whether it can be used to impose a duty on the polluter for ocean environment restoration in the MV X-Press Pearl Disaster. This research is carried out using the Black Letter approach of research based on international conventions, legislations and judicial decisions as primary sources and books, journal articles, conference proceedings, theses and online resources as secondary sources. The paper concludes that the duty of the polluter for environmental restoration in Sri Lanka can be recognized by virtue of *Chunnakam* case and the *Wilpattu* case.

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