

## PROTECTING BIODIVERSITY THROUGH CONSUMER LAW-ADVANTAGES AND PROSPECTS

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Protecting biodiversity is considered as a main challenge faced by developing countries in the modern globalized context, owing to the richness of biodiversity that prevails in such countries. In particular, the genetic materials unique to such countries seem to have been misappropriated by interested parties from other parts of the world. Sri Lanka is no exception in this regard. The research problem is why such misappropriation would take place in spite of various legal and regulatory frameworks that have been put in place in order to prohibit such activities. The objective of the research is to explore alternative approaches that would ensure effective protection of biodiversity in developing countries. Quantitative research methodology was used, whereby a comparative analysis of legal and regulatory frameworks at the national and international level was made regarding developing countries in order to identify the existing mechanisms for protecting biodiversity and the possible alternative regimes that would ensure protection of biodiversity in such countries. The study revealed that consumer law would provide a possible alternative legal regime for protecting biodiversity, if it is to operate alongside other legal regimes such as intellectual property law. Further, protecting biodiversity through consumer law would be a feasible venture, since both branches of law seem to address identical concerns in the long run. The attributes of consumer law could be creatively utilized in order to control the activities of various entities that may have a negative impact upon biodiversity. Furthermore, consumer law facilitates activism on the part of consumers to take action regarding matters that affect them as consumers. Utilization of consumer law to protect biodiversity has the added advantage of procuring popular support for preserving biodiversity, coupled with an awareness regarding the implications of loss or lack of biodiversity. In fact, it is seen that consumer organisations, whose excessive activism which predominates the international consumer landscape, have taken initiatives to ensure preservation of biodiversity. Therefore it is concluded that the attributes of consumer law has the potential to provide an effective alternative legal regime to preserve biodiversity in developing countries.

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