## 7.0 References

- Abraham, C. (1999). *Environmental jurisprudence in India*. Hague: Kluwer Law International.
- Ahsan, I, & Bueta G., (2014) 'Proceedings of The Third South Asia Judicial Roundtable on Environmental Justice for Sustainable Green Development' (Asian Development Bank 2014) Accessed 12 February 2020.
- Amaeshi, U.F. (2008). Integrating organizational culture and knowledge management models for organizational effectiveness. *Journal of Management Sciences*, Vol 1, No.1, p. 285, Onitsha, Nigeria.
- Andersson, M., Bennekou, G. & Schroll, H. (1992) Environmental problems and environmental regulations in Western Europe, 1980–1989. *Environmental Management* 16, 187–194 (1992). <a href="https://doi.org/10.1007/BF02393824">https://doi.org/10.1007/BF02393824</a>. Accessed on June 22 2020.
- Argyrous, G. (2009) Evidence for policy and decision-making; UNSW Press: Sydney.
- Bakshi, P.M., (1990) "Conciliation for Resolving Commercial Disputes", *1 Comp. L.J.* (Journal) 19.
- Bell, J. (2005) *Doing Your Research Project*, Berkshire: Open University Press/McGraw-Hill Education.
- Bell, S., McGillivray, D., & Pedersen, O. (2013). *Environmental law*. Oxford: Oxford University Press.
- Bingham G. (1986) *Resolving Environmental Disputes: A decade of experience*. The Conservation Foundation, Washington D.C. 1-12.

- Bingham, G., & Haygood, L. V. (1986) "Environmental Dispute Resolution: The First Ten Years" 41:4 *Arb. J.* 3 at 4.
- Bob, Urmilla., Bronkhorst, Salomé (2010)., Environmental conflicts: Key issues and management implications, *African Journal on Conflict Resolution*, Vol 10, No.2.
- Broder D.S. (1979) The Unnecessary Evil of Special-Interest Groups, Boston Sunday Globe at *AI*; *Single-Issue Lobbies Create Woes, Milwaukee Journal*, October 7, 1979 at 17.
- Brown, H. J., & Marriott, A.L. (1992) *ADR Principles and Practice*, 2nd ed., London: Sweet & Maxwell. p2.
- Brundtland, G. (1987) Report of the World Commission on Environment and Development: Our Common Future.
- Bryman.A (2008) 3rd Ed. Social Research Methods, Oxford University Press, London.
- Burgess, G., & Burgess, H (1995) 'Beyond the limits; Dispute resolution of intractable environmental conflicts', in: Blackburn, J.W., & Bruce, W.M. (eds), Mediating environmental conflicts; Theory and practice, pp. 101-20. Westport, CT: Quorum Books.
- Burton, J. (1990) Conflict: Resolution and Prevention. New York: St Martin's Press.
- Canadian Environmental Law Association (CELA) ref the Friends of Oldman River Society v. Canada (Minister of Transport), [1990] 1 F.C. 248 (T.D.) in Shrybman, S. (1984) Environmental Mediation B Theory to Practice Vol. 4 of CELA's Environmental Mediation Theory to Practice.

- Castro, A.P. and E. Nielson (2003) Natural resource conflict management case studies:

  An analysis of power, participation and protected areas. Rome, Food and Agriculture Organization (FAO).
- Carvalho D.S. and Fidélis T. (2011) 'Citizen complaints as a new source of information for local environmental governance', *Management of Environmental Quality:*An International Journal, 22(3): 386 400.
- Centre for Dispute Resolution (CEDIRES)

  <a href="https://cedires.com/hybrid-adr-mechanisms/">https://cedires.com/hybrid-adr-mechanisms/</a> Accessed on June 12 2020.
- Chabukdhara, M., & A., Nema, (2012) Heavy Metals Assessment in Urban Soil around Industrial Clusters in Ghaziabad, India: *Probabilistic Health Risk Approach*. *Ecotoxicology and environmental safety*. 87. 10.1016/j.ecoenv.2012.08.032.
- Chabukdhara, M., Munjal, A., Nema, A.K., Gupta, S.K., & Kaushal, R.K. (2016).

  Heavy metal contamination in vegetables grown around peri-urban and urban-industrial clusters in Ghaziabad, India. *Human and Ecological Risk Assessment:*An International Journal, 22, 736 752. doi:10.1080/10807039.2015.1105723.

  ISSN 1080-7039.
- Chandrappa, Ramesha., & Ravi. D.R. (2009) *Environmental Issues, Law and Technology An Indian Perspective*. Research India Publication, Delhi, 2009, ISBN 978-81-904362-5-0
- Corbin, J. & Strauss, A. (2008). Basics of qualitative research: Techniques and procedures for developing grounded theory (3rd ed.). Thousand Oaks, CA: Sage.
- Crowfoot, J. E., & Wondolleck, J.M. (1990) "Environmental Dispute Settlement," in Environmental Disputes: Community Involvement in Conflict Resolution, ed. James E. Crowfoot and Julia M. Wondolleck (Island Press), p17.

- De Silva, S., Sachindrani, M., Bogahawatte, I. (2015). The contradiction between sustainable development and economic development: Special reference to the Colombo Port City project of Sri Lanka.

  <a href="http://www.kdu.ac.lk/proceedings/irc2015/2015/law-033.pdf">http://www.kdu.ac.lk/proceedings/irc2015/2015/law-033.pdf</a> Accessed on July 02 2020.
- Divan, S., & Rosencranz, A. (2001) *Environmental law and policy in India*. New Delhi: Oxford University Press.
- Dispute. (n.d.) West's Encyclopedia of American Law, edition 2. (2008). https://legal-dictionary.thefreedictionary.com/Dispute
  Accessed on July 15 2020.
- DMC and UNDP. (2009). 'Sri Lanka National Report on Disaster Risk, Poverty and Human Development Relationship', Disaster Management Centre, Colombo, Sri Lanka and United Nations Development Programme, Bangkok, Thailand.
- Dong Y., Ishikawa M., Hamori S. & Liu X. (2011) The determinants of citizen complaints on environmental pollution: An empirical study from China. *Journal of Cleaner Production*, 19: 1306-1314.
- Environmental Foundation Ltd, (2009) *Judges & environmental Law: A Hand Book for the Sri Lankan Judiciary*. Published: Environmental Foundation Ltd.
- Environmental Foundation Ltd, (2018) *Your Environmental Rights and*\*Responsibilities: A Hand Book for Sri Lanka. Published: Environmental Foundation Ltd.
- European Commission list of environmental infringement cases <a href="https://ec.europa.eu/environment/legal/law/press\_en.htm">https://ec.europa.eu/environment/legal/law/press\_en.htm</a> Accessed on June 15 2020.

- European Environment Agency (EEP)
  <a href="https://www.eea.europa.eu/publications/92-827-5122-8/page014.html">https://www.eea.europa.eu/publications/92-827-5122-8/page014.html</a>
  Accessed on June 15 2020.
- Felsteiner, W., Abel, R., & A. Sarat. (1980) 'The emergence and transformation of disputes; Naming, claiming and blaming', *Law and Society Review* 15:631-54.
- Foster, C. H. W. (1969) 'A case for environmental conciliation' paper presented at the annual meeting of the American Institute of Biological Sciences.
- Gannon, F., (2005). *Biotech, the environment and the three Ps.* (online). The European Molecular Biology Organization. Retrieved from:

  <a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1369101/">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1369101/</a> Accessed on June 12 2020.
- Goldberg, S.G., Frank, E.A, N.H. Rogers. (1992); *Dispute Resolution: Negotiation, Mediation, and Other Processes*, (2nd ed.) (Boston: Little, Brown and Company) at 3.
- Goonetilleke, R. (2014) Public interest litigation: a species of direct democracy and good governance. *Sri Lanka Journal of Development Administration*, 4, pp.83–96. DOI: <a href="http://doi.org/10.4038/sljda.v4i0.7116">http://doi.org/10.4038/sljda.v4i0.7116</a> Accessed on June 15 2020.
- Halsbury's Laws of England (1991) Butterworths, London, 4th Edn., (2) 502.
- Hamner S, Tripathi A, Mishra RK, et al. (2006) The role of water use patterns and sewage pollution in incidence of water-borne/enteric diseases along the Ganges river in Varanasi, India. *Int J Environ Health Res.* 2006;16(2):113-132. doi:10.1080/09603120500538226.

Harvard Law School Program on Negotiation:

 $\underline{https://www.pon.harvard.edu/tag/dispute-resolution/}$ 

Accessed on June 20, 2020.

- Hoffman, H.C.H., Rowe, G.C, Turk, A.H., (2011) *Administrative Law and policy of the EU*, Oxford University press. p.190.
- Holder, J., (2004), Environmental Assessment: The Regulation of Decision Making,
  Oxford University Press, New York; For a comparative discussion of the
  elements of various domestic EIA systems, see Christopher Wood
  Environmental Impact Assessment: A Comparative Review (2 ed, Prentice Hall,
  Harlow, 2002).
- Horowitz, D. (1977) The Courts And Social Policy; Leventhal, Environmental Decision making and the Role of the Courts, 122 U. PA. L. REV. 509 (1974); Cramton & Boyer, *Citizen Suits in the Environmental Field: Peril or Promise*? 2 ECOL. L. Q. 407 (1972).
- Howitt, D. (2010) *Introduction to Qualitative Methods in Psychology*. Essex: Pearson Education Limited.
- Hupp, R. C., & Tatum, J. L. (2018) Ch. 19 Alternative Dispute Resolution, STATE BAR OF MICH.
   <a href="http://connect.michbar.org/envlaw/reports/deskbook/chapter19#">http://connect.michbar.org/envlaw/reports/deskbook/chapter19#</a> Toc2917499
   <a href="http://connect.michbar.org/envlaw/reports/deskbook/chapter19#">http://connect.michbar.org/envlaw/reports/deskbook/chapter19#</a> Toc2917499
   <a href="https://connect.michbar.org/envlaw/reports/deskbook/chapter19#">http://connect.michbar.org/envlaw/reports/deskbook/chapter19#</a> Toc2917499
   <a href="https://connect.michbar.org/envlaw/reports/deskbook/chapter19#">https://connect.michbar.org/envlaw/reports/deskbook/chapter19#</a> Toc2917499
   <a href="https://connect.michbar.org/envlaw/reports/deskbook/chapter19#">https://connect.michbar.org/envlaw/reports/deskbook/chapter19#</a> Toc2917499
   <a href="https://connect.michbar.org/envlaw/reports/deskbook/chapter19#">https://connect.michbar.org/envlaw/reports/deskbook/chapter19#</a> Toc2917499
- Illankoon, I. M. C. S., Tam, V. W. Y., Le, K. N., & Ranadewa, K. A. T. O. (2019)
  Causes of disputes, factors affecting dispute resolution and effective alternative dispute resolution for Sri Lankan construction industry, *International Journal of Construction Management*, DOI: 10.1080/15623599.2019.1616415.
- India: Country Strategy paper, 2007–2013 (PDF). European External Action Service,

European Union. 2007.

http://www.eeas.europa.eu/archives/docs/india/csp/07\_13\_en.pdf Accessed on June 20 2020.

- International Labour Organization (ILO) Labour Legislation Guidelines
  <a href="https://www.ilo.org/legacy/english/dialogue/ifpdial/llg/noframes/ch4.htm#8">https://www.ilo.org/legacy/english/dialogue/ifpdial/llg/noframes/ch4.htm#8</a>
  Accessed on June 22 2020.
- International Union for Conservation of Nature and Natural Resources, 1980. World

  Conservation Strategy: Living Resource Conservation for Sustainable

  Development (PDF). Retrieved by

  http://www.a21italy.it/medias/31C2D26FD81B0D40.pdf
- Kandlikar, Milind & Ramachandran, Gurumurthy. (2000) The causes and consequences of particulate air pollution in urban India: A synthesis of the science. *Annual Review of Energy and The Environment* ANNU REV ENERG ENVIRON. 25. 629-684. 10.1146/annurev.energy.25.1.629
- Lawson, E. (2019) Three Environmental Issues and Ways to Combat Them
  (Environmental Protection Online)

  <a href="https://eponline.com/Articles/2019/11/25/Three-Environmental-Issues-and-Ways-to-Combat-Them.aspx?p=1">https://eponline.com/Articles/2019/11/25/Three-Environmental-Issues-and-Ways-to-Combat-Them.aspx?p=1</a> Accessed on June 15 2020.
- Lieberman, Jethro K.; Henry, James F. (21/1986). "Lessons from the Alternative Dispute Resolution Movement". *The University of Chicago Law Review*. 53 (2): 424. doi:10.2307/1599646. JSTOR 1599646.
- Lincoln, YS. & Guba, EG. (1985). *Naturalistic Inquiry*. Newbury Park, CA: Sage Publications.
- Lee J.C. (2008) 'Pollute first, control later' No more: Combating Environmental

- degradation in China through an approach based in Public interest litigation and public participation. Pacific Rim Law & Policy Journal Association, 7(3): 795–823.
- Liang M. (2012), *Pollution Severity, Alternative Judicial Channels, and Citizens'*Environmental Complaints: Evidence from Chinese Provinces. Paper prepared for the 3rd Global Forum of Chinese Scholars in Public Administration, Shandong University, Jinan, June 1-3, 2012.
- Macduff, Ian. (2016) Essays on mediation: Dealing with disputes in the 21st century. *Research Collection School of Law*.

  <a href="https://ink.library.smu.edu.sg/sol\_research/1926">https://ink.library.smu.edu.sg/sol\_research/1926</a> Accessed on June 20 2020.
- Mathers, J. (1995) Sandspit Small Craft Harbor Mediation Process: A Review and Evaluation Ottawa: Supply and Services Canada.
- Mcintyre, A. and Reynolds, F. (2012) There's no apprenticeship for alzheimer's: the caring relationship when an older person experiencing dementia falls. *Ageing and Society 32* (5): 873-896. DOI:10.1017/S0144686X11000699.
- Melling, T. (1995) Bruce Babbitt's Use of Governmental Dispute Resolution: A Mid Term Report Card 30 Land &Water L. Rev. 57.
- MERE. (2002). 'National action programme for combating land degradation in Sri Lanka', Ministry of Environment and Renewable Energy, Colombo, Sri Lanka.
- MENR, MERE and UNEP. (2009). 'Sri Lanka Environment Outlook', Ministry of Environment & Renewable Energy and Renewable Energy and United Nations Environmental Programme, Colombo, Sri Lanka.
- Moules, R. (2011). *Environmental judicial review*. Oxford: Hart Publishers.

- Neslen, A. (2018)
  <a href="https://www.theguardian.com/environment/2018/sep/11/air-pollution-is-biggest-environmental-health-risk-in-europe">https://www.theguardian.com/environment/2018/sep/11/air-pollution-is-biggest-environmental-health-risk-in-europe</a> Accessed on July 02 2020.
- Nowakowski, P.T. (2009). Cases involving cultic group infiltration into educational institutions in Poland: Preventive aspects. Journal of Educational Review, Vol.1, 1-2, p.44, New-Delhi, India: Serials Publications.
- Nwakoby, G.C. (2007). *The choice of place of arbitration: The issue of applicable law*. UNIZIK Law Journal, Vol. 6, No.1, p.1, Awka, Nigeria: Iyke Ventures Production, Faculty of Law, Nnamdi Azikiwe University, Awka, Anambra State, Nigeria.
- Oguntoke, O. and Annegarn, H. J. (2014) 'Effectiveness of mediation in the resolution of environmental complaints against the activities of gold mining industries in the Witwatersrand region', 24 (2), pp. 17–23.
- Park, Chris (2001) "The Environment: Principles and Applications", 2 edition, Routledge.
- Potter, S. (2002) Doing Postgraduate Research, London: Sage.
- Peterson, L. (1992) "The Promise of Mediated Settlements of Environmental Disputes: The Experience of EPA Region V" 17 *Colum. J. Envtl. L.* 327 at 338.
- Rhodes, J. and Smith, J.A. (2010) 'The top of my head came off': an interpretative phenomenological analysis of the experience of depression. *Counselling Psychology Quarterly* 23 (4): 399-409. DOI:10.1080/09515070.2010.530484.
- Ryan, Gemma. (2018). *Introduction to positivism, interpretivism and critical theory.*Nurse Researcher. 25. 14-20. 10.7748/nr.2018.e1466.

Sachs, Jeffrey D. (2015). *The Age of Sustainable Development*. New York: Columbia University Press. ISBN 9780231173155.

Sarantakos, S. (2013) Social Research, Basingstoke: Macmillan

Saunders, Mark & Lewis, P. & Thornhill, A. (2009). Understanding research philosophies and approaches. *Research Methods for Business Students*. 4. 106-135.

Sengupta and Pandey (2020) / National Crimes Records (2020)

https://www.downtoearth.org.in/reviews/state-of-india-s-environment-2020-in-figures-e-book--71528

https://www.downtoearth.org.in/news/environment/environmental-crimes-india-may-take-upto-33-yrs-to-clear-case-backlog-says-report-71650\_Accessed on June 28 2020.

Smith, Brett. (2019). Canada: Environmental Issues, Policies and Clean Technology. AZoCleantech.

https://www.azocleantech.com/article.aspx?ArticleID=563.

https://www.canada.ca/en/environment-climate-change/services/air-

pollution/quality-environment-economy/issues.html

Accessed on July 16 2020.

Smith, D. W. (2018) "Phenomenology", The Stanford Encyclopedia of Philosophy,

Edward N. Zalta (ed.), URL =

<a href="https://plato.stanford.edu/archives/sum2018/entries/phenomenology/">https://plato.stanford.edu/archives/sum2018/entries/phenomenology/>

 $\underline{https://plato.stanford.edu/entries/phenomenology/}$ 

Accessed on June 20 2020.

Smith, J.A. and Eatough, V. (2006) Interpretative phenomenological analysis. In G.M. Breakwell, S. Hammond, C. Fife-Schaw and J.A. Smith (eds.) *Research Methods in Psychology* 322-342, 3rd ed., London: Sage.

- Smith, J.A. & Osborn, M. (2008) Interpretative phenomenological analysis. In J.A Smith (ed.) *Qualitative Psychology: A Practical Guide to Research Methods* 53-81, 2nd ed., London: Sage.
- Smith, J.A. Flowers, P. and Larkin, M. (2009) *Interpretative Phenomenological Analysis: Theory, Method and Research*. London: Sage.
- Smith, J.A. (2011) Evaluating the contribution of interpretative phenomenological analysis. *Health Psychology Review* 5 (1): 9-27. DOI:10.1080/17437199.2010.510659.
- State Energy & Environmental Impact Center;
  <a href="https://www.law.nyu.edu/centers/state-impact">https://www.law.nyu.edu/centers/state-impact</a> Accessed June 27 2020.
- Stewart, D. W., & Kamins, M. A. (1993). Secondary research: Information sources and methods. Newbury Park, CA: Sage.
- Strauss, A. & Corbin, J. (1998). *Basics of qualitative research: Techniques and procedures for developing grounded theory* (2nd ed.). London: Sage.
- State Energy & Environmental Impact Center
  <a href="https://www.law.nyu.edu/centers/state-impact">https://www.law.nyu.edu/centers/state-impact</a> Accessed on June 29 2020.
- Sushil, Snigdha & Batra, Vidya. (2006) Analysis of fly ash heavy metal content and disposal in three thermal power plants in India. Fuel. 85. 2676-2679. 10.1016/j.fuel.2006.04.031.
- Susskind, L., & Weinstein, A. (1980) *Towards a Theory of Environmental Dispute Resolution*, 9 B.C. Envtl. Aff. L. Rev. 311, <a href="http://lawdigitalcommons.bc.edu/ealr/vol9/iss2/4">http://lawdigitalcommons.bc.edu/ealr/vol9/iss2/4</a> Accessed 15 June 2020

- Susskind, L., & Secunda, J. (1998) "Environmental Conflict Resolution: The American Experience," in *Environmental Conflict Resolution*, ed. Christopher Napier (London: Cameron). p16.
- Teacher, Law. (2013). Legal Research at Postgraduate Level Essay.

  <a href="https://www.lawteacher.net/free-law-essays/general-law/legal-research-essay.php?vref=1">https://www.lawteacher.net/free-law-essays/general-law/legal-research-essay.php?vref=1</a> Accessed June 25 2020.
- The Sabin Center for Climate Change Law of the Columbia Law School
  <a href="http://climatecasechart.com/non-us-climate-change-litigation/?cn-reloaded=1">http://climatecasechart.com/non-us-climate-change-litigation/?cn-reloaded=1</a>
  Accessed June 20 2020.
- The Law Society of Upper Canada (1992) "Short Glossary of Dispute Resolution Terms" (Toronto) at 6.
- Thilakarathna, K. A. A. N. (2019). Environmental Protection through Judicial Review: The Sri Lankan Experience. *Sabaragamuwa University Journal*, 17(1), 15. <a href="https://doi.org/10.4038/suslj.v17i1.7728">https://doi.org/10.4038/suslj.v17i1.7728</a>. Accessed on June 25 2020.
- Tockner, K., & Stanford, J. (2002) Riverine flood plains: Present state and future trends. *Environmental Conservation*, 29(3), 308-330. doi:10.1017/S037689290200022X
- UNEP. (2008). 'South Asia Environment Outlook 2009', United Nations Environment Programme, Nairobi, Kenya
- UNEP (2014). Environmental Justice: Comparative Experiences in Legal Empowerment.

https://www.undp.org/content/undp/en/home/librarypage/democratic-governance/access to justiceandruleoflaw/environmental-justice---comparative-experiences.html Accessed on June 02 2020.

- UN.2002. Global Challenge Global Opportunity: Trends in Sustainable Development.

  <a href="https://sustainabledevelopment.un.org/content/documents/critical\_trends\_repo">https://sustainabledevelopment.un.org/content/documents/critical\_trends\_repo</a>

  rt\_2002.pdf Accessed on June 02 2020.
- UNEP (2019). Advancing Environmental Rights: What are Environmental Rights? <a href="https://www.unenvironment.org/explore-topics/environmental-rights-and-governance/what-we-do/advancing-environmental-rights/what">https://www.unenvironment.org/explore-topics/environmental-rights-and-governance/what-we-do/advancing-environmental-rights/what</a>
  Accessed on June 02 2020.
- UNEP (2002). Environmental legislation and institutions in Sri Lanka. Colombo: UNEP.
- White, R.M., A. Fischer, K. Marshall, J.M.J. Travis, T.J. Webb, S. di Falco, S.M. Redpath, and E. van der Wal (2009). *Developing an integrated conceptual framework to understand biodiversity conflicts*. Land Use Policy, 26, pp. 242–253.
- Willig, C. (2008) *Introducing Qualitative Research in Psychology*, 2nd ed., Berkshire: McGraw-Hill Open University Press.
- Willis, J. W., (2007). Foundations of Qualitative Research: Interpretive and Critical Approaches. London: Sage.
- Wilson, A. (2015) A Guide to Phenomenological Research. Nursing Standard. 29(34):38-43.
- Wimalachandra, L. K., (2007) *Alternative Methods of Dispute Resolution*. Junior Bar Law Journal, Vol. 2&3

- Winchester, H. P. M. (1999) 'Interviews and Questionnaires as Mixed Methods in Population Geography: The Case of Lone Fathers in Newcastle, Australia', *The Professional Geographer*, 51: 1, 60 67 DOI: 10.1111/0033-0124.00145 URL: http://dx.doi.org/10.1111/0033-0124.00145.
- Yasmi, Y., H. Schanz and A. Salim (2006). *Manifestation of conflict escalation in natural resource management*. Environmental Science and Policy, 9, pp. 538–546.
- Yeke, Yıldız. (2015). A View towards Law with Respect to Phenomenology of Edmund Husserl. *Beytulhikme An International Journal of Philosophy*. 5. 31. 10.18491/bijop.42800.
- Zubair, Lareef (2001). "Challenges for environmental impact assessment in Sri Lanka".
  Environmental Impact Assessment Review. 21 (5): 469–478.
  doi:10.1016/S0195-9255(01)00081-6. ISSN 0195-9255.