



A Living Fossil in an Uncertain Future: A Comparative Legal Analysis of Species-Based and Ecosystem-Based Approaches to Conserving *Nypa fruticans* (Ginpol) in Sri Lanka and Malaysia

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Ginpol (*Nypa fruticans*), the world's only true mangrove palm and often described as a "living fossil", is one of the most distinctive components of Sri Lanka's coastal mangrove ecosystems. Although protected under the Fauna and Flora Protection Ordinance since 1993 and classified as a Vulnerable species in Sri Lanka's National Red List, its largest remaining population in the Gin Oya estuarine ecosystem continues to face increasing pressure from illegal land reclamation, coastal development, habitat degradation, and weak enforcement of environmental laws. Despite the adoption of the National Policy on the Conservation and Sustainable Utilization of Mangrove Ecosystems, concerns remain regarding the effectiveness of Sri Lanka's legal and institutional framework. While previous studies have examined the ecological and economic significance of *Nypa fruticans*, comparatively little legal scholarship has explored its conservation through a comparative legal lens. This paper evaluates Sri Lanka's legal framework governing Ginpol conservation through a comparative analysis with Malaysia, where *N. fruticans* is widely distributed across several mangrove ecosystems, including Sarawak, Sabah, Johor, Selangor, and Perak, and where conservation is supported by a more integrated ecosystem-based governance framework. Employing a doctrinal and comparative legal research methodology, the study critically analyses legislation, policies, and institutional frameworks in both jurisdictions. The comparative analysis reveals that Sri Lanka primarily relies on species-based statutory protection implemented through fragmented sectoral environmental legislation, whereas Malaysia adopts a broader ecosystem-based approach that integrates habitat protection, sustainable resource utilisation, and mangrove governance. Although Sri Lanka provides legal recognition and statutory protection for Ginpol, conservation outcomes continue to be constrained by fragmented institutional responsibilities and persistent implementation gaps. Drawing on insights from the Malaysian experience, the paper argues that Sri Lanka should complement its existing species-based legal protection with ecosystem-based governance that strengthens habitat-level conservation, institutional coordination, and the long-term protection of the Gin Oya mangrove ecosystem.

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