



# ANNUAL REPORT 2018



Law & Society Trust

*“The International Bill of Rights (the Universal Declaration and the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights), the Declaration on Minorities, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of the Child provide us with a rich harvest of concepts, ideas and principles, which can inform and discipline ...*

*...A clear and unequivocal acceptance ... of the International Bill of Rights, and international humanitarian law would represent a significant step forward. We can no longer offer empty platitudes and meaningless slogans such as peace through war to a long-suffering people...*

*...All of our institutions, political and social, and our sense of moral purpose are grounded in one value i.e. the respect for the sanctity of human life. We must all resolve to restore respect for this value if we are to reconstruct a society and a future of which we can all be proud.”*

*Dr. Neelan Tiruchelvam - Emergency Debate, June 15,1999.*



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## Key and Acknowledgements



### **UDHR**

Universal Declaration of Human Rights (UDHR), 1948



### **ICCPR**

International Covenant on Civil and Political Rights, 1966



### **ICESCR**

International Covenant on Economic, Social and Cultural Rights, 1966



### **CEDAW**

Convention on the Elimination of All Forms of Discrimination Against Women, 1979

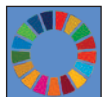


Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, 1981



### **CRPD**

Convention on the Rights of Persons with Disabilities, 2006



### **UN SDGs**

UN Sustainable Development Goals, 2016



Resolution on Protection against violence and discrimination based on sexual orientation and gender identity, 2016



Youth 2030: The United Nations Youth Strategy, 2018



The Constitution of the Democratic Socialist Republic of Sri Lanka, 1978

Cartoons by Awantha Artigala

# Who we are and what we do

**T**he Law & Society Trust (LST) is a not-for-profit organisation engaged in legal research, advocacy and human rights documentation.

The late Dr. Neelan Tiruchelvam founded the Law & Society Trust in 1982 in Colombo, Sri Lanka under the Trust Ordinance. LST was subsequently incorporated in 1992 under the Companies Act No. 17 of 1982 and given Registration No. N(A) 211. LST has since re-registered as required by law under the new Companies Act No.07 of 2007.

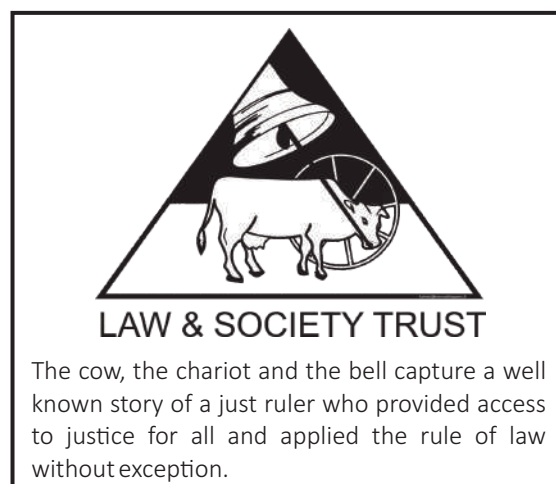
LST's goals are the promotion of legal reforms for access to justice, judicial enforcement of rights, and public accountability.

LST aims to use rights-based strategies in order to promote and protect human rights, enhance public accountability and strengthen respect for the rule of law.

LST has built strong networks across communities by implementing effective programmes and engaging in human rights advocacy. LST's advocacy is based on sound research and LST operates to expand democratic spaces wherever they exist. It does so by strengthening institutions, promoting equal access and

upholding good governance through the practice of honesty, transparency and persistent inquiry.

The programme interventions have included human rights education, advocacy, training and engagements with community-based organisations and duty bearers at the district and national levels. It also engages with judges, lawyers and opinion leaders. The organisation also focuses on building networks and coalitions of human rights activists and defenders at the national and international level. The knowledge gained through these efforts has shaped the strategies and approaches adopted in all of LST's programmes.



## Vision

“A society free from war, discrimination and social injustice and based upon human dignity for all.”

## Mission

“To utilise rights-based strategies in research, documentation and advocacy, and to promote the full realisation of the rule of law, justiciability of rights and public accountability.”

## Goals

1. To be a leader in national level policy and legislative changes
2. To be a change maker in perceptions, attitudes and traditions which affect rights
3. To be a space maker for human rights discourse
4. To advocate for effective accountability ensuring good governance, transparency, equality and social justice
5. To empower and build the capacity of rights holders

# Board of Directors and Staff

## Board of Directors

- Chandra Jayaratne - Chairman
- Geoffrey J.T. Alagaratnam PC
- Dr. Harini Nireka Amarasuriya
- Anushya Coomaraswamy
- Dr. J.A. Shivaji Felix
- Dr. Fathima Farzana Haniffa
- Tissa Jayatilleke
- Prof. Jayadeva Uyangoda

## Company Secretary

Secretarius (Private) Limited

## Auditors

KPMG – External Auditors

## Senior Management Team

- Dr. Sakuntala Kadirgamar - Executive Director
- Sandun Thudugala - Director Programmes  
& Operations
- Hasara Fernando - Head of Finance  
& Administration

## Programme & Research Staff

- P.M. Senaratne - Project Manager
- Nilshan Fonseka - Project Coordinator
- Anuradhi Jayasinghe - Project Coordinator
- Zamruth Mufazlin - Project Coordinator
- Vidura Munasinghe - Senior Researcher
- Lakshan Abeywardhana - Research Assistant
- Sahla Ilham Abu-Bakr - Research Assistant
- Ishan Chamara - Research Assistant
- Prasad Jayaratne - Research Assistant
- Hemantha Kumara - Research Assistant
- Emesha Pumini Perera - Research Assistant
- Tharmika Sivarajah - Research Assistant
- Natasha Van-Hoff - Research Assistant
- Madasamy Vijeyakanth - Research Assistant

## Consultants

- Ashwin Hemmathagama - Communications Officer
- Marisa De Silva - PARL Coordinator
- Shenali De Silva - Senior Researcher
- Megara Tegal - Researcher

## Human Resources and Administration

- Janaki Dharmasena  
Human Resources & Administrative  
Officer

## Finance Unit

- Dharshika Anthonyraj  
Accounts Assistant
- Prasanna Gajaweera  
Accounts Assistant & Estate Officer
- Sagarika Nilmini  
Accounts Assistant

## Publications

- Dilhara Pathirana - Editor

## Library Services

- Harshani Connel  
Librarian and Information officer
- Dilani Wickramasinghe  
Librarian & Project Support Officer

## Support Staff

- M. Chandara - Office Assistant
- K. Elankeswari - Office Assistant



# Keeping faith with Human Rights in shrinking spaces

It was my privilege to be appointed as Executive Director of the Law And Society Trust in August 2018. LST remains close to my heart as the founder, Dr. Neelan Tiruchelvam, was both my mentor and friend and an inspiration to civil society, especially to human rights defenders both in Sri Lanka and abroad.

## Promises and perils facing Sri Lanka

October 2018 saw both the promises and perils facing Sri Lanka's democracy. With the disintegration of the national unity government, the prospects of far-ranging constitutional reforms to abolish the executive presidency and to address the National Question of relations between the majority and minority communities receded. President Sirisena's dismissal of Prime Minister Wickremesinghe and his appointment of Mr. Mahinda Rajapakse as the Prime Minister shook the country to the core. The citizens were mesmerised by recordings of large bribes offered to parliamentarians to switch their allegiances and to support this putsch. Some parliamentarians did switch sides and some of the crossovers were rewarded with cabinet portfolios. The new government proceeded to take control of the state media and controlled the messaging around these developments.

These events demonstrated that the executive presidency, which every presidential candidate since 1994 promised to abolish when in opposition and on the campaign trail, remains the siren's call to power when the same candidate secures the presidency. The executive presidency remains the greatest peril to Sri Lanka's democracy.

The events that spanned the election of the Common Candidate to the establishment of a National Unity government represented the greatest promise of them all. That support was garnered on the basis of specific promises. The support was for the message and not the messenger. It demonstrated the wishes of a

mature and reflective electorate. The inability for Sri Lanka's National Unity government to remain a coherent and cohesive force points to many factors. The leadership of the respective parties failed to present a vision for the nation, to communicate it and lead towards it. There was no institutional support for the coalition. The political party structures could not bridge party differences to establish a functional policy framework during the life of the unity government. The media too was not supportive. Corruption scandals further undermined the government and people's frustrations were vented during the local government elections of February 2018.

Rather than undertaking the difficult political dialogues and working towards a course-correction, the major parties drifted further apart, publicly blaming each other for failures and their defeat. While the disintegration of the unity government was regarded as inevitable, few expected this putsch that the pundits called a "constitutional coup".

## Digesting the Constitutional Coup

A coup d'état is the unlawful removal of a government by its political adversaries, either by violent or non-violent means. Usually results in a government that does the very opposite the former was doing or, in some cases, trying to keep the policies the former sought to reverse. The term "constitutional coup" must refer to the use of the constitution (not guns) to unlawfully remove a government. But if the government is removed within the framework of the Constitution it cannot be unlawful, although it may be undesirable and disruptive. Thus the term "constitutional coup" is more aptly described as an oxymoron. Another peril for Sri Lanka's democracy is that the constitution has a long history of being amended at will by the ruling party to achieve its own partisan objectives. This is embedded in the constitutional culture and it is a struggle for governments to move away from using the

Constitution as a partisan, political instrument.

### **Strikes in favour of democracy**

The new government of Mr. Rajapakse was compelled to demonstrate confidence in Parliament but despite the bribes and other incentives offered, his government did not receive the required parliamentary majority. This was “strike one” in favour of Sri Lanka's democracy.

In the vote-calling melee, Parliament became the arena of violence and thuggish behaviour, with members assaulting each other, wielding butter knives, throwing furniture, and water laced with chilli-powder at their opponents. Parliament ceased to be a house of law-making and became a broken house. Can we citizens ever forget these scenes and should we do so?

The President claimed the power to dissolve Parliament and call for fresh elections, although the 19<sup>th</sup> Amendment to the Constitution specifically removed this power. Civil society challenged the dissolution of Parliament in the courts and also took to the streets to protest against the abuse of presidential powers. This was “strike two” in favour of Sri Lanka's democracy. The Judiciary, emerging from its dark legacy of the past, courageously upheld the constitution on grounds that executive action could not violate the Constitution. This was “strike three” in favour of Sri Lanka's democracy. In the face of all these legal and political challenges, the adverse publicity and the repercussions to the economy, Mr. Rajapakse withdrew from the Prime Minister post.

Despite this show of resilience and the return to the *status quo ante*, Sri Lanka has suffered a setback. There have been no prosecutions for bribery or disciplinary actions against the parliamentarians who engaged in violence and caused damage to public property. The Constitutional Council and the Human Rights Commission are routinely criticised by politicians for exercising their mandates with

independence. The government does not show robust commitment to the reform agenda and the term “Good Governance” is obliterated from political discourse. The caravan has simply moved on.

### **What will it take to anchor democracy?**

Will democracy, rule of law, social justice, constitutional reform and anti-corruption re-emerge to the forefront of any forthcoming election campaign or will these values be sidelined in favour of ethno-nationalist and populist agendas? These are pertinent questions to ask as we approach an election year in 2020 where presidential, parliamentary and possibly provincial council elections will be held.

The shrinking democratic space and the greater use of violence and smear campaigns against vulnerable people, be they migrants and refugees, women, religious, racial, ethnic or sexual minorities, is a phenomenon that is noted in many parts of the world, including the traditional bastions of liberalism. Corruption scandals have felled many governments across the world. Social media, which democratised communication, has also posed fresh challenges by spreading hate and disinformation. These national, regional and global challenges provide a renewed impetus for work of the Law and Society Trust.

I would like to thank the Board, my colleagues, our members, donors and partners who have supported me since I took on this challenging position. I look forward to continued support in the year to come as I provide leadership to fulfill the mission and mandate of the Trust.

**Sakuntala Kadirgamar**  
**Executive Director**

# Giving life to the Human Rights Covenants through our everyday work

The human rights covenants, carefully negotiated, developed and elaborated since 1966, the Constitution of Sri Lanka and the sustainable development goals that Sri Lanka has endorsed remain the framework for the programmes of the Law and Society Trust.

LST's activities in 2018 are clustered under three broad headings: Law and Governance, Law and Society, and Law and Economy. However, we recognise and support the intersectionality of our projects and in particular mainstream gender in all three clusters.

LST has supported and partnered with civic groups and individuals who work as changemakers and as spacemakers and we are committed to engage with them to advance our vision and our mission. We are actively taking our work out of the capital city to the provinces to work with rural and semi urban communities as well.

## Appreciating our donors

We are fortunate in the support we have received from our traditional donors, Diakonia and Ford Foundation who have supported the Trust as an institution and not only through specific projects. This gives us a degree of flexibility and the ability to undertake programmes with a long term horizon.

Some of our donors such as the National Endowment for Democracy (NED) extended their project funding so that specific projects, such as the LST's work on land rights continued and its outreach expanded. They have also supported LST to expand its digital footprint and to widen outreach through the web.

LST's work on land rights received support from multiple donors, enabling LST to develop a comprehensive programme. American Jewish World Service (AJWS) supported LST's work with the People's Commission on Land and

Catholic Committee Against Hunger and Development (CCFD-Terre Solidaire) supported other aspects of LST's land rights programme. NED provided additional support and LST also initiated a new project on land rights with the support of IDEA in late 2018.

Catholic International Development Charity (CAFOD) supported LST's work with Citizens Forums to develop citizens' alternative budgets, and to develop a capacity building programme for women elected representatives from the Badulla District to implement the ESCR framework. Furthermore LST undertook an assessment of local government members' needs to develop capacity building programmes to support them. CAFOD provided additional support to strengthen security and risk management of LST projects.

LST is supported by the International Development Research Centre (IDRC) in a regional project encompassing action research in India and Bangladesh whereby youth from diverse minority groupings (religious, caste, gender and sexual minorities) come together to share experiences and to learn lessons through their coping mechanisms.

WeEffect supports LST in a project to foster women's empowerment. Specifically LST has worked to build the capacity of women contesting provincial council elections and engaging in economic empowerment.

LST's work on equality and non-discrimination focuses on the rights of the marginalised communities and emphasises tolerance for religious minorities. In this context AJWS supported the fact-finding mission on attacks against Muslims in Digana.

The UN Democracy Fund (UNDEF) supported LST in establishing the Active Citizenship for Democracy Network in Sri Lanka with the specific objective to strengthen the participation of civil society in the processes of develop-

ing local government policy and in its implementation. The objective was to promote effective and participatory governance, transparency and accountability.

With UNDEF's support LST developed a report on existing policies, laws and practices effecting the operation of local government institutions. The project collects data on the performance of citizen's forums and uses this resource to improve the forums' performance .

### **Investing in the future generation**

LST cross-fertilises the networks it develops through specific intersectional programmes and projects to engage them on a wider range of issues relating to human rights, civic engagement and empowerment. This has enhanced their capacities.

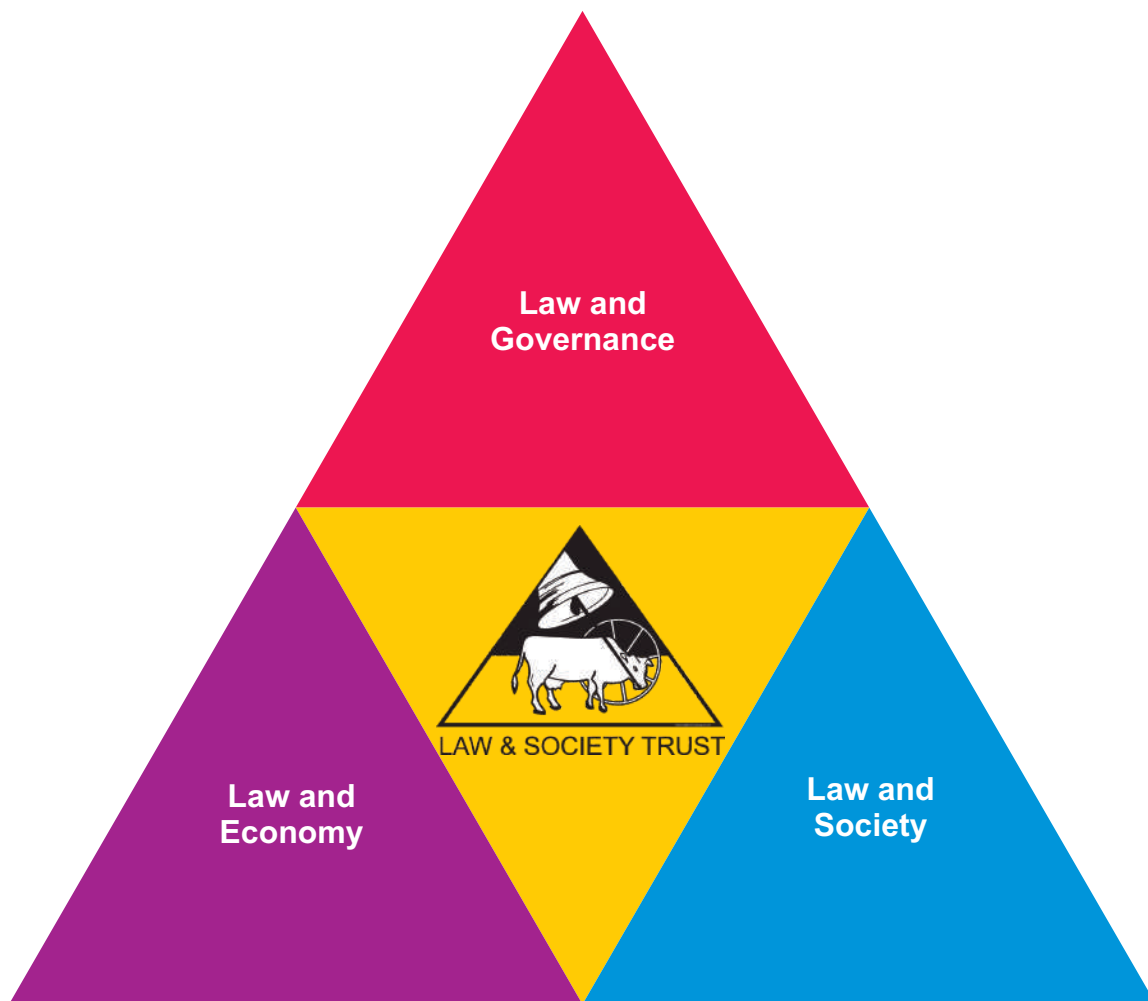
LST receives several requests for internships from students from Sri Lanka and abroad including a student associated with the Colombo Plan. LST continues to be open to these internships, which will inspire students and young professionals to support human rights wherever their career paths may take them.

LST is expanding its funding base and engaging with new partnerships as well. LST is an active members of several regional partnerships such as Forum Asia and the South Asia Collective and has been invited to partner on proposals with several universities.

In the last six months LST recruited new staff, expanded library services, improved infrastructure required to make the research staff more productive and strengthened procurement and accounting systems to ensure transparency and accountability.

**Sandun Thudugala**  
**Director Programmes & Operations**

## LST's interconnected work clusters



**T**he Law and Society Trust's work is focused around three clusters: Law and Governance, Law and Economy, and Law and Society.

Law and Governance cluster addressed constitutional reforms, strengthening the rule of law and participatory democracy;

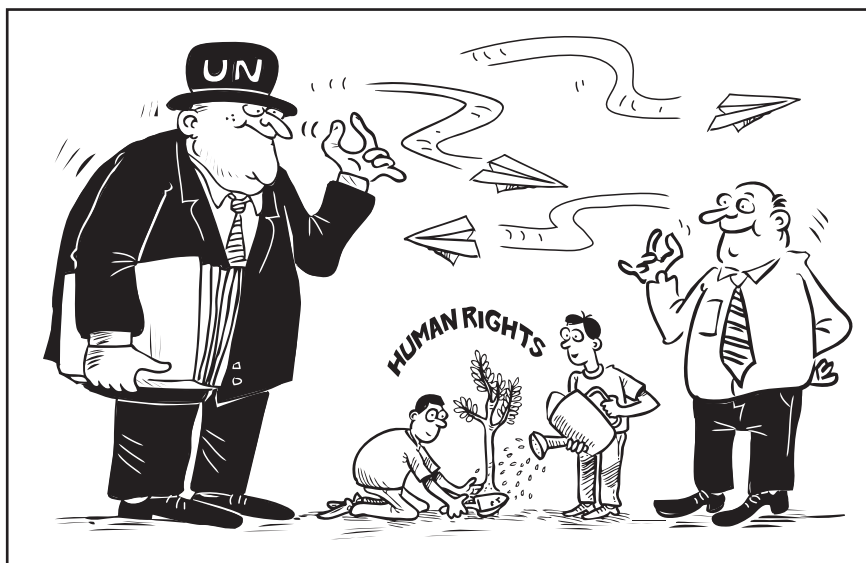
Law and Economy cluster focused on labour, work and poverty, land and spatial justice and the management and allocation of resources;

Law and Society cluster focused on minorities, social justice and inclusion and post-war social and economic justice.

# Law and Governance

LSST undertook activities to promote economic, social and cultural rights in Sri Lanka. Project activities provided support to:

- The visit of the Chairperson - Committee on Economic, Social and Cultural Rights (CESCR) to Sri Lanka
- Creating dialogue spaces for the CESCR Chairperson to meet with civil society groups in Sri Lanka
- Civil Society Organisations to develop a mechanism to monitor the implementation of CESCR recommendations in Sri Lanka.
- Citizen's forums in 10 *Pradesheeya Sabhas* to develop and submit people's proposals for local authority budgets for 2019. The proposals were developed through a consultative process that contributed to community empowerment.
- Communities to meet with critical actors in the constitution-building process and to share their expectations that the new constitution would protect and advance their rights, including social, economic and cultural rights.
- Communities to dialogue, research, organise and to strengthen their capacities for political and economic empowerment.
- The establishment of a 'Community Governance Platform' as a collective platform to advocate for reforms on governance, with the community taking the initiative to present policy proposals. The establishment of this governance platform was the culmination of a series of *ad hoc* dialogues with community activists across the country.
- Research and analysis on key political developments including:
  - The results of the 2018 Local Government elections;
  - Interviews of citizens and analysis of citizens' understanding and perceptions relating to the "Constitutional Coup" of October 2018 and its impact on the constitutional and political framework in Sri Lanka.



# Law and Economy

## Labour

The framework for LST's programme on law and economy draws on the International Covenant on Economic Social and Cultural Rights, the Constitution of Sri Lanka (Chapters on Directive Principles of State Policy and Fundamental Rights) and UN Sustainable Development Goals.

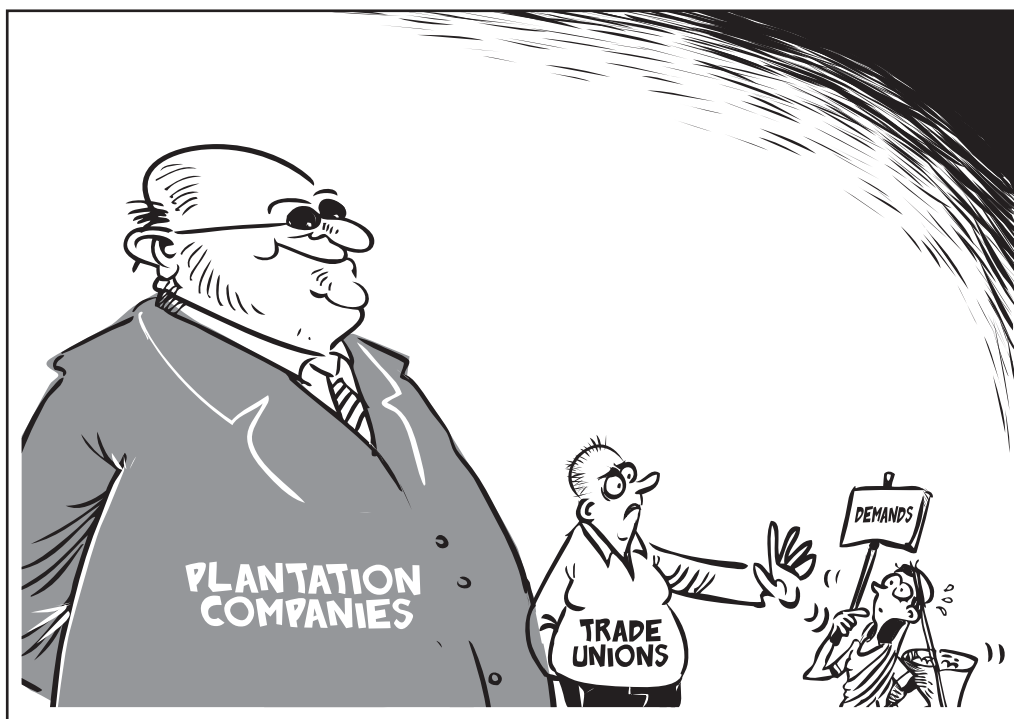
LST supported research and dialogues on labour issues, micro credit and indebtedness, and rural poverty. LST worked to improve policy development in relation to these issues.

In particular, LST researched the impact of changing labour relations on society and focussed attention on the impact of these changes on women. LST also reviewed the impact of micro credit and indebtedness, and of landlessness on communities. In addition, LST supported groundbreaking initiatives enabling women to obtain rights to land.

## LST as a repository of labour policy research

In relation to labour issues, LST researched the impact of new labour relations on trade unions and workers. LST's publications on these issues served as a resource for discussions with trade unions and the working community. Specifically, LST studied:

- Organised labour and the increasingly enlarged pool of contract labour
- Communities in transition
- New forms of capital-labour relationships
- Labour struggles that occurred in 2017
- Changes in land-labour-capital relations that impacted the rural economy



### **Fair Wages and Decent Living Conditions**

- Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;
- A decent living for workers and their families in accordance with the provisions of the present Covenant;
- Safe and healthy working conditions;
- Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;
- Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays

*Article 6 International Covenant on Economic, Social and Cultural Rights*

### **Right to Form Trade Unions**

- The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
- The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade union organizations;
- The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
- The right to strike, provided that it is exercised in conformity with the laws of the particular country.
- States Parties to the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize shall not apply the law in such a manner as would prejudice the guarantees provided for in that Convention.

*Article 7 International Covenant on Economic, Social and Cultural Rights*



## Freedom of Speech and Association

Every citizen is entitled to –

- the freedom of speech and expression including publication;
- the freedom of peaceful assembly;
- the freedom of association;
- the freedom to form and join a trade union;
- the freedom, either by himself or in association with others, and either in public or in private, to manifest his religion or belief in worship, observance, practice and teaching;
- the freedom by himself or in association with others to enjoy and promote his own culture and to use his own language;
- the freedom to engage by himself or in association with others in any lawful occupation, profession, trade, business or enterprise; Constitution of Sri Lanka 1978

*Article 8 International Covenant on Economic, Social and Cultural Rights*

**8** DECENT WORK AND  
ECONOMIC GROWTH



## Sustainable Development Goal 8

### DECENT WORK AND ECONOMIC GROWTH

The objective of SDG 8 is to promote inclusive and sustainable economic growth, employment and decent work for all.

Sustainable economic growth requires societies to create:

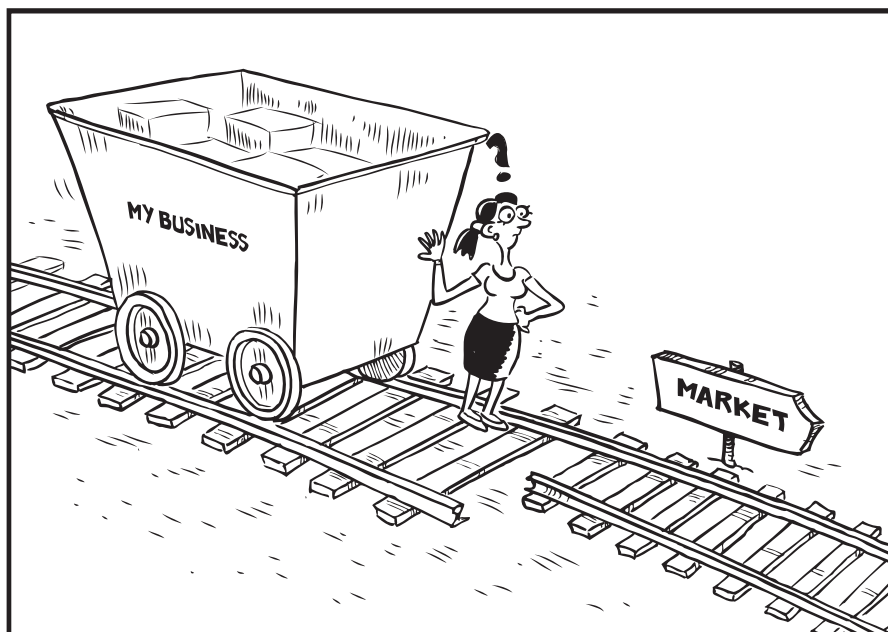
- Conditions enabling people to have quality jobs that stimulate the economy while not harming the environment;
- Job opportunities and decent working conditions for the whole working age population;
- Increased access to financial services to manage incomes, accumulate assets and make productive investments;
- Increased commitments to trade, banking and agriculture infrastructure that will also help increase productivity and reduce unemployment levels in the world's most impoverished regions.

- 
- Higher levels of economic productivity through diversification, technological upgrading, innovation;
  - Through a focus on high-value added and labour-intensive sectors;
  - Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and
  - Encourage the formalisation and growth of micro, small and medium-sized enterprises, including through access to financial services
  - Support youth employment through education and training
  - Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment

### LST as a dialogue hub

In 2018, LST organised a series of meetings and discussions in Wellawaya, Thalawakale, Seruwawila and Polonnaruwa. The stakeholders included community leaders, journalists, activists and government officers. They met to discuss and understand the complex dynamics of womens' livelihood within the

rural economy and the structural foundations of rural poverty. These meetings were the basis for expanding further research on the rural economy. The aim of this research is to formulate appropriate policy reforms and community interventions to improve rural livelihoods.



**1** NO POVERTY



### Sustainable Development Goal 1

#### NO POVERTY

Poverty is more than the lack of income and resources. Poverty includes hunger and malnutrition, limited access to education, basic services, social discrimination and exclusion from political life.

Economic growth must be inclusive to provide sustainable jobs and promote equality.

Social protection systems are needed to alleviate suffering and to provide support in the face of great economic risks. These systems will help mitigate disasters and will help to end extreme poverty in the most impoverished areas.

**10** REDUCED INEQUALITIES



### Sustainable Development Goal 10

#### REDUCED INEQUALITIES

To reduce inequalities, policies should be:

Universal in principle, paying attention to the needs of disadvantaged and marginalised populations, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.



## Microcredit, indebtedness and rural poverty

LT, having recognised the linkages between micro credit, indebtedness and rural poverty, and the linkages between national debt, national budgets and their impact on the realisation of socio-economic rights:

- Led the process of a CSO submission to the UN Expert on Foreign Debt and Human Rights
- Organised a field visit for him to visit Katunayake and to meet with women's

groups drawn from the garment industry and who are also working on microcredit issues

- Conducted training programmes for 30 women leaders on the ESC rights framework, and land rights and advocacy
- Commenced a five-year research project on women's livelihoods, rural indebtedness and microcredit in four provinces. This research included a baseline survey on women's financial, economic and decision making capacities



“...measures on public finances can have an impact on allocation to social spending with potential implications on all human rights including the rights to food, water, sanitation, adequate housing, health, access to justice, among others.”

*Mr. Juan Pablo Bohoslavsky, End of Mission Statement- Sri Lanka, 11 September 2018, United Nations Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights.*

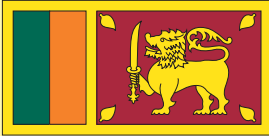
## State's obligations to progressively realise socio-economic rights

Signatory states must:

- Take steps, individually and through international assistance and cooperation, to achieving progressively the full realisation of the rights recognised in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.
- Guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
- Developing countries, with due regard to human rights and their national economy, may determine to what extent they would guarantee the economic rights recognized in the present Covenant to non-nationals.

*Article 2 International Covenant on Economic, Social and Cultural Rights*



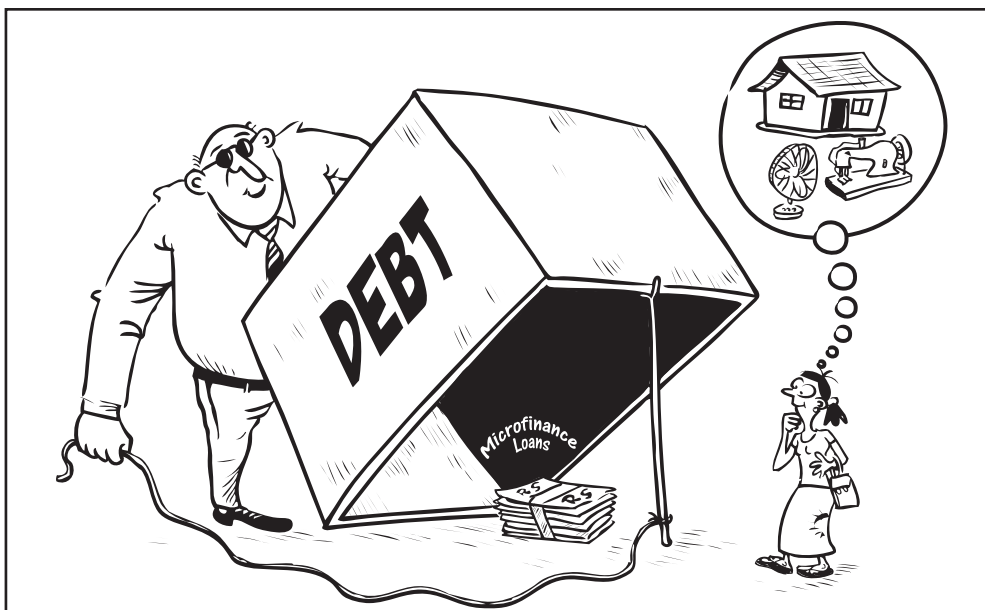


**Parliament, the President and the Cabinet of Ministers to be guided by The Directive Principles of State Policy in the enactment of laws and the governance of Sri Lanka for the establishment of a just and free society**

The State is pledged to establish in Sri Lanka a Democratic Socialist Society, the objectives of which include the:

- Full realisation of the fundamental rights and freedoms of all persons;
- Promotion of the welfare of the people by securing and protecting as effectively as it may, a social order in which justice (social, economic and political) shall guide all the institutions of the national life;
- Realisation by all citizens of an adequate standard of living for themselves and their families, including adequate food, clothing and housing, the continuous improvement of living conditions and the full enjoyment of leisure and social and cultural opportunities;
- Rapid development of the whole country by means of public and private economic activity and by laws prescribing such planning and controls as may be expedient for directing and coordinating such public and private economic activity towards social objectives and the public wealth;
- Equitable distribution among all citizens of the material resources of the community and the social product, so as best to subserve the common good;
- Establishment of a just social order in which the means of production, distribution and exchange are not concentrated and centralised in the State, State agencies or in the hands of a privileged few, but are dispersed among and owned by all the people of Sri Lanka;

*Article 27 Directive Principles of State Policy, Constitution of Sri Lanka*



## Land

The importance of land to the life of the individual and the community is highlighted in the International Covenants, the Constitution of Sri Lanka and among experts on human development. Recognising this, LST's land rights programme, included:

### **Support for the People's Alliance for Right to Land (PARL)**

LST supported PARL that is now recognised nationally and internationally as the key land rights network in Sri Lanka.

### **Support for the People's Commission on Land Rights**

PARL appointed a People's Commission on Land Rights, a commission of academics, lawyers and activists who will travel around the country meeting various community groups and affected communities and will develop a 'People's Land Policy'.

### **Database on Land Issues**

With the support of LST, serving as the coordinator of the PARL network, PARL has established a database on land issues in Sri Lanka that is continuously updated and the information is regularly shared with relevant authorities, CSOs and UN agencies.

### **Training of community members and Government officers**

LST's programme on land covers six districts including Ampara, Batticaloa, Vauvniya, Puttalam, Trincomalee, Mullaitivu and Kurunegala and it has led to the training of community members and government officers on land laws, Right to Information Act (RTI), land circulars and the legal procedures for resolving land disputes.

Specifically, LST trainings included:

- A land law training programme for 11,677 community members, 271 members of civil society organizations, 678 government officials and 54 lawyers
- An RTI Act related training programme for 82 government officers working on land related issues
- A training on court proceedings for 224 land officials
- A training on eSLIMS (State Land Information and Management Systems) for 93 officials and a training on land circulars for 218 government officials.

As a result of these trainings, many land issues were resolved and a credible process for issuing land grants was established.

### **Facilitated multi stakeholder platforms at the provincial level to resolve land issues**

LST facilitated multi-stakeholder platforms in North and East Provinces (chaired by Provincial Land Commissioners) to discuss and resolve land issues in several provinces.

Three handbooks explaining key legislations, such as The Land Acquisition Act (1950), and The Local Authorities (Land) Act (1963), and miscellaneous legislation around state lands and land laws were developed in three languages and distributed among local land officers and CSO leaders. Furthermore, LST amalgamated key land related circulars and published them in a training handbook. A pilot workshop was held to train Divisional Secretaries and Land Officers from seven districts.

## Support to Divisional Secretariats

LST facilitated six conferences on land issues in each of the six Divisional Secretariats where its land rights project is implemented. These conferences brought together Government departments that have varying responsibilities in respect of land issues. They connected the line ministries enabling them to make collective decisions to resolve outstanding land issues.

In addition, LST convened district level multi stakeholder meetings in Ampara, Batticaloa, Trincomalee, Mullaitivu, Vauvuniya and Puttalam. The aim was to provide practical support for the resolution of land issues.

## Project Impact

- 10,374 families were qualified for land permits
- 934 were qualified for land grants
- LST established a central hotline with the support of a *pro bono* lawyer to address land-related concerns
- Citizens' commission on land policy was established

“Land is not a mere commodity, but an essential element for the realisation of many human rights”.

*Land and Human Rights: Standards and Applications, OHCHR, Office of the High Commissioner for Human Rights.*

Everyone has the right to an adequate standard of living for himself and his family, including food, housing and water, and to the continuous improvement of living conditions.

*Article 25 Universal Declaration of Human Rights  
Article 11 International Covenant on Economic, Social and Cultural Rights*



The Directive Principles of State Policy shall guide Parliament, the President and the Cabinet of Ministers in the enactment of laws and the governance of Sri Lanka for the establishment of a just and free society.

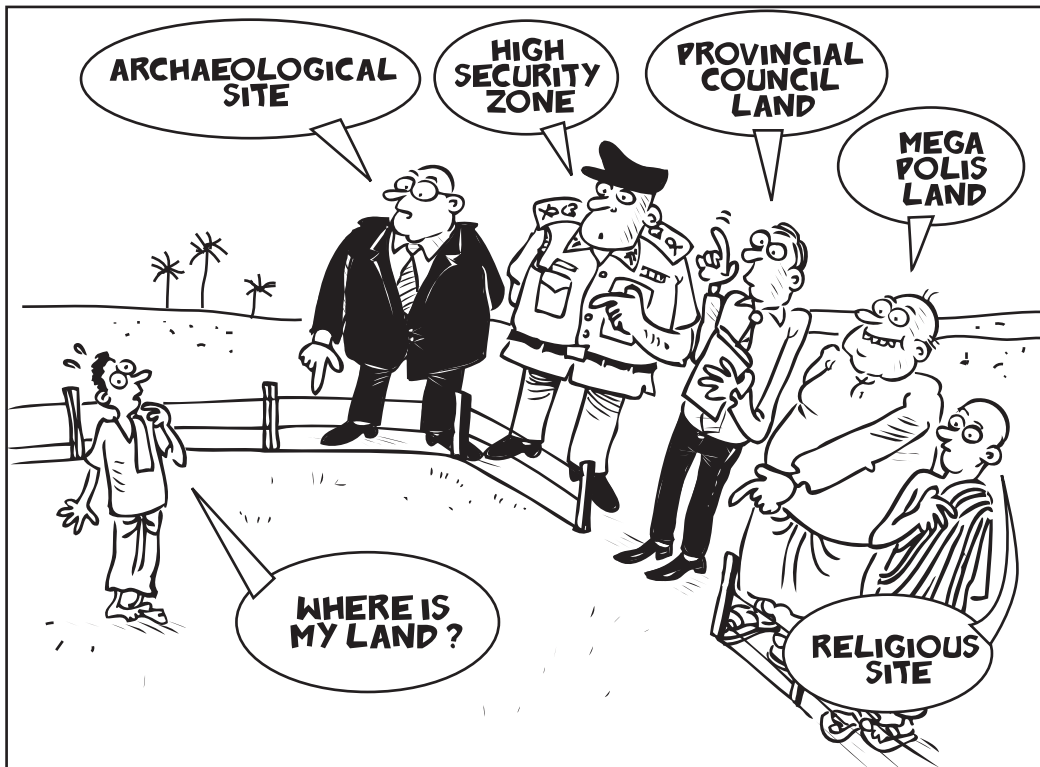
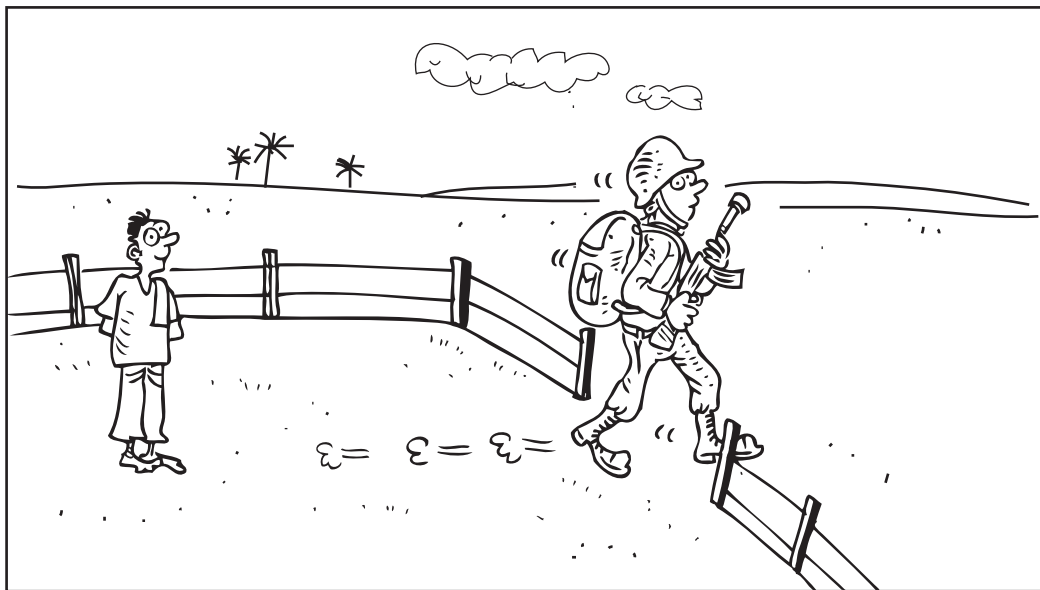
The State is pledged to establish in Sri Lanka a Democratic Socialist Society, with the following objectives :

- The promotion of the welfare of the People by securing and protecting as effectively as it may, a social order in which justice (social, economic and political) shall guide all the institutions of the national life;
- The realisation by all citizens of an adequate standard of living for themselves and their families, including adequate food, clothing and housing, the continuous improvement of living conditions and the full enjoyment of leisure and social and cultural opportunities;
- The rapid development of the whole country by means of public and private economic activity and by laws prescribing such planning and controls as may be expedient for directing and coordinating such public and private economic activity towards social objectives and the public wealth ;



- The equitable distribution among all citizens of the material resources of the community and the social product, so as best to subserve the common good;
- The establishment of a just social order in which the means of production, distribution and exchange are not concentrated and centralised in the State, State agencies or in the hands of a privileged few, but are dispersed among and owned by, all the People of Sri Lanka;

*Article 27 Directive Principles of State Policy, Constitution of Sri Lanka*



# Law and Society

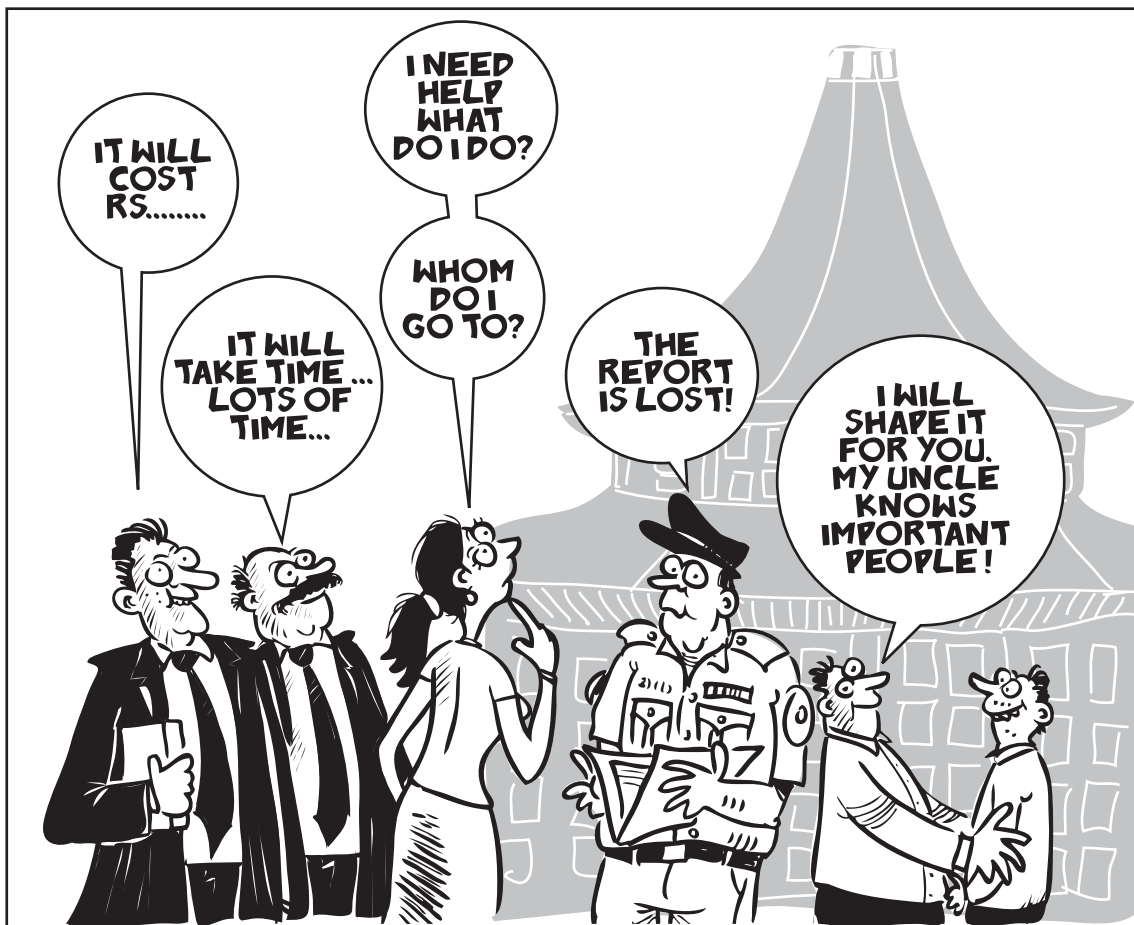
## Access to justice for all: Building effective, accountable institutions

**P**rojects under the Law and Society cluster focussed on access to justice, equality and protection from discrimination.

In this context, LST undertook research on:

- The Criminal Justice system
- Disability rights
- Initiatives to engage youth from marginalised communities to be change makers

- The catalytic forces and events that lead to ethno-religious violence and how they may be anticipated and prevented
- The challenges faced by Muslim women under the Muslim Marriage and Divorce Act (MMDA) that violates their rights to equality and equal protection. Traditionally the discrimination was justified on grounds that the law prioritised the community's right to maintain their personal laws



## Focus on the Criminal Justice System

LIST developed a research report titled “A Snapshot of the Criminal Justice System: Building a Picture Through Sexual Violence Cases in the Court of Appeal”. The report was the culmination of significant in-depth research into the workings of the criminal justice system as seen through the prism of Court of Appeal judgments on sexual violence.

In the current environment highlighting the need for transitional justice in Sri Lanka, there is an inevitable focus on considering the criminal justice system from the perspective of the most ‘egregious’ crimes. For this reason, it is imperative to ensure the ‘everyday’ workings of the criminal justice system do not get overlooked.

This study compiled a set of Court of Appeal judgments on sexual violence (rape and grave sexual abuse) and posed the question: What do Court of Appeal judgments on sexual violence reveal about the workings of the criminal justice system?

The analyses of the dataset revealed a number of key findings that include:

- The disparities in the sentencing of rape and grave sexual abuses at trial and upon appeal
- The disparity in sentencing relating to custodial sentences, fines and compensation
- The failure to follow mandatory sentencing guidelines
- Convictions being overturned on appeal on grounds of victims' credibility
- The poor quality court judgements available in the public domain, that

contained unclear, ambiguous, and even erroneous information

In addition, the analyses of the dataset also revealed a number of issues and concerns that warrant further inquiry. These include:

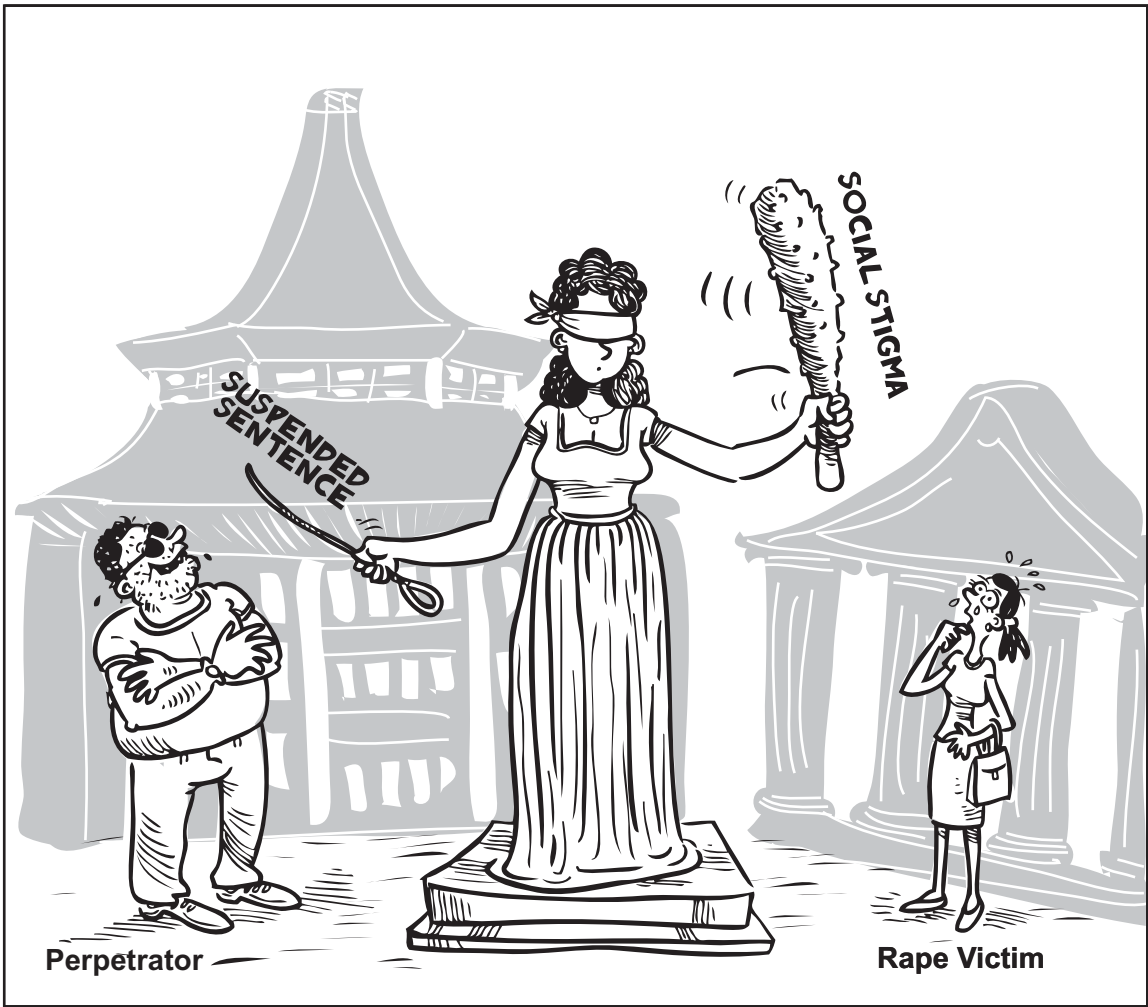
- Mechanisms to ensure publicly available information on the criminal justice system
- Adopting an empirical approach to compile detailed information on how the broader criminal justice system operates in practice.

These findings and the questions raised are critical to inform and shape further discussions on criminal justice reform.

This research laid the ground for the next phase of the research which is to focus on the operations of the criminal justice system as seen through torture cases, both as crimes under the Torture Act, 1994 and as fundamental rights abuses prohibited by the Constitution.

### Partnerships

Opportunities arose for collaborative partnerships with international organisations, including the International Centre for Transitional Justice (ICTJ), the International Women’s Right Actions Watch Asia Pacific (IWRAP), and the Public International Law and Policy Group (PILPG). PILPG is a global *pro bono* law firm providing free legal assistance to parties involved in peace negotiations, drafting post-conflict constitutions, and war crimes prosecution/transitional justice. ICTJ works for justice in countries that have endured massive human rights abuses under repression and in conflict. ICTJ works with victims, civil society groups, national, and international organisations to ensure redress for victims and to help prevent atrocities from happening again.



### **Partnerships to advance the human rights of women**

LST and IWRAW (International Women's Rights Action Watch - Asia Pacific) planned a regional judicial colloquium on women's rights to justice and equality in the family in November 2018. It was rescheduled due to the political instability.

### **Support to strengthen strategic litigation to prosecute rights**

LST explored strategic litigation as a means for addressing the lack of accountability in a number of areas, including disappearances,

land, and criminal justice reforms. LST and PILPG co-hosted a workshop on strategic litigation that brought together civil society groups and practitioners committed to prosecuting human rights violations. Comparative experiences from Kosovo and Serbia were shared, highlighting the ways strategic litigation was used to combat impunity for human rights abuses. At the workshop there was a discussion on the application of the principle of universal jurisdiction as a means to pursue accountability. The workshop provided a forum to receive information on comparative experiences and strategies from PILPG and to discuss ways forward in the context of Sri Lanka.

### **Access to Justice for All, Building Effective and Accountable Institutions at All Levels**

- Everyone has the right to liberty and security of person.
- No one shall be subjected to arbitrary arrest or detention.
- No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.
- Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.
- Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorised by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release.
- It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, where applicable, for execution of the judgement.
- Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court without delay.
- Court must determine on the lawfulness of the detention and order his release if the detention is not lawful.
- Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

*Article 9 International Covenant on Civil and Political Rights. Adopted by the General Assembly of the United Nations on 19 December 1966.*



## Sustainable Development 16

### PEACE, JUSTICE AND STRONG INSTITUTIONS



To promote just, peaceful and inclusive societies it is necessary to:

Provide access to justice for all;

Build effective, accountable and transparent institutions at all levels;

Ensure responsive, inclusive, participatory and representative decision-making at all levels.



### Right to Justice for infringement of a fundamental right

Every person shall be entitled to apply to the Supreme Court, as provided by Article 126, in respect of the infringement or imminent infringement, by executive or administrative action, of a fundamental right to which such person is entitled under the provisions of this Chapter.

*Article 17, Constitution of Sri Lanka*

### Access to Justice for infringement of a fundamental right – the procedure

- The Supreme Court has sole jurisdiction to determine questions relating to the infringement or imminent infringement of a fundamental right recognised by the constitution by executive or administrative action;
- Any person alleging the infringement or imminent infringement of a fundamental right by executive or administrative action may bring an action before the court within one month.
- The person may appear himself or be represented by an attorney-at-law on his behalf, within one month thereof, in accordance with such rules of court as may be in force.
- The Supreme Court must grant such application leave to proceed. The leave may be granted or refused. The application must be heard by not less than two judges.
- Hearings in the Court of Appeal into an application for writ petitions, may be referred to the Supreme Court, if it appears to the Court of Appeal that there is *prima facie* evidence of an infringement or imminent infringement of a right.
- The Supreme Court shall have power to grant such relief, or make such directions as it may deem just and equitable, or refer the matter back to the Court of Appeal if it believes there is no infringement of a fundamental right.
- The Supreme Court shall hear and finally dispose of any petition or reference under this Article within two months of the filing of such petition or the making of such reference.

*Article 126, Constitution of Sri Lanka*

## Equality and Non-Discrimination

### Rights of war-affected women with disabilities

Women with disabilities remain marginalised from both scholarly research and social policies and practices aimed at disability inclusion. They are also the most vulnerable group in post-war and post-conflict situations, experiencing the highest levels of gender-related violence, abject poverty, stigmatisation and exclusion.

LST recognised that there is an urgent need to understand the impact of long-term war and conflict on women with disabilities. It also recognise in particular, the failure to address the needs of disabled women under transitional arrangements in the aftermath of armed conflict.

There is almost no research that examines the day-to-day lives of women with disabilities within post-war or post-conflict contexts. Nor is there any substantive research that documents their subjective experiences of transitional governance, policy and programming, and how they are included and/or excluded from a society emerging from protracted armed conflict.

LST undertook a study based upon disability-inclusive methodologies of co-creation, development and engagement, and mapped the lived-experiences of women with disabilities living within the war-affected areas of Sri Lanka.

The report was also published in braille. A meeting with the Sectorial Oversight Committee of Parliament on Gender was held on the research findings and the committee has agreed to follow up on the recommendations.



### Equality and Equal Protection under the Constitution

- All persons are equal before the law and are entitled to the equal protection of the law.
- No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds:

*Article 12 Constitution of Sri Lanka*

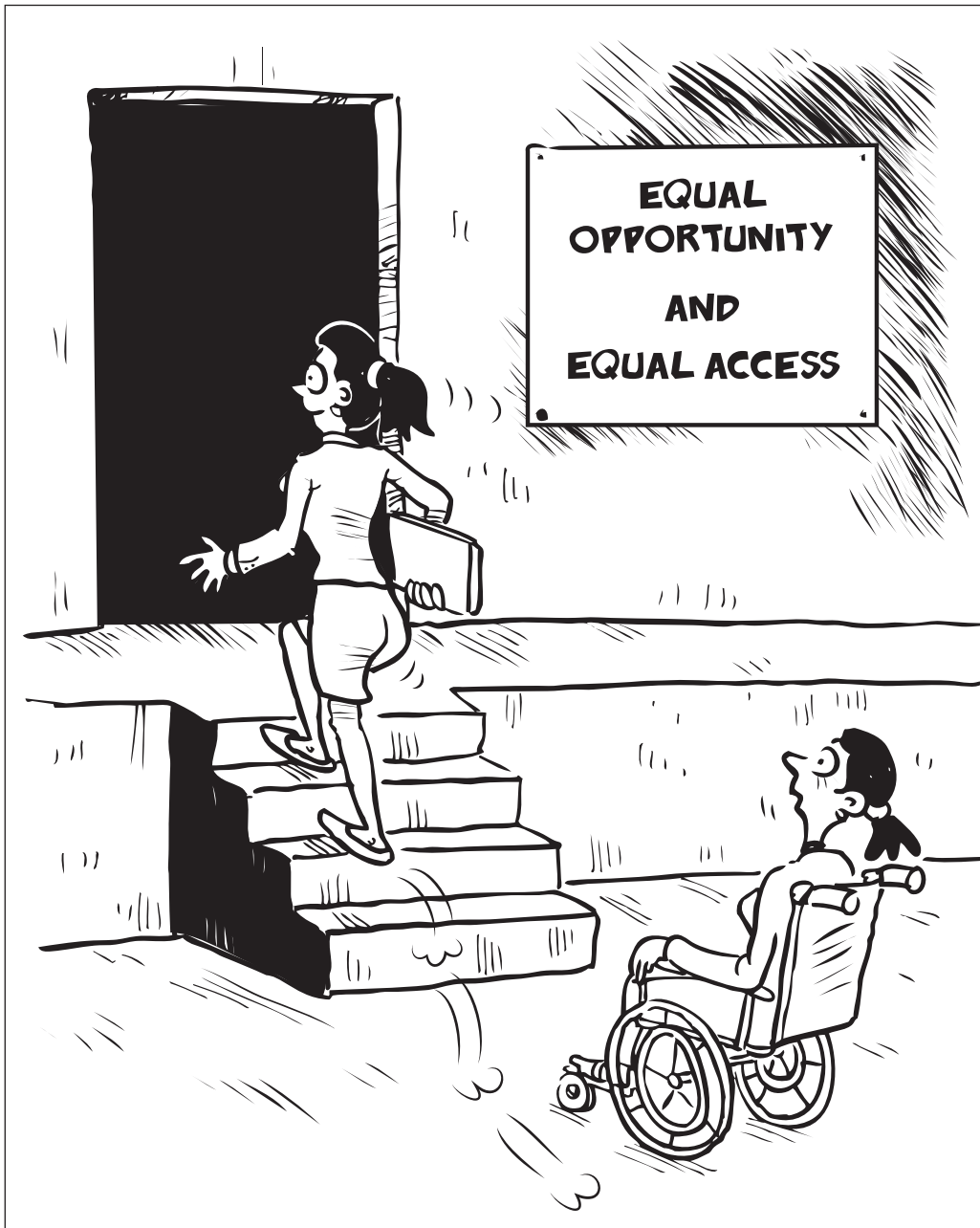
## **Promote the full realisation of all human rights and freedoms for all persons with disabilities without discrimination**

States Parties undertake to:

- Adopt legislative, administrative and other measures to implement the rights recognised in this Convention;
- Take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities;
- Take into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;
- Refrain from engaging in acts or practices that are inconsistent with this Convention
- Ensure that public authorities and institutions act in conformity with this Convention;
- Take measures to eliminate discrimination on the basis of disability by any person, organisation or private enterprise;
- Undertake or promote research and development of universally designed goods and services to meet the needs of a person with disabilities;
- Undertake or promote research and development and the availability and use of new technologies, suitable for persons with disabilities, giving priority to technologies at an affordable cost;
- Provide accessible information to persons with disabilities about mobility aids, devices and assistive technologies and facilities;
- Promote training on rights awareness among professionals and staff working with persons with disabilities;
- Take measures to the maximum of its available resources, to progressively realise to economic, social and cultural rights
- Closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organisations, when developing and implementing legislation and policies relating to persons with disabilities.

*Article 4 Convention On The Rights Of Persons With Disabilities (2006)*





### Women with disabilities

- Recognise that women and girls with disabilities are subject to multiple discriminations.
- Take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms.

*Article 5 Convention On The Rights Of Persons With Disabilities (2006)*

## Protection of Religious Minorities

LST supported a fact finding mission on the violence directed against the Muslim community in Kandy. The mission enabled communities to discuss the events that led to the violence. The work of the fact finding mission was concluded in March and LST awaits the final report.

The objective of the mission was to establish early-warning indicators and community-led mechanisms to prevent recurrences.

### Right to freedom of thought, conscience and religion

- Everyone shall have the right to freedom of thought, conscience and religion.
- This right shall include freedom to have a religion or belief of his choice, and to manifest his religion freely, either individually or in community with others and in public or private, through observance, practice and teaching.
- Freedom to manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others.
- No one shall be subject to coercion that would impair his freedom to have a religion or belief of his choice.

### Non-Discrimination by the State on grounds of religion

- No one shall be subject to discrimination by any State, institution, group of persons, or person on the grounds of religion or belief.
- The expression "intolerance and discrimination based on religion or belief" means any distinction, exclusion, restriction or preference based on religion or belief that has as its purpose or as its effect, the nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.

*Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, Proclaimed by General Assembly resolution 36/55 of 25 November 1981.*

## Ending discrimination and advancing equality of women

### Muslim Marriage and Divorce Act

The operation of personal laws remains a challenge to policymakers in Sri Lanka and other countries in South Asia. On the one hand, recognition of personal laws are considered to be the bedrock of minority rights. They give effect to the rights of minorities to identity and autonomy to manage their affairs in the private sphere. However, on the other hand they may violate women's rights to equality and equal protection of the law.

The Muslim Marriage and Divorce Act represents the interface of the challenges of preserving personal laws at the expense of women's right to equal protection of the law. LST supported a documentary video that discusses the community's dilemma regarding this Act. The video is based on interviews with women who have experienced personal challenges, as well as community leaders who regard the preservation of personal laws as a key marker of their identity.

### Condemn and eliminate discrimination against women

State parties undertake to:

- Embody the principle of the equality of men and women in their national constitutions or other appropriate legislation; and to ensure, through law and other appropriate means, the practical realisation of this principle;
- Adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- Establish legal protection of the rights of women on an equal basis with men
- Ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- Refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- Take all appropriate measures to eliminate discrimination against women by any person, organisation or enterprise;
- Take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
- Repeal all national penal provisions which constitute discrimination against women.

*Article 2 Convention on the Elimination of All Forms of Discrimination against Women, 1979.*

## Equal Rights of Women Relating to Marriage and Family Relations

Eliminate discrimination against women in all matters relating to marriage and family relations

### ■ Ensure equal rights of men and women to:

- Enter into marriage;
- Freely choose a spouse;
- Marry with their free and full consent

### ■ The same rights and responsibilities for men and women:

- During marriage and at its dissolution;
- As parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
- To decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- With regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

### ■ **Prohibition of Child Marriage**

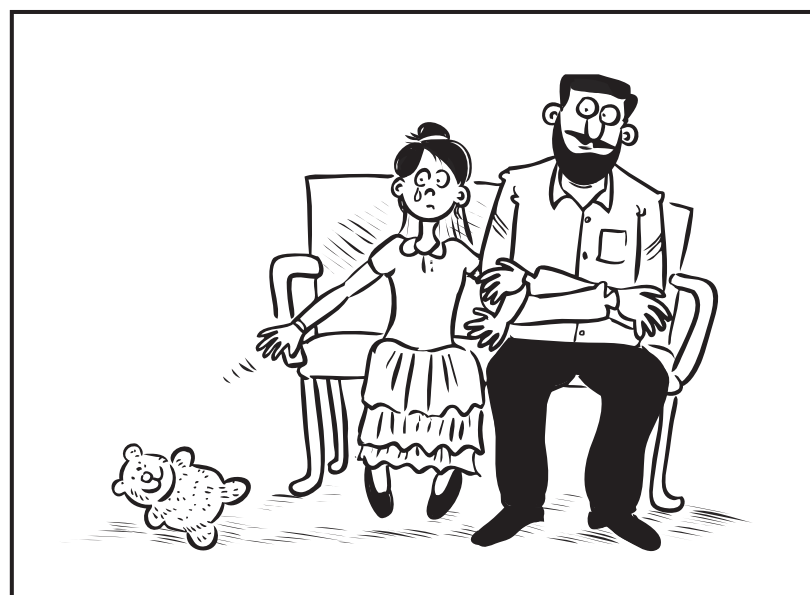
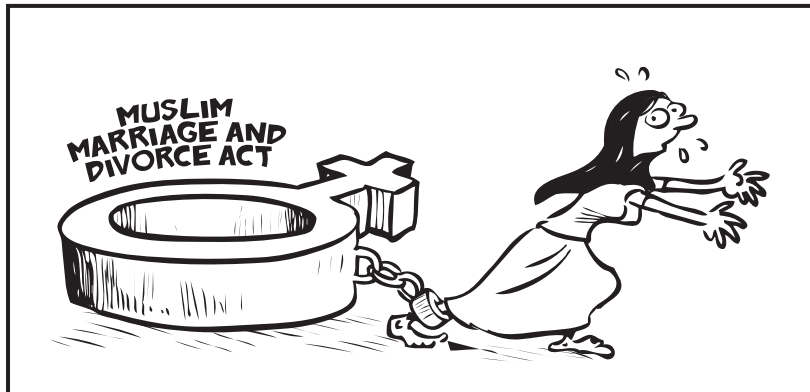
- The betrothal and the marriage of a child shall have no legal effect.
- States shall take all necessary action, including legislation, to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

*Article 16 Convention on the Elimination of All Forms of Discrimination against Women 1979*



Sustainable Development Goal 5

Gender Equality



## Youth and Marginalised Communities

### Youth for Inclusive Development in South Asia (YIELD)

YIELD is an action research that engages young people from the LGBT+ community in Bangladesh and young people from Muslim and Dalit communities in India. Young people are empowered to become 'Changemakers' of their communities, and the processes are documented and observed drawing out lessons learnt.

LST coordinates this action research engaging young people from marginalised communities. Specifically the research examines a cluster of issues:

- The response of South Asia's young people to violence
- Identification of structural factors that promote or prevent youth civic engagement
- How enabling spaces can promote gender equality,
- How technology can be used to promote youth civic engagement.

The research also shed light on the structural factors that affect youth engagement. For example, the Muslim and Dalit communities in the Indian case study expressed insecurity and a growing fearfulness amidst increased hate crimes. This, coupled with poor socio-economic conditions and other institutionalized forms of discrimination, resulted in the exclusion and marginalisation of young people from these communities.

In Bangladesh, same-sex sexual activity remains criminalised by Section 377 of the Penal Code. The LGBT community and young people are arbitrarily arrested, and in some instances physically and sexually assaulted. The Hijra youth, despite the fact that their identity is legally recognised, still face discrimination and harassment. They are often economically and

sexually exploited. The study revealed that stigma, discrimination and violence led to high levels of anxiety around identity disclosure. This pushed LGBT+ people into living secret lives, preventing their civic engagement. Paradoxically this context of violence calls for youth civic engagement. However, the structural barriers embedded with violence are impediments to their civic engagement.

The aim of the research is to develop frameworks for political and civic dialogues that informs advocacy strategics. The overall objective is to change laws, policies and public perceptions to address discrimination and marginalisation.

The aim of the research is to develop frameworks for informed advocacy, political and civic dialogues with a view to change laws, policies and public perceptions to address discrimination and marginalisation.

### Protection against violence and discrimination based on sexual orientation and gender identity

The Human Rights Council, commits to:

- Raise awareness of violence and discrimination against persons on the basis of their sexual orientation or gender identity;
- Identify and address the root causes of violence and discrimination;
- Engage in dialogue and coactions with States and other relevant stakeholders, programmes and funds, regional human rights mechanisms, national human rights institutions, civil society organisations and academic institutions;
- Work in cooperation with stakeholders to foster the implementation of measures that contribute to the protection of all persons against violence and discrimination based on sexual orientation and gender identity.

*Resolution on Protection against violence and discrimination based on sexual orientation and gender identity, 2016.*

A world in which the human rights of every young person are realised; that ensures every young person is empowered to achieve their full potential; and that recognises young people's agency, resilience and their positive contributions as agents of change.

*Youth 2030: Working with and For Young People – UN Youth Strategy*



# In-house Services

## Improved management practices

The management is supported with the oversight of internal auditors along with the external auditors.

## Improved Library Services

A new Librarian was recruited in December 2018 and measures were taken to expand access to digital services including access to the IDRC digital library and through subscription to access e-papers.

The Library purchased a new computer for the library database and carried out stock counting and verification of LST publications and books. The end of 2018 documented library collection was 9,137.

## Improved Internal and external Communications

A new Communication Officer was recruited in October 2018 and measures were adopted to improve both internal and external communication of LST.

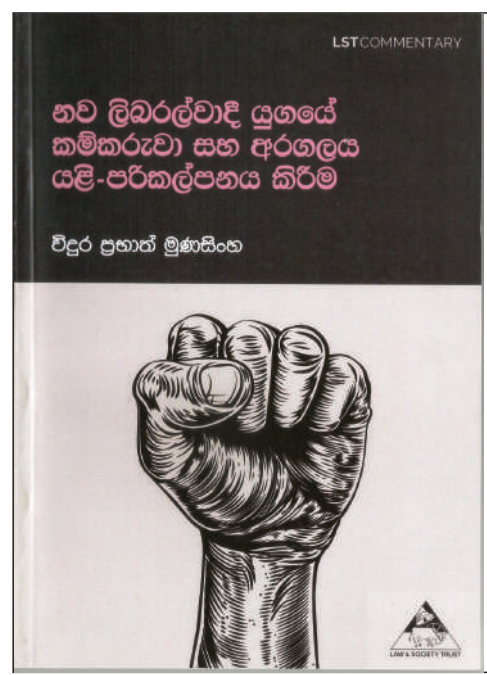
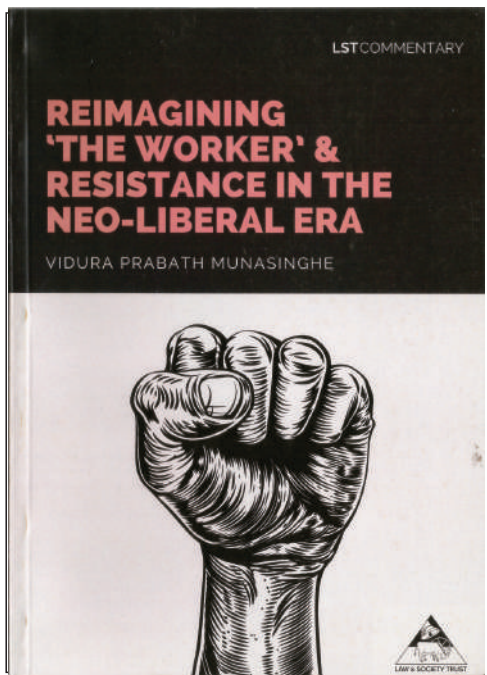
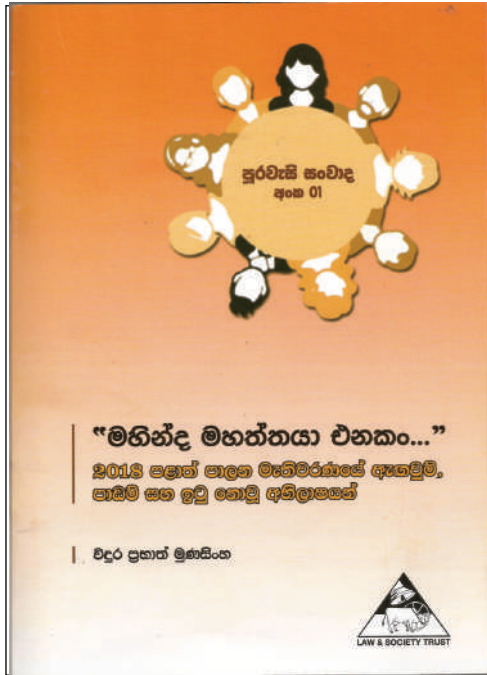
Specifically, international publication standards were adopted to improve the quality of the LST Review and an ISSN number is included in all publications to ensure LST publications have a place in global library catalogues.

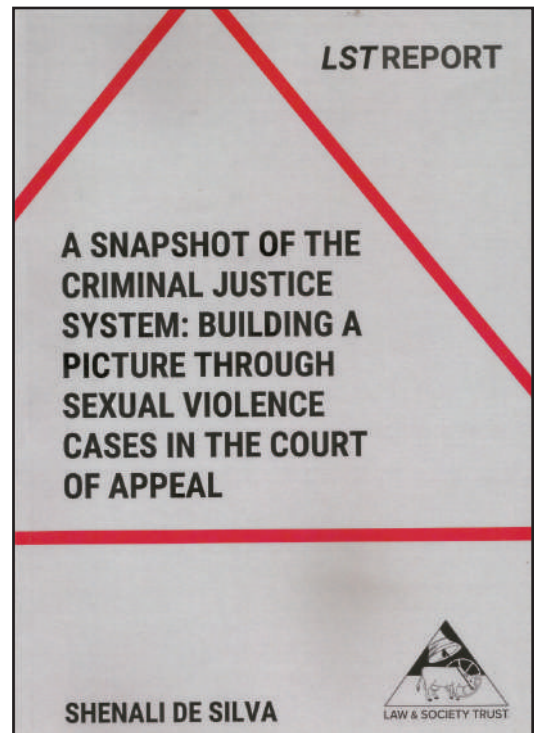
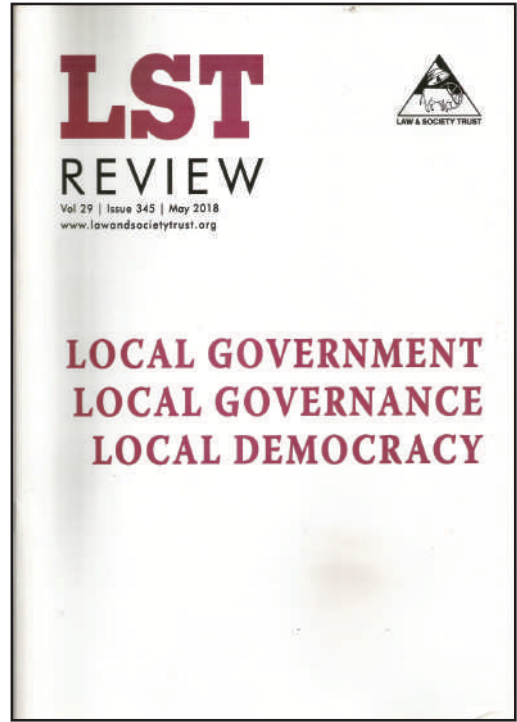
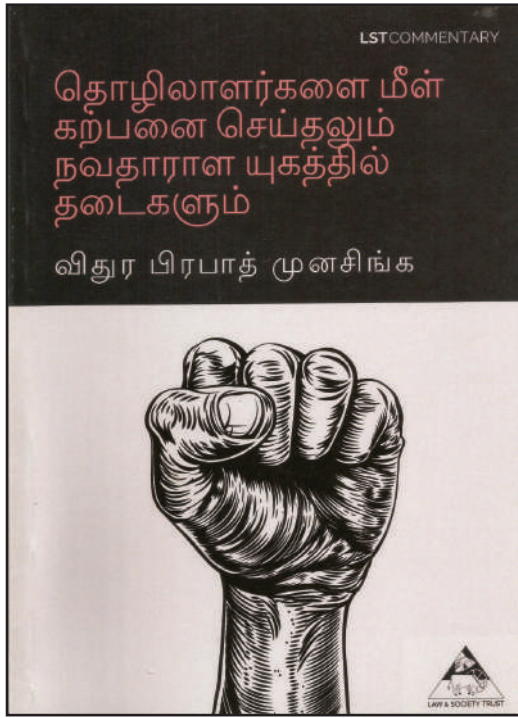
A Communication Strategy was developed and a Youtube Channel for LST along with a Twitter account was launched. LST's Facebook page was reactivated during this period. As a part of the internal communications, a daily news burst that contained important news items directly related to LST and its programmes was introduced along with the use of e-papers to improve search capabilities. In efforts to improve external communications, the subscriber database was filtered and enhanced by bringing in the contacts of 225 parliamentarians and media houses.

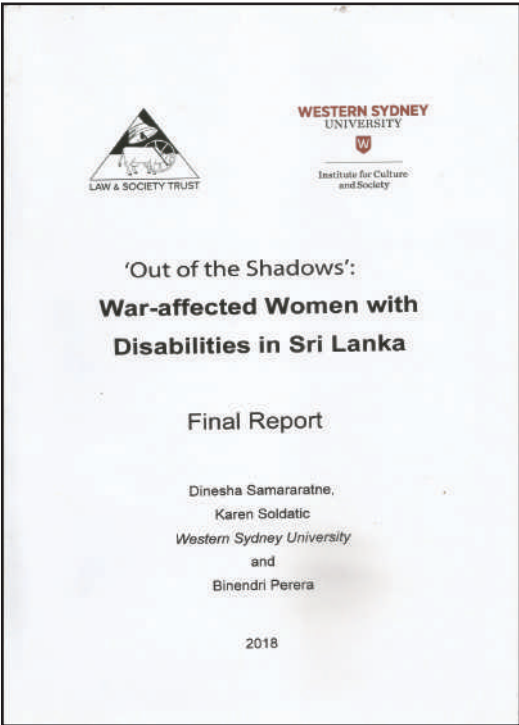
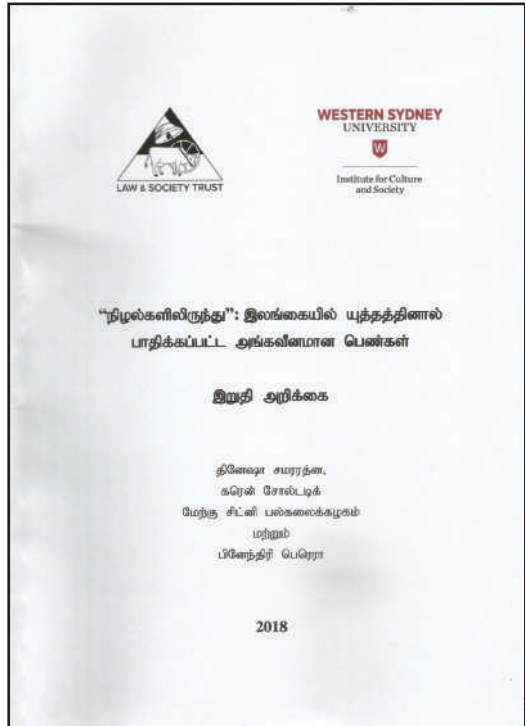
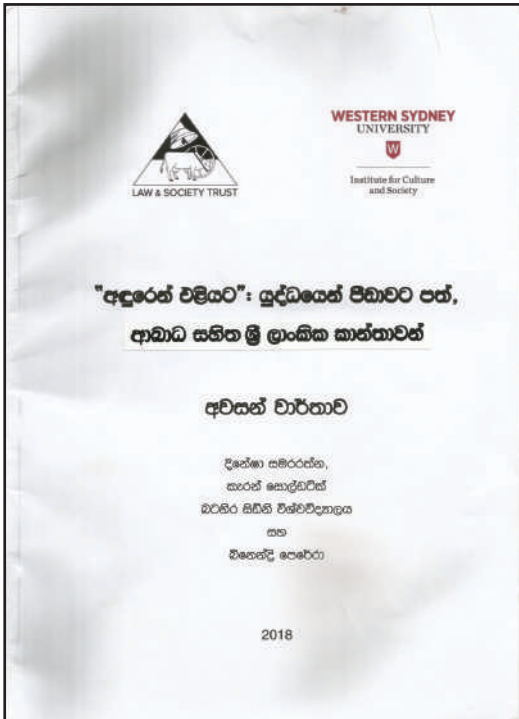


# Publications

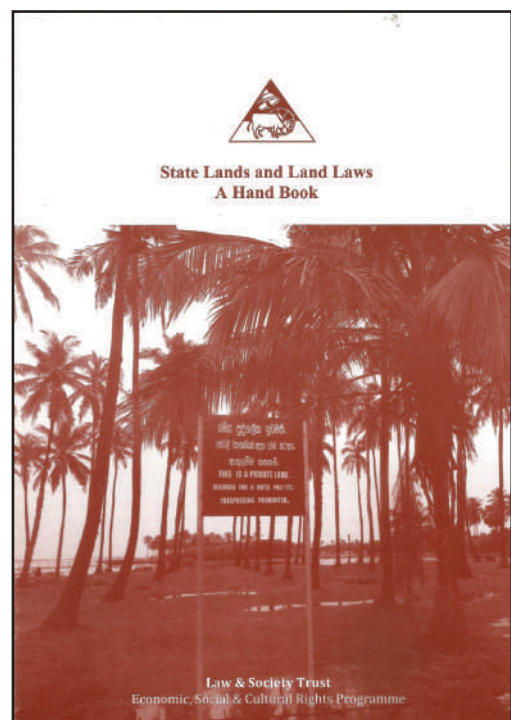
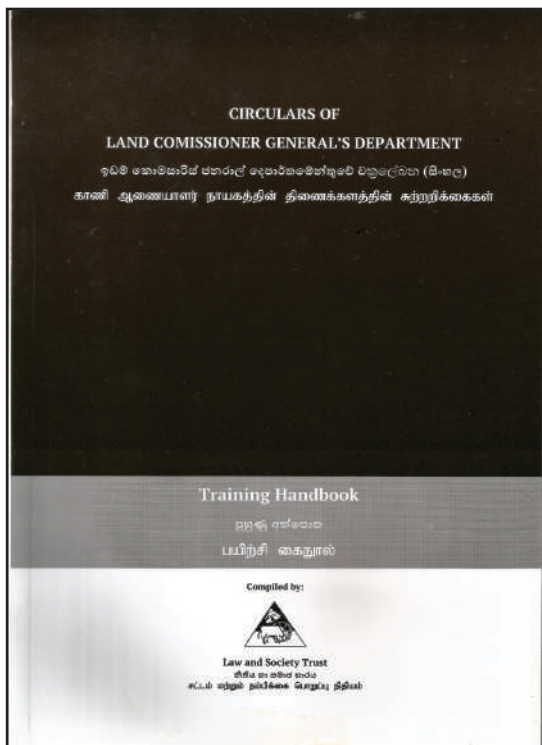
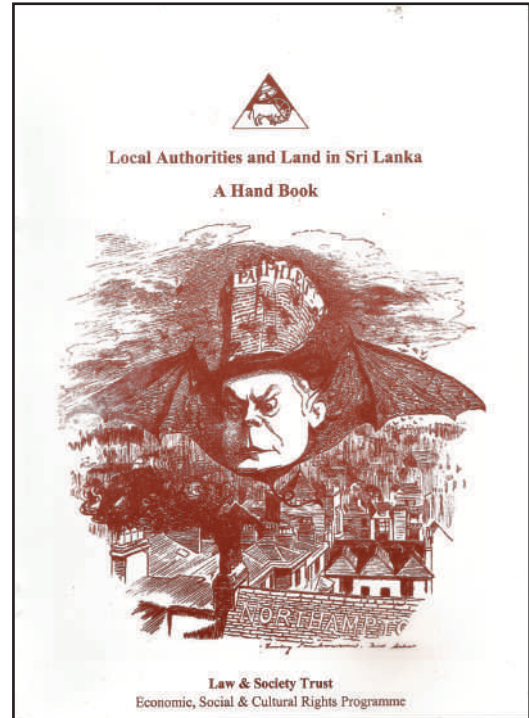
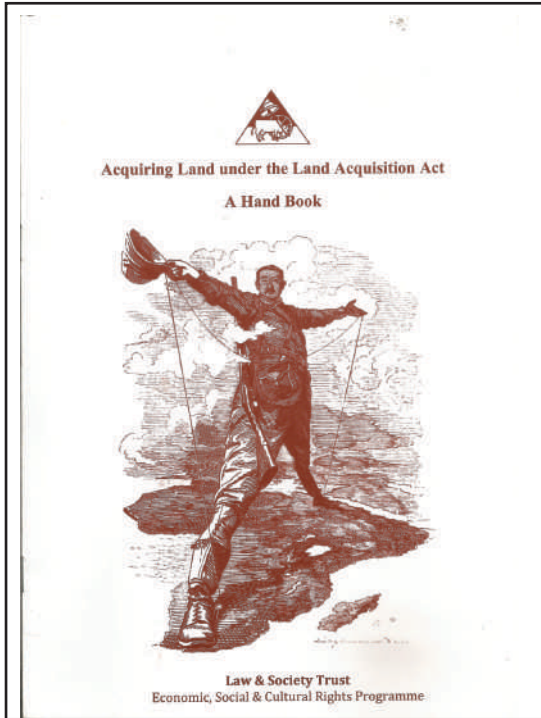
The following reports and books were published by LST in 2018







## Training Manuals





**ஓய்வில் அங்கீகரிக்கப்பட்ட பிழைகள்  
2015**



பிழை அல்லது புகழ் காலம்  
அங்கீகரிக்கப்பட்ட பிழைகள் அங்கீகரிக்கப்பட்ட பிழைகள் அல்லது புகழ் காலம்



**காணியை அங்கீகரிக்கப்பட்ட பிழைகள் அங்கீகரிக்கப்பட்ட பிழைகள்  
ஒரு காலம்**



சட்டம் மற்றும் சமூக நியாயத்தை நினைவு  
பெருகாததால், சமூக மற்றும் கலாச்சார உரிமை நிகழ்ச்சித் திட்டம்



**பிழை அல்லது புகழ் காலம் அங்கீகரிக்கப்பட்ட பிழைகள்  
ஒரு காலம்**



பிழை அல்லது புகழ் காலம்  
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**உள்ளூராட்சி அங்கீகரிக்கப்பட்ட பிழைகள் அங்கீகரிக்கப்பட்ட பிழைகள்  
ஒரு காலம்**

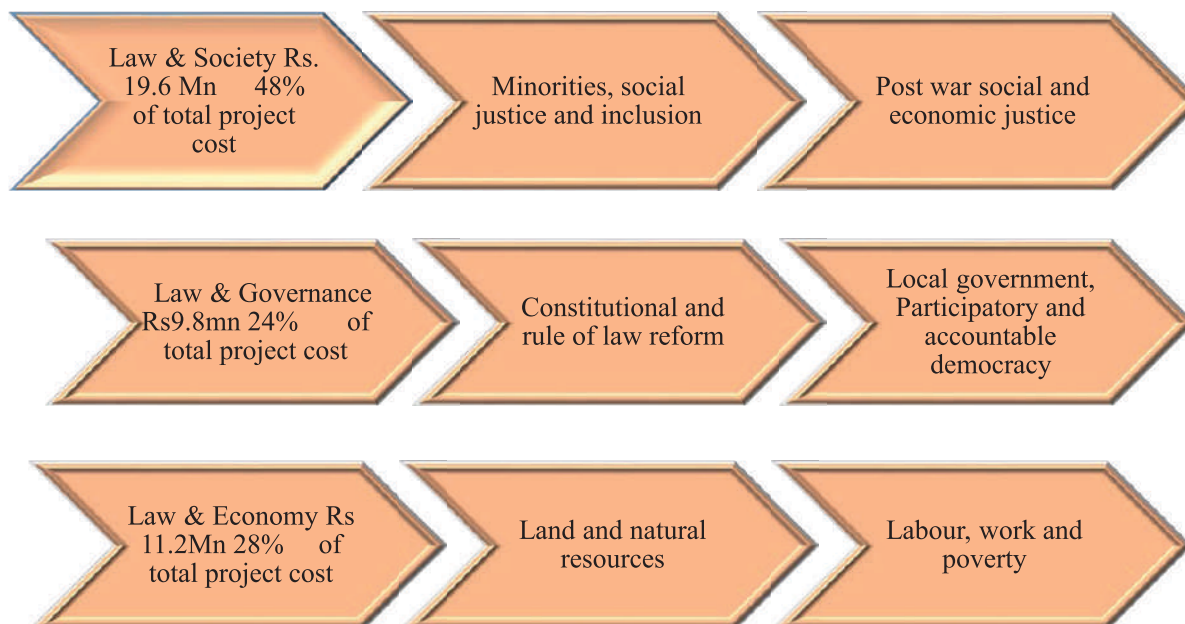


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# Financial Highlights

## Performance vis-a-vis Strategic plan implementation

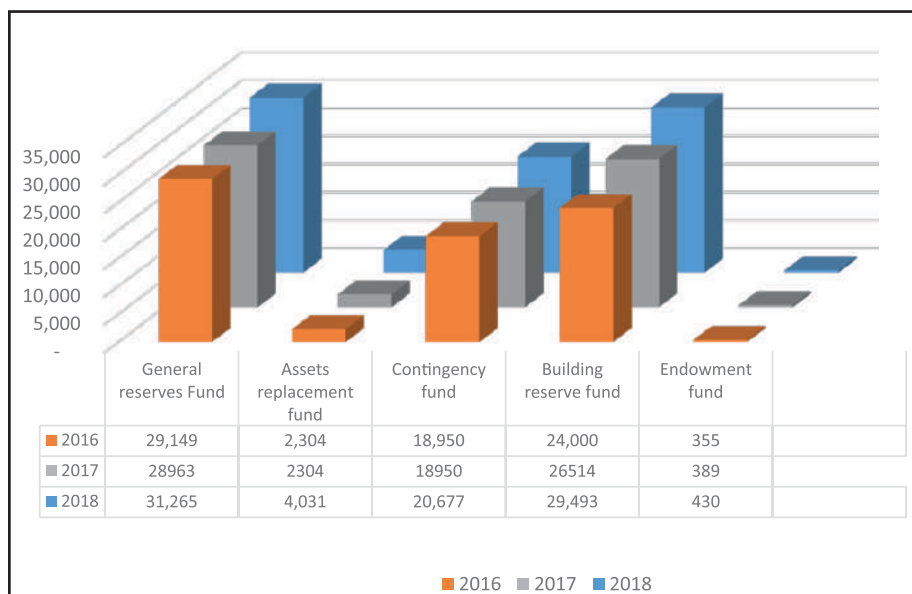


## Strengthening Financial Reserves and Sustain ability

	2016	Percentage increase /(decrease) year on year	2017	Percentage increase /(decrease) year on year	2018	Percentage increase /(decrease) year on year
<b>Reserves</b>						
General reserves Fund	29,149	5%	28,963	(1%)	31,265	8%
Assets replacement fund	2,304	-	2,304	-	4,031	75%
Contingency fund	18,950	-	18,950	-	20,677	9%
Building reserve fund	24,000	20%	26,514	10%	29,493	11%
Endowment fund	355	100%	389	10%	430	11%

\* Amounts shown in thousands

## Movement in Reserves



## Financial Highlights

\* Amounts shown in thousands

	2016	Percentage increase / (decrease) year on year	2017	Percentage increase / (decrease) year on year	2018	Percentage increase / (decrease) year on year
<b>Income</b>						
Grant Income	37,392	70%	41,920	12%	60,614	45%
Publication Income	399	81%	239	(40%)	213	(11%)**
Interest Income	4,176	0%*	4,516	8%	4,825	7%

	2016	Percentage increase / (decrease) year on year	2017	Percentage increase / (decrease) year on year	2018	Percentage increase / (decrease) year on year
Net Surplus/(Deficit)	3197	374%	(186)	(105%)****	5,756	3195%
Total Assets	93037	(2%)***	93,202	0%****	104,869	13%

\*0% is due to the minute Rs 13,792/- per year on decrease.

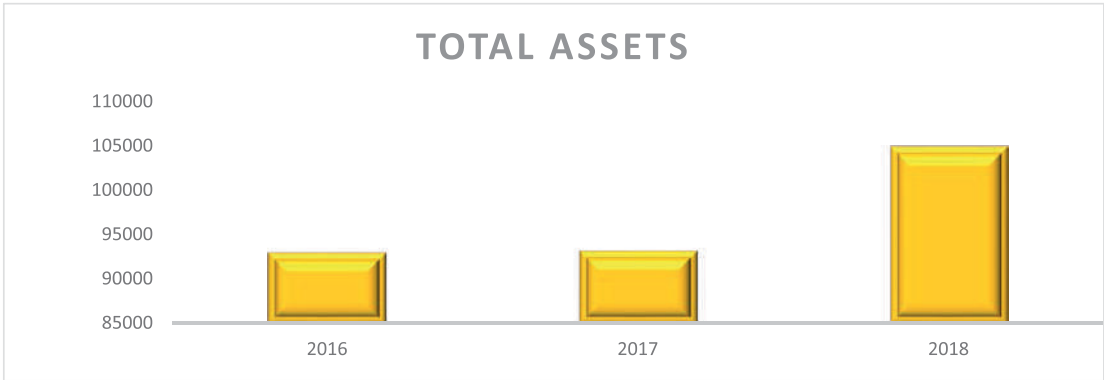
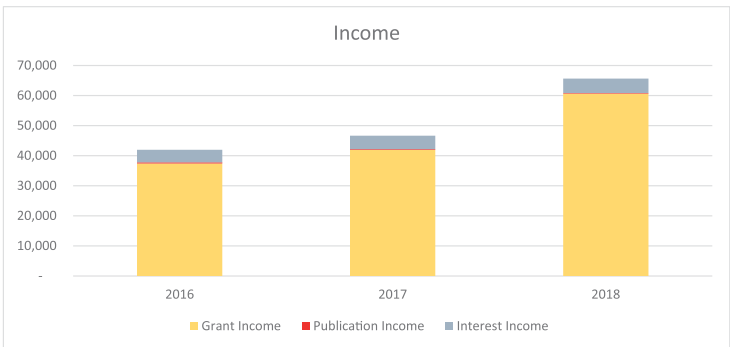
\*\* -11% is due to the minute Rs 26,215/- Year on year decrease.

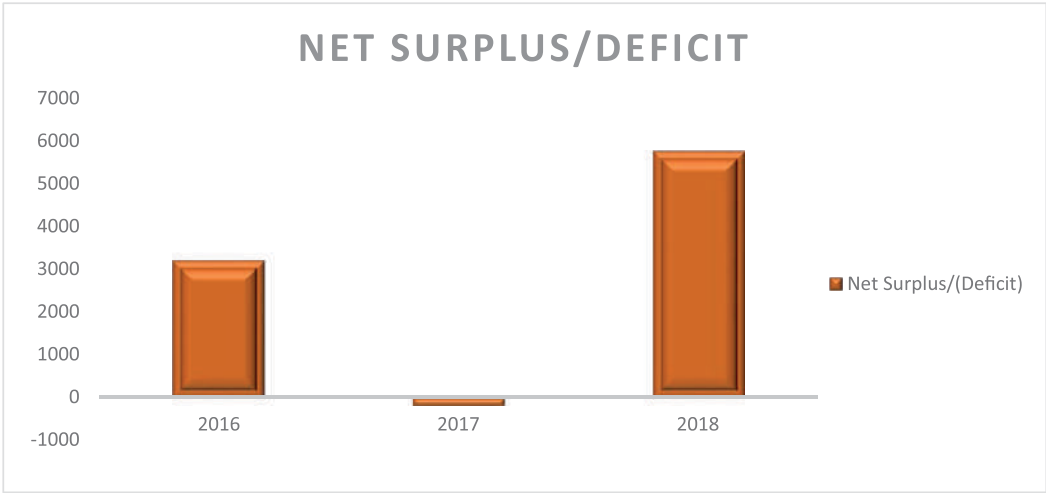
\*\*\*2% Reduction in 2016 is due to advance receipt of Restricted Funds received in 2015 for utilizing in 2016 Projects.

\*\*\*\*105% Reduction 2017 is due to net off 2016 gain consisted 2.5 valuation gained from Library books and unexpected funeral cost of LST employee.

\*\*\*\*\*0% is due to the minute Rs 165,000/- Year on year increase.







# Annual Report of the Directors for the year ended 31<sup>st</sup> December 2018

The Directors present herewith the Annual Report of the Board of Directors of the Law & Society Trust for the year ended 31<sup>st</sup> December 2018.

## **Nature of Business of the Trust**

- To promote and conduct research into the indigenous legal culture of Asia and its relationship to the religious traditions of the continent of Asia.
- To initiate studies in order to provide legal solutions appropriate to the problems and needs of contemporary Asian society from the indigenous legal culture and concepts of Asia.
- To establish centres for research and training on all aspects of law and social change, legal theory, social theory, comparative law, anthropology and related fields.
- To sponsor or co-sponsor with other institutions, lectures, meetings, seminars and symposia in pursuance of its applied and academic work and for the diffusion of legal knowledge.
- To promote an understanding and belief in the protection of human rights and in furtherance thereof to promote international understanding and cooperation in an universal respect for the observance of human rights and fundamental freedom for all without distinction as to race, sex, language, religion, colour and creed.
- To promote and encourage, in furtherance of protection of human rights, acquisition and diffusion of knowledge among the masses.

## **Financial Statements**

The financial statements of the Law & Society Trust for the year ended 31<sup>st</sup> December 2018 include the Income Statement, Statement of Financial Position and the notes to the financial statements as set out on pages 3 to 18 of the audited financial statements.

## **Auditor's Report**

The Auditor's Report is set out on page 1 and 2 of the audited financial statements.

## **Accounting Policies**

Accounting policies used are summarised on pages 7 to 10 of the financial statements and are consistent with those used in the previous year.

## **Directors Remuneration**

The Directors receive no remuneration from the Law & Society Trust.

## **Donations**

No donations were given by the Trust for the period under review.

## Directors

The Directors of the Law & Society Trust as at 31<sup>st</sup> December 2018 were as follows:

Chandra Jayaratne  
Dr. J. A. S. Felix  
Dr. H. N. Amarasuriya  
G. J. T. Alagaratnam  
Dr. F. F. Haniffa  
Anushya Coomaraswamy  
Tissa Jayatilaka

Dr. Shivaji Felix and G. J. T. Alagaratnam retire by rotation in terms of the Articles of Association of the Trust and being eligible offer themselves for re-election.

Prof. Jayadeva Uyangoda was appointed as a Director on 9<sup>th</sup> May 2019 and offers himself for election in terms of the Articles of Association of the Trust.

A resolution for the re-appointment of Chandra Jayaratne who is 72 years will be proposed at the AGM of the Trust.

The Board met on five occasions during the period under review. The attendance at Meetings of the Board of Directors during the period under review is as follows:

Director	No. of Meetings Attended
Mr. Chandra Jayaratne	5
Dr. Shivaji Felix	5
Dr. Harini Amarasuriya	4
Mr. G J T Alagaratnam	3
Dr. F F Haniffa	4
Miss. Anushya Coomaraswamy	2
Mr. Tissa Jayatilaka	1

- \* Miss Anushya Coomaraswamy and Tissa Jayatilaka were appointed as Directors with effect from 23<sup>rd</sup> April 2018 and 14<sup>th</sup> May 2018 respectively.
- \* Prof. Jayadeva Uyangoda was appointed on 9<sup>th</sup> May 2019.
- \* Dr. F. F. Haniffa is temporarily overseas with effect from September 2018 and has duly informed the Board.

## Amounts payable to the firm holding office as an auditor

The remuneration payable by the Trust to the external auditor is given in Note 17 to the financial statements.

### **Directors' interests in contracts**

The Directors have confirmed that none of them have conflict of interest in relation to operations and transactions or contracts and have no related party interests in any transactions or contracts of the Trust.

### **Going Concern**

The financial statements are prepared on a going concern basis. After making adequate inquiries from the management, the Directors are satisfied that the Trust has adequate resources to continue its operations in the foreseeable future as a going concern.

### **Appointment of Auditors**

At a meeting held on 9<sup>th</sup> May 2019 the Directors agreed to recommend the re-appointment of Messrs. KPMG, Chartered Accountants as auditors of the Trust.

A resolution to re-appoint Messrs. KPMG, Chartered Accountants, will be proposed at the Annual General Meeting of the Trust.

This Annual Report of the Directors has been signed on behalf of the Board by:



Director



Director



Secretaries

Colombo

13<sup>th</sup> May 2019



## **Law & Society Trust**

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