

# Annual Report

Law and Society Trust

# 2015



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The year 2015 was a year of many changes, opportunities and reforms for the Trust- a change in external political climate, greater freedom for civil society, and greater opportunities- and changes in internal leadership of the Trust, re-building, and re-aligning, readying itself for improved, efficacious intervention strategies.



# Annual Report

Law and Society Trust



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## Message from the Executive Director

The year 2015 was a momentous year, not only for the Trust but also for the country. On 8<sup>th</sup> January 2015, the ushering of a new government on the premise of Good Governance, Accountability and Transparency and on the support and vocal commitment of promoting space for civil society, many opportunities were opened up for the Trust to engage with duty bearers and rights holders in Sri Lanka.

The Trust itself has geared itself to meet some of the larger opportunities that presented itself in the wider political climate. I was appointed the Executive Director of the Trust during this exciting period of transition for the country, and I can truly say that the Trust has seized the opportunity to professionalize its operations, to ready itself for longer term strategic planning, and improve its efficiency and effectiveness internally and externally.

During my tenure since my appointment on 1<sup>st</sup> June 2015, the Law and Society Trust had internal (with staff) and external (with members, former staff, academics, NGO leaders and others) stakeholder consultations and formulated a 5 year strategic plan which is now before the Board of Directors of LST for final approval.

In the second half of the year, LST was also able to successfully negotiate with its long term partnership with Diakonia Sri Lanka, CCFD Terres Solidaire, CAFOD UK among some key donors resulting in continuing commitments with these partners for 2016. LST was also able to build on the relationships initiated by the former Executive Director, Mala Liyanage, and to form an 18 month general support partnership with FORD Foundation, for the institutional support and physical re-building of the Trust.

Further, in December 2015, after a hiatus of many years, LST held a series of public discussions and closed door consultations on Truth and Reconciliation imperatives, with the generous

support and participation of Professor Allen Feldman from New York University and many eminent civil society and academic thought leaders from Sri Lanka.

In December 2015, the Trust also launched a tribute issue of the LST Review in honour of its former Chair, Mr. R.K.W. Goonesekere, at the Lakshman Kadirgamar Institute, which event was widely attended.

Financially, the Trust struggled in 2015, given depleting donor commitments in the first half of the year necessitating the use of reserves to sustain operations. However, funding that came in the second half of the year under my leadership as well as commitments made by donors for 2016, improved the financial outlook for the Trust for the upcoming year and audited accounts are annexed hereto.

Further details of the achievements and challenges faced in 2015 are contained in the following report. The strategy of Dr. Neelan Tiruchelvam and his brain child, the Law and Society Trust in its 34 year history, is bearing fruit, even now, both in Constitutional Reform, and in Transitional Justice initiatives in Sri Lanka, and it is with both a deep sense of great privilege and of great honor that staff of the Trust and myself, now continue the tasks that were initiated by our predecessors. We are fully aware both of the vision and of the achievements of the founder of the Trust, and both these make our task all the more important in the current contexts and political realities of our country.

**Dinushika Dissanayake**  
**Executive Director**

## About the Trust

The Law & Society Trust is a non-profit making organisation committed to improving public awareness on civil and political rights; social, economic and cultural rights and human rights in conflict. The Trust has played a leading role in promoting co-operation between government and society within South Asia on questions relating to human rights, democracy and minority protection and has participated in initiatives to develop a global intellectual and policy agenda.

LST works to fulfil its vision through utilising rights-based strategies in research, documentation and advocacy to promote the full realisation of the rule of law, justiciability of rights and public accountability.

The trust LST enjoys within this community was built by implementing effective programmes, engaging in advocacy based on sound research and operating consistently in democratic spaces wherever they existed, to strengthen institutions and promote equal access and uphold good governance by persistent questioning, honesty and transparency.

The interventions have included rights education, advocacy and lobbying among several target groups; community-based organizations, duty bearers at the district and national levels, judges, lawyers and opinion leaders. The knowledge gained through these efforts have shaped the strategies and informed the approaches followed in all the programmes.

The Law & Society Trust was founded in 1982 by the late Dr Neelan Tiruchelvam under the Trusts Ordinance; it 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 under the new Companies Act No.07 of 2007.

*\*The Vision and Mission will be amended by the new Strategic Plan 2016-2020.*

### Vision

*“A society which upholds human rights and dignity for all, free of social injustice and violence; through research free from war, discrimination and social injustice and based upon human dignity for all\*”*

### Mission

*“Improve respect for the universality, indivisibility and inter-dependence of human rights, thereby securing justice for all\*”.*



## Goals and Objectives

The Law & Society Trust promotes human rights, social justice and the rule of law, it carries out research, documentation and advocacy and utilizes the law to achieve social and economic transformation.

LSTs interventions include awareness-raising on the law and accountability of duty bearers, legal empowerment of war affected communities, rights education, advocacy and lobbying in support of law and policy reform. The target groups are community-based organizations working at the grassroots, duty bearers, at the community, district and national levels, judges, lawyers, activists and the media.

The knowledge gained through research informs the general public through influencing policy recommendations, shaping the strategies and approaches and influencing internal decisions on programme development and resource allocation.

Specifically, LST through its programming areas aims to;

- Increase awareness and understanding on human rights issues among public officials, civil society activists and the media
- Strengthen local administrative structures on laws and good governance
- Strengthen civil society actors working for human rights.
- Broaden and deepen the discourse and practice of human rights to include the right to development and social justice and rights within the development process.
- Increase networking and collaborations in the Asia region and especially South Asia.

*“To ensure that the citizens of Sri Lanka enjoy the rights enshrined within the Constitution and to strengthen laws to facilitate the realisation of human rights”.*

## Board of Directors

LST's Board of Directors meets once in two months.

They are:

1. **Mr. Chandra Jayaratne (Chairman)**
2. Dr. G. Uswatte-Aratchi
3. Prof. W.I. Siriweera
4. Mr. G.J.T. Alagaratnam, PC
5. Dr. Deepika Udagama (resigned November 2015 upon appointment as Chair of the Human Rights Commission of Sri Lanka)
6. Dr. Shivaji Felix
7. Dr. Harini Amarasuriya

## COMPANY SECRETARY

The Company Secretaries of the Trust is Secretarius (Private) Limited.

## AUDITORS

The Auditors of the Trust are appointed annually by the Members of the Trust at its annual general meeting. The Auditors for the year 2015 were Messrs. SJMS Associates.

## Current Staff

### **Executive Director**

Dinushika Dissanayake

### **Head of Research**

Vijay Nagaraj (since May 2016)

### **Program Staff-**

#### **ESCR Program**

Senior Program Officer- Buddhima

Padamasiri (Since March 2016)

Program Co-ordinator- P.M. Senarathne

#### **HRR Program**

Senior Program Officer- Aingaran

Kugathanan

Program Co-ordinator- Sabra Zahid

Program Officer- S. Jegan Prakash (Since May 2016)

#### **Civil and Political Rights Program**

Vacant

#### **Research Unit**

Research Officer- Niroshika Wegiriya (Since January 2016)

Research Officer- Anushka Kahandagama

### **Publications**

Editor (In House) - Dilhara Pathirana

Editor (LST Review) - Rasika Mendis

Editor (State of Human Rights) - Dinesha Samararatne

### **Library Services**

Librarian and Information Officer- Harshani Connel

### **HR and Admin**

HR and Admin Officer- Janaki Dharmasena

### **Finance Unit**

Finance Manager- Jayasinghe & Co., Hasara Fernando

Accounts Assistant- Prasanna Gajaweera

### **Office Assistant**

M. Sunandane

## Program Achievements, Challenges and Opportunities

### Economic, Social and Cultural Rights (ESCR) Program

#### Staff

Dinushika Dissanayake  
**(Senior Consultant)**

Shashika Bandara **(Program Co-Ordinator)** from January to July 2015)

P.M. Senarathne **(Program Co-Ordinator)** from June to December 2015)

#### Networking, Coalition building and strengthening

In 2015, the ESCR Program actively participated in the Peoples' Alliance for the Right to Land (PARL) in campaigning for improved rights in relation to land across Sri Lanka. The Program also facilitated the formation of an informal coalition of NGOs working on the issue of Chronic Kidney Disease and Agro-Ecology. In 2015 the Program created networks among lawyers, land officers and communities in Hambantota, Kalpitiya, Embilipitiya and Jaffna under a project funded by CCFD Terres Solidaire. The Program has also contributed to activities of FORUM-ASIA of which LST is a member organization. In May 2015, the Program responded to a survey on mapping Freedom of Expression, Opinion and Religion in Sri Lanka and the Program Co-ordinator attended a regional consultation in Jakarta, Indonesia in June 2015.

#### Improving laws literacy in relation to Land

In 2015, the ESCR Programme trained 272 persons on land law, of which 88 participants were Land Officers, 18 were Senior Government Officers, and 38 CSO leaders. 109 of the total participants were women, and conscious efforts were taken to ensure gender diversity at the trainings. The trainings were held in Kalpitiya, Jaffna, Embilipitiya and Hambantota. The three main participant groups were land officers, community members, and provincial bar association lawyers. The Trust also published 4 handbooks on land laws, and distributed the same to all participants. The handbooks proved extremely popular and on a special request from Mahaweli officers, a second print run was done by the Trust. All books were distributed free and both the trainings and the training materials were supported by CCFD Terres Solidaire. In addition, LST set up 4 land laws help desks with the volunteer lawyers from provincial bar associations. These lawyers made themselves available to provide free legal advice to their communities on community land issues.

#### Supporting Regional Initiatives

The Senior Consultant of the Program also attended a side event at the ANNI Conference on the invitation of Forum Asia, on the candidature of Mongolia to the UN Human Rights Commission and supported its candidature on behalf of LST. At the events, LST also supported the Bersei II protest which took place in Mongolia led by partner organisations from Malaysia, Suaram.

#### National Workshop on South Asia Human Rights Mechanism

The Program organized a National Workshop for Sri Lanka and a National Workshop for the Maldives for a South Asian Human Rights Mechanism on 14th and 15th December at Renuka Hotel, Colombo. This was co-hosted in partnership with Forum Asia. The Sri Lankan delegates included Dr. Nimalka Fernando,

Mr. Ruki Fernando and Mr. Basil Fernando among many other human rights defenders and activists who attended. LST received many notes of commendation for this initiative. Over 20 human rights defenders from the Maldives also attended the National Workshop for the Maldives including Members of Parliament, lawyers, and activists. Mr. Henry Tiphagne and Mr. Subodh Payakurel, Mr. Mukunda Kattel and Ms. Anjuman Ara Begum from Forum Asia also attended, whilst the Chair of the Human Rights Commission of Bangladesh, Mr. Mizanur Rahaman also attended the meetings.

### Supporting Rights Based Approaches to Development

The ESCR Program held meetings with the officers of the Board of Investment, including the Director, Environment, and discussed the possibility of including rights based approaches to development when screening investors at the initial stage. The officers were given copies of LST's documentary on tourism projects in Kalpitiya 'Theppam', and also copies of the position paper on development projects in Sampur, Hambantota and Kalpitiya, which were prepared in 2014. In January 2015 the documentary was finalised and published both on the web, and disseminated in the form of DVDs to various stakeholders. The ESCR Program also sent a series of recommended guidelines to the Board of Investment in May 2015 based on the UN recommendations on Business and Human Rights, recommending that pre-investment screening take place to ensure businesses are aware of human rights in implementation of their projects, throughout the lifecycle of the projects.

### Citizen Empowerment

The ESCR Program of LST mapped the issues faced by communities in Sri Lanka in relation to land laws, in January and February of 2015. Thereafter, four areas were identified as areas which would benefit from interventions designed to increase the capacity

of those communities to defend their right to land and protect themselves from arbitrary acquisitions or administration of land.

In March and April 2015 the Program mapped the laws and regulations that are relevant to the four selected areas/provinces, and in May-June 2015, four handbooks were prepared with the expertise of lawyers on these laws. The handbooks have been translated to local languages. 3 posters highlighting land law issues were prepared and distributed. Trainings were held in Hambantota, Kalpitiya, Embilipitiya (Mahaweli officers) and Jaffna. Lawyers, community leaders and villagers, and government officials were participants. Gender sensitivity in both selection of participants, selection of training materials, and in the trainings themselves, were a key concern of LST.

### Laws Amendments and Policy Discourse

On 3rd December 2015, LST convened in Colombo, an advocacy meeting for community members to meet with Ministers, members of the Sri Lanka Law Commission, and officers of the Land Commissioners' Department in Colombo. Representatives of community organizations in Kalpitiya, Hambantota, Embilipitiya and Jaffna attended the meeting. In addition, LST convened a task force of 8 lawyers from November 2015 to draft alternative sections to the gender discriminatory and rights violative sections in the laws relating to land. To this end, two sections were drafted amending the Land Development Ordinance and the Land Grants Special Provisions Act. These findings were presented to the Land Commissioner (Legal) at the advocacy meeting by Dr. Sunil Coorey, Senior Attorney-at-Law. Other lawyers involved in the process included Mr. Lakshan Dias, Mr. Senani Dayaratne, Ms. Shyamala Gomez, Ms. Pubudini Wickremaratne, Mr. Shevon Gooneratne, Ms. Shamalie Jayathunga, and Senior Consultant of the ESCR Program, Ms. Dinushika Dissanayake. The Wayamba Land Commissioner also attended the

meeting. However none of the Ministers invited to the meeting attended. The representatives were able to immediately find solutions from the Land Commissioner for some of the illegal land grabs, especially in the Hambantota district, where the Community representative presented emotional and powerful stories of how people's land is grabbed by both state and non state apparatus.

#### Publications and Awareness raising

The ESCR program also published its E-newsletter in April 2015 and November 2015, along with 150 copies each of the newsletter in local languages as well as in English. The newsletter was distributed to the mailing list of the Program. Articles included "Amma I will not be coming back home- Reflection of a public hearing on disappearances in Vavuniya", "Chunnakam Crisis- Water as a Human Right", "Glimpse of Hope for Tamils?", "The Colombo Port Project: Environmentally Challenged". In November 2015 the Programme published its second ESCR Newsletter which was similarly disseminated to partners. LST also published an E-newsletter from August 2015.

#### Digital Presence and Use of Social Media

The ESCR Program issued a statement in March 2015, demanding from the Government that the Right to Life be included in the 19th Amendment to the Constitution. In April 2015 the Senior Consultant and the Program-Coordinator also met with Dr. Jayampathy Wickremaratne, a senior advisor to the President, in a bid to advocate for the inclusion of the right to life in the draft 19th Amendment.

In April 2015, the ESCR Program also prepared a week long campaign on facebook making the public aware of the key changes brought about by the 19th Amendment draft. LST received much feedback on this issue. The ESCR Program's Senior Consultant also wrote an article for the LST blog, unpacking the 19th Amendment draft. LST also received various

queries on the 19th Amendment and its implications as a result of this campaign.

LST's interventions via its blog has been consistent and garnering increased traffic in 2015. The blog posts and related statistics have been increasing. LST also published its first Sinhala blog post in June 2015. LST's facebook account and twitter account are linked to its blog and are simultaneously updated.

\* \* \*

#### Major Outcomes

1. 272 Peoples' Land Literacy Improved in 4 Districts;
2. Convened experts to draft amendments to the archaic land laws, and delivered such results to relevant agencies;
3. Strengthened local networks through active participation (land, CKDu);
4. Supported Regional initiatives through regional networks;
5. Supported the creation of a Regional Human Rights Mechanism;
6. Engaged with government for Rights Based Approaches to Development;
7. Disseminated information on human rights issues (through newsletters, blog posts, facebook campaigns);

## Human Rights and Reconciliation (HRR) Program

### Staff

Aingkarun Kugathasan  
(**Senior Programme Officer**)

Sabra Zahid

(**Program and Outreach Co-ordinator**, from 19/4/2015)

The Human Rights and Reconciliation Programme (HRR), worked with the authorities in Kilinochchi and Mullaitivu, and improved the trust of the public and State officials. Land and other rights awareness programs conducted in the war-torn areas in the North with the support of the network that has been created over the years, has provided confidence to the people to air their grievances to civilian and military authorities.

The HRR Programme has been closely working with land officials in the region to create an enabling environment for public officials and victims of rights abuse and beneficiaries to work together. A land project funded by CAFOD is being implemented in Kilinochchi and Mullaitivu to address prevailing land issues in those districts with the support of government officials.

As a citizen-driven accountability measure, a community score card process, for the assessment, planning, monitoring and evaluation of service delivery in their respective villages/districts/provinces/regions was developed to enable both beneficiaries and service providers to identify gaps in the provision of services by these authorities and to work in an on-going partnership

to implement and track the effectiveness of solutions identified.

The Programme built the capacity of war affected communities by strengthening community based organizations and individuals to claim their right to land, livelihood and basic services through training of human rights defenders (HRDs) and improving access to legal and administrative mechanisms which have a direct impact on their lives. It further trained Grama Niladhari officials in their duties and responsibilities and on rights based approaches to provide improved services to the affected.

### Raising legal awareness for Provincial Journalists.

Journalists and bloggers from the North and South (writing to mainstream and social media) were trained in 2015 on their fundamental rights and how to use domestic and international mechanisms to report violations. This project further strengthened journalists and bloggers associations by creating a network with the provincial Bar Associations.

a) 2-day Residential training programme for provincial journalists and bloggers engaged in both mainstream and social media.

The training covered a variety of areas directly concerning the day to day activities of the profession; Journalists were briefed on the scope of their fundamental and professional rights, and the available domestic and international laws and mechanisms in place to report violations, ethical and responsible journalism, new and social media, and digital security. Several of the participants mentioned the need to cover court procedures, IT laws and digital security in depth.

### b) The Institutional Level- Professional Associations and Groups

a. To ensure sustainability of the interventions and to strengthen journalists and bloggers associations the project also proceeded to create a

network between journalists/ journalists associations and the provincial Bar associations.

b. The provincial journalists were also linked to civil activist groups working at the local level so as to empower them to report on economic, social, cultural and religious issues using a rights framework. The enhanced professional skill building, networking and improved linkages with activists in their own community as well as other districts will enable the journalists to write better informed stories and widen the scope of their reports to cover issues which are local, regional and national.

LST hopes that training journalists on HR reporting mechanisms and legal remedies and linking them to trained activists and lawyers will provide the needed breakthrough in addressing the many challenges to changing conditions faced by people.

The awareness raising project was successfully completed in August 2015.

#### Use of video documentaries for advocacy

As the HRR unit has been actively working on enforced disappearances, and took up the issue of the issuance of death certificates for the disappeared without the holding of an inquiry. A video documentary was produced in December 2014 promoting the issuance of a certificate of absence instead of Death Certificates, for the disappeared. The documentary was filmed in Mannar with the support of Mannar Citizen's Committee, families of the disappeared, LST staff based in Mannar and the Organisation for Visual Progression (OVP). Post production job was completed early this year. However, security concerns for the participants prevented its use as an advocacy tool in 2015 to urge the Presidential Commission to Probe into Missing Persons to issue Certificate of Absence instead of death certificates.

#### Monitoring, Documentation, Reporting and Communication

Field visits were carried out in Mullaitivu and Kilinochchi to engage in informed dialogues with state officials, including the Governor of Northern Province to gain first-hand knowledge of issues pertaining to land in Mullaitivu. As a result of these visits, the HRR team managed to negotiate with the District Secretary of Mullaitivu and Kilinochchi to work together to train Grama Niladharis and Land officers about land legislation, circulars and rights-based approaches. The HRR Program has also trained 61 community members on the use of the community score card in the Mullaitivu and Killinochchi districts. The Program also received permission from the Government Agent in Kilinochchi to conduct training for its officers in early 2016.

#### Research, Advocacy and Campaigns

The Program prepared a petition to urge the government to take immediate steps to revoke the repressive Circular order restricting NGO and civil society space and restore democratic values enshrined by the Constitution, to promote and protect the rule of law in this country, recognizing the crucial role that NGOs and CSOs play in the development of the Country.

The Program staff also attended several meetings on Right to information legislation with different stakeholders on the legislation to urge the government to incorporate amendments suggested by civil society.

The Program attended several meetings with partners to work towards working with the permanent office on National Unity and Reconciliation and the Prime Minister's office. HRR programme staff attended a meeting with the head of the permanent office on National Unity and Reconciliation. In a separate meeting with the Prime Minister, HRR Programme staff member along with other civil society organizations discussed the



opportunity for civil society participation and partnership

Program staff also attended a discussion on missing people organised by the International Committee of the Red Cross. The Programme launched a social media campaign against enforced disappearance in the months of July and August. The Program also launched a campaign on Avaaz for the same purpose, and also issued several statements on behalf of LST, a key statement being on the need to abolish the death penalty. Some of these statements have had several media hits, and have all been archived by LST.

#### Consultations on Land issues in the North

The Program conducted focus group discussions (FGD) in Mullaitivu in May to discuss the land issues in Mullaitivu. Additional Government Agent of Mullaitivu, land officers and Grama Niladharis attended the discussion. These FGDs was organised with the support of our network in Mullaitivu and the Government Agent of Mullaitivu. In September 2015 the Program also conducted training programs for land officers and Grama Niladharis in these two areas.

The programme trained 30 HRDs in 2 Districts on HRBA, and basic legal procedures related to land, linking them with pro bono lawyers, government officials and introducing them to a draft citizens score card; In terms of HRDs and CBOs, the program has identified suitable RDF officers for the training. The Programme also held a two (2) day training of HRDs was held in Mullaitivu (1 district) for 30 participants (15-16 September 2015). 60 Grama Niladharis were trained on their duties in both Mullaitivu and Killinochchi. One mobile clinic was planned to be held in Oddusudson, Mullaitivu, unfortunately the mobile clinic had to be cancelled due to inclement weather. LST also received permission in December 2015, to carry out the trainings in Killinochchi in 2016. LST has hired 4

district field officers to assist in the implementation of this project.

\* \* \*

#### Major Outcomes

1. Trained Provincial Journalists on human rights and improved reporting methods to promote human rights protection;
2. Created networks between journalists and lawyers, to improve safety of activist journalists and ensure freedom of expression;
3. Documented and Monitored human rights situation in the North and East;
4. Promoted resolution of land related problems in the North and East;
5. Provided Space and Opportunities for citizens to approach and resolve land issues through government agencies;
6. Promoted key human rights issues through social media campaigns;



### Civil and Political Rights (CPR) Program

After the resignation of Ms. Kishali Pinto-Jayawardena in 2014, the CPR Program was inactive in the year under review. However plans are in place to revive this program in 2016/2017.

### Joint Program Actions

#### Research and writing of narrative for ANNI

The Asian NGOs network for Asian Human Rights Organisations (ANNI) is a network of human rights organisations and defenders engaged with national human rights institutions in Asia to ensure the accountability of these bodies for the promotion and protection of human rights. The ANNI via its secretariat, i.e the Asian Forum for Human Rights (FORUM-ASIA) annually publishes a report on the performance and establishment of national human rights institutions in Asia.

The monitoring report was the work of the HRR and ESCR programmes of LST; the draft was shared with the Human Rights Commission.

A staff member of the HRR team of LST attended the ANNI regional conference in April, in Dhaka, Bangladesh, at which the human rights situation in the member countries and the role and effectiveness of respective national human rights organizations was discussed. LST has been continuously monitoring the Human Rights Commission of Sri Lanka (HRCSL) and making recommendations to the Commission from time to time.

The ESCR Program and HRR Program Staff together contributed to the ANNI Report chapter on Sri Lanka for 2015.

The Report assesses the performance of National Human Rights Commissions in Asian Countries. The Senior Consultant of the ESCR Program also attended the final Asia Pacific Forum Conference in Ulanbataar, Mongolia and actively raised issues

(notably on the Wasim Thajudeen case), from the Sri Lanka delegate representing the Human Rights Commission of Sri Lanka, at the APF Conference.

The HRR and ESCR Program have attended meetings with the HRCSL whenever it has been invited to do so. On 28 May 2015, the Senior Consultant of the Program attended a meeting at the HRCSL HQ where the March 12 declaration by PAFFREL, on developing a code of ethics for political representatives, was discussed.

After the ANNI Conference in Mongolia, LST attempted several times to meet with officers of the HRCSL to present the findings, but were unable to meet them. LST hopes that with the change of leadership in the Commissioners, that more collaboration with HRCSL will be possible in 2016.

\* \* \*

### Major Outcomes

1. Published the Sri Lanka Chapter for the ANNI Report 2016
2. Advocated for improving the functionality of the Human Rights Commission of Sri Lanka

## Publications

### State of Human Rights

The State of Human Rights (SHR) 2015, covering the period January 2014 to December 2014 comprises a critical analysis of six main areas of the State of Human Rights in Sri Lanka: The first chapter is an overview, which gives a general state of human rights by Gehan Gunatilleke.

The second chapter is on the Judicial Protection of Human Rights by Dinesha Samararatne while the third chapter is on Human Rights and Development by Shashika Bandara & Vishakha Wijenaikie which critically examines mega development projects and its impact on human rights. The fourth chapter by Meneka Lecamvasam is on Freedom of Association and Assembly in relation to NGOs/Civil Society which is of particular importance as the year 2014 presented enormous challenges for rights activism where activities of NGOs in particular were curtailed by the State. The fifth chapter by Thiagi Piyadasa is on women's rights which looks critically at the progress made in this area and what action the state has taken to protect rights of women in keeping with its international obligations. The final chapter by Kalana Senaratne is on Religious Freedom which was a burning issue in 2014 due to the Aluthgama riots, fueled to a great extent by hate speech and religious intolerance.

### The LST Review

The LST Review is a monthly Law Journal of legal education on contemporary socio-legal matters and human rights issues. In 2015, LST published 10 issues of the Review.

The list of topics and themes were agreed with Executive Director Helvetas, and Executive Director of LST in 2015 and were thereafter amended to also include developments in the socio-economic context, notably Sri Lanka's transition from the MDGs to the Sustainable Development Goals

(SDGs). Especially in view that LST has a focus on ESCR rights.

A 'tribute' to the late RKW Goonesekere was featured in the first edition of 2015 and was published in conjunction with an issue featuring the 'Aluthgama report' by LST, and was published as a double issue for January, February 2015 in June.

In view of inevitable delays in sourcing high quality contributions, all the editions of the LST Review were designed and compiled together, while ensuring that the editions are, as far as possible, timely and relevant to the context. The Review faced several challenges in the first half of the year, and publication was delayed, however all the 12 issues of the Review were published by December 2015.

Design and Format of the Review was also adjusted in 2015: as discussed with Mala Liyanage (Former Executive Director), Rasika Mendis (Editor) and Dilhara Pathirana (Editor-In House), initiative has been taken to change the cover and page formatting of the Review. This was to increase the visual appeal of the Review and also to make it more user-friendly

### LST Review (revised) list of editions, 2015

1. January & February - Writings centering on the communal tension in Aluthgama in 2014
2. March & April- Tribute to RKW Goonesekere
3. May - Truth, Memory and Perceptions of Justice – review based on an exploratory study on how justice is perceived by victims of all ethnic groups during three decades of conflict in Sri Lanka
4. June – Constitutional Reform and the role of Civil Society

5. July – Economic and Social impact of CKDu on farming communities in the North Central Province and legal remedies
6. August – Right to Information
7. September – Transition from MDGs (Millennium Development Goals) to Sustainable Development Goals (SDG)
8. October – Reflections on militarisation and militarism in Sinhala and Tamil cultures: an examination of cultural products of a generation of artists, poets and filmmakers.
9. November – Focus on land and housing issues (and related socio-economic rights)
10. December - Technology and Human Rights – including insight into the role of social media in the promotion and protection of human rights (ex; videos of abuse going viral – police beatings, brutality in Ratnapura)

On 3rd December 2015, the Law and Society Trust hosted a tribute event in honour of the former Chairman of LST, Mr. Rajah Goonesekere at the Lakshman Kadirgamar Institute. The event was well attended and the tribute issue of the LST Review was formally launched at the event. Copies of the Tribute Issue was distributed to all guests.

### The Aluthgama Report

The National Front for Good Governance (NFGG) funded a report on the incidents in Aluthgama on 15-16 June 2014, and a team of researchers visited Aluthgama and produced a report which was published in Sinhala and English in December 2014; 'Aluthgama Riots and its Aftermath'. A discussion was held in March 2015 on the report and its conclusions. The discussion was well attended and raised numerous key issues.

The Office of National Reconciliation (ONUR) has confirmed its support in publishing the Tamil version of the report for its work, and has committed to

match funding for the cost. The Neelan Tiruchelvam Trust (NTT) is matching the remaining costs, and the report has now been translated into Tamil. Both the Sinhala and Tamil editions are now being reviewed and proofread, and will be published in early 2016 for dissemination through ONUR.

### The 'M' Project

Funded by AJWS, the 'M' Project was pending for conclusion since March 2013 and LST had been given several extensions for completion. In March 2015, LST completed and published DVDs with 4 short films that were shortlisted as a result of the project. A screening was held in March 2015 at the International Centre for Ethnic Studies. One of the short films was shortlisted for the Cannes film festival.

The remainder of the project consisting of several milestones could not be completed due to unavoidable circumstances, and after consultation with the partner, remaining funds are to be used for other project work on reconciliation undertaken by LST.

As a result of this, LST is publishing the book "Confronting the Complexity of Loss" by Gehan Gunatilleke, several position papers on reconciliation, and public discussions on these issues with these funds. LST will be launching the book formally in early 2016.

### The South Asia Minority Rights Report

LST was also invited in September 2015 to join a South Asian Initiative to publish an annual state of minority rights report. LST has already drafted the Sri Lanka chapter, and the research consultant, has attended the first regional consultation in Kathmandu Nepal from 14-15 December 2015.

### The Feldman Lecture Series

The Law and Society Trust, with the generous and voluntary support of Professor Allen Feldman, Associate Professor of Media, Culture and Communications, New York University, and the Ford Foundation, Diakonia and the American Jewish World Service, is conducting a series of lectures on truth and reconciliation in Colombo, Sri Lanka.

The Lectures which started from 14th December 2015 and will continue till 13th January 2016, range from truth commissions, and comparative learnings from South Africa and Northern Ireland, to witnessing by women, and loss, pain and paradoxities of loss.

Senior human rights defenders and academics attended these sessions as panelists and speakers including:- Ms. Bhavani Fonseka, Ms. Ambika Satkunanathan, Mr. Gehan Gunatilleke, Mr. Niran Anketell, Ms. Shyamala Gomez, Ms. Thiagi Piyadasa, Ms. Esther Surenthiraj, Mr. Ruki Fernando, Dr. Jehan Perera. In January, Prof. Camena Guneratne and Professor Sumathy Sivamohan and others will speak at the key sessions which will continue.

LST also organized three separate closed door sessions with Sinhala Buddhists, Tamils and Muslims with the aim of promoting frank disclosures of ethno religious identities, stereotypes and bars to reconciliation. The moderators were Dr. Farzana Haniffa, Mr. Prasantha Lal De Alwis and Dr. Naevis Morais. LST will be issuing a position paper in 2016 based on the discussions that took place at the events.

\* \* \*

### Major Outcomes

1. 12 Issues of the LST Review Published;
2. State of Human Rights 2014 Published;
3. Aluthgama Report translated to Sinhala and Tamil;
4. Series of Discussions held on Transitional Justice;
5. Commenced contribution to the South Asia Minority Rights Report;

## Participation in External Events

In April 2015, Aingkarun Kugathasan, the Senior Programme Officer of the HRR Program attended the ANNI consultation in Taipei, Taiwan. Dinushika Dissanayake, the Executive Director, attended the APF Conference in August 2015, in Ulanbataar, Mongolia as presented LST's findings in relation to the Sri Lanka Chapter of the ANNI report.

In June 2015, the Program Co-ordinator of the ESCR Programme, Shashika Bandara, attended a regional consultation on Freedom of Expression and Religion in Jakarta, Indonesia.

In August 2015, the Executive Director of LST was selected to attend the 3<sup>rd</sup> Global Advocacy Leadership in Asia organized by FORUM-ASIA and Asian Development Alliance (ADA) in Bangkok, Thailand.

The Executive Director of LST presented a paper on magisterial inquiries in sudden deaths organized jointly by the Ministry of Justice and the ICRC in October 2015. LST was thereafter invited to the second follow up workshop on 5th December 2015.

LST's Executive Director was also invited to present a paper at the 8th South Asia Economic Development Summit. She was to have been a part of a panel on sustainable agriculture in South Asia. Unfortunately, due to an emergency medical procedure the night before she was to have departed to Islamabad, Pakistan, the ED could not present her paper at this conference.

In July 2015, the Executive Director attended a GROW Write shop in Kathmandu, Nepal, on the invitation of OXFAM.

In October 2015, the Program Co-ordinator of the ESCR Program, Mr. P.M. Senaratne attended a FORUM-ASIA consultation, in Kathmandu, Nepal.

In December 2015, Anushka Kahandagama, the Research Officer of LST, attended a Regional cooperation on trade, climate change and food security in South Asia: Reflections and way forward, from 27-28 December 2015, Kathmandu.

## Institutional Developments

### Establishing a Research Unit

In the last quarter of 2015, LST hired two additional staff members to improve its core research team—one from a sociology background and the other, a legal background. This provided an opportunity for the Trust to establish a new Research unit to purely carry out topical research activities for the Trust. Unfortunately, LST hired a Head of Research, Ms. Priya Thangarajah, who tragically passed away before being able to take up her position, in November 2015.

### Review of Operations

LST has taken steps to consider an operational and financial review of its operational manuals in preparation for the launch of the strategic plan. This is to be completed in the first quarter of 2016.

LST has also had both an internal and external evaluation in June 2015 to begin preparations for the launch of its 5 year strategic plan in January 2016.

LST conducted an internal audit in September/October 2015 and the report was submitted to the Board of Directors.

### Stocktaking and Re-shelving of Library

The Trust has improved the library services provided by fully digitizing the collection. The LST library has also received a large consignment of books as a donation from the United Kingdom, which has now arrived in Sri Lanka and is awaiting clearance. LST will be taking strategic steps to provide efficient library services as it begins to move to become a hub in legal and social issue research in Colombo, Sri Lanka, in the next five years.

## Building Renovations

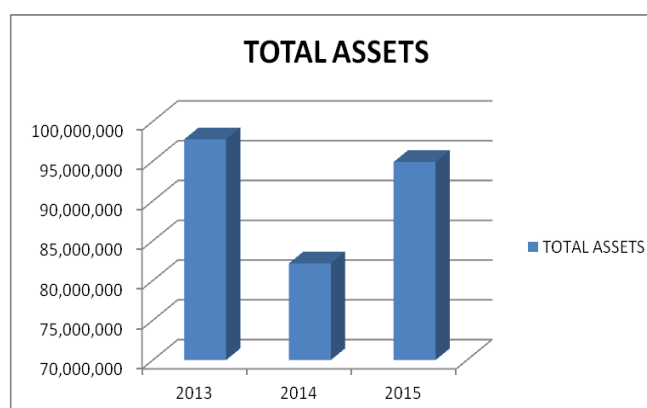
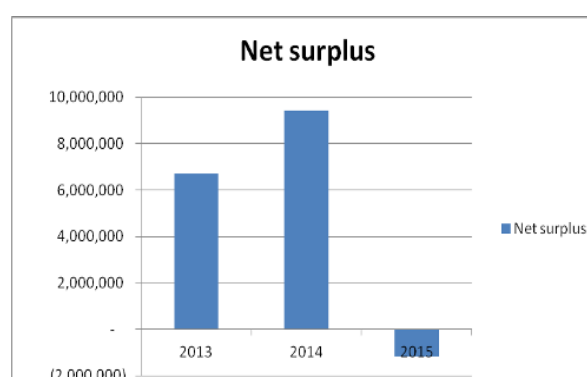
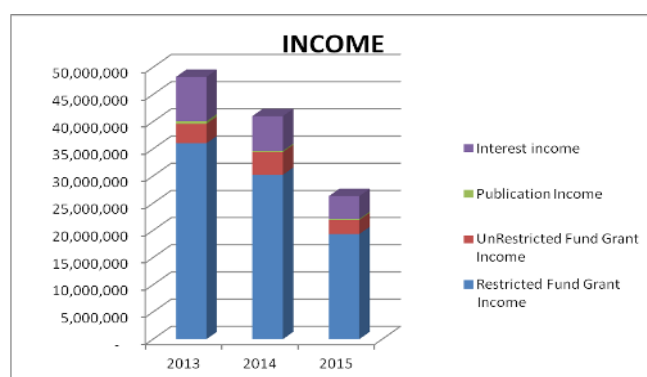
After the fire in 2014, the lack of space seriously hampered both activities and staff morale. In the second quarter of 2015, LST was also able to fully complete the renovations of its building which was damaged by fire in 2014.

With the generous support of Ford Foundation, the rear portion was re-built and the entire building re-wired to ensure safety from electrical fires. The Trust is now ready to use all of its space as it launches its new vision, mission and strategic goals in 2016. The Librarian was also able to source a significant donation of law books from a partner in England, to restock the books lost in the fire.

## Financial Highlights

Income	2013	2014	2015
Restricted Fund Grant Income	36,037,714	30,238,841	19,328,567
Unrestricted Fund Grant Income	3,569,816	4,157,128	2,564,036
Publication Income	485,255	244,615	220,358
Interest income	8,149,429	6,385,645	4,189,547

Net surplus	6,708,621	9,439,538	(1,167,137)
Total Assets	97,758,397	82,158,689	94,902,976





Law and Society Trust Annual Report of the Directors for the Year ended 31<sup>st</sup> December 2015

**LAW & SOCIETY TRUST**

**ANNUAL REPORT OF THE DIRECTORS FOR THE YEAR ENDED 31<sup>ST</sup>  
DECEMBER 2015**

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 2015.

**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 centers 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 co-operation 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 2015 which include the income statement, Statement of Financial Position and the notes to the financial statements are set out on pages 2, 3 and 6 to 17 of the audited financial statements.

**Auditor's Report**

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

**Accounting Policies**

Accounting policies used are summarized in Note 2 of the financial statements.

**Directors Remuneration**

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

**Donations**

There were no donations given by the Trust for the period under review.



### Directors

The Directors of the Law & Society Trust as at 31<sup>st</sup> December 2015 were as follows:

Mr. Chandra Jayaratne  
Dr. G Usvatte-Aratchi  
Dr. J A S Felix  
Dr. H N Amarasuriya  
Mr. G J T Alagaratnam  
Prof. W I Siriweera

Dr. N D Udagama resigned from the Board with effect from 30<sup>th</sup> October 2015.

Dr. J A S Felix retires by rotation in terms of the Articles of Association of the Trust and being eligible offers himself for re-election. Mr. Chandra Jayaratne who was appointed on 26<sup>th</sup> June 2015 retires in terms of the Articles of Association of the Trust and being eligible offers himself for election.

Resolutions to re-elect Dr. G Usvatte-Aratchi and Prof. W I Siriweera who are over the age of 70 years will be proposed at the Annual General Meeting of the Trust.

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

The remuneration payable by the Trust to the auditors is given in Note 14 to the financial statements.

### Auditor's relationship or any interest with the Company

The Directors are satisfied that the auditors did not have any relationship or any interest with the Trust that would impair their independence.

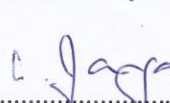
### Going Concern

The financial statements are prepared on going concern principles. 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.

### Appointment of Auditors

The Board of Directors having duly recognized that M/S. SJMS Associates have acted as Auditors of Law & Society Trust for well over 10 years, the stipulations of the Code of Best Practice of Governance regards recommended best practices of rotation of Auditors and in recognition of a recommendation made by members at the last Annual General Meeting, propose that a new auditor be appointed and recommend that Messrs. KPMG Ford Rhodes Thornton & Co, Chartered Accountants, who have expressed their willingness to act as auditors, be appointed as auditors of the Trust for the ensuing financial year. A resolution to appoint Messrs. KPMG Ford Rhodes Thornton & Co., 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:

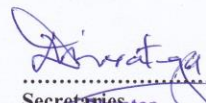


Director

Colombo



Director



Secretary

SECRETARIUS (PRIVATE) LIMITED,  
PV 5958

27<sup>th</sup> May 2016

## Visual Snapshot



Land Laws Training Program In Kalpitiya by ESCR Program



Training Program in Mullaitivu, by the HRR Program



Workshop participant perusing training manuals distributed by the ESCR Program



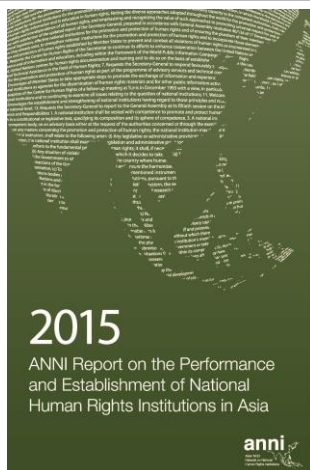
Capacity Building Program in Mullaitivu, HRR Program



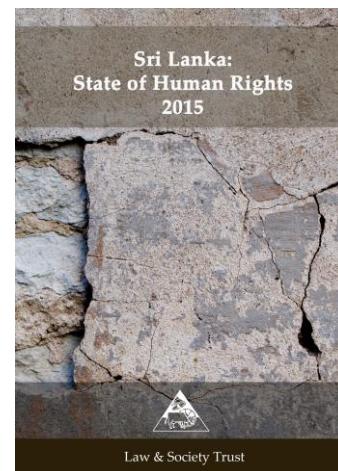
Dinushika Dissanayake, Executive Director with the UN Special Rapporteur for Human Rights Defenders, Mr. Michael Forst, August 2015 in Ulanbataar, Mongolia at the ANNI conference



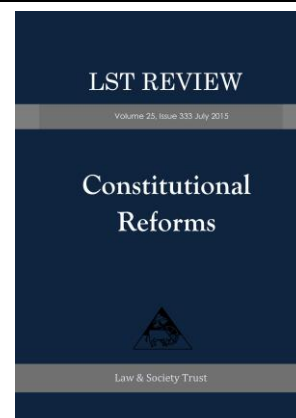
Dinushika Dissanayake, Executive Director, speaking at the ANNI Conference, August 2015 in Ulanbataar, Mongolia



ANNI Report 2015, for which the Trust contributed the Sri Lanka Chapter



State of Human Rights 2015 (Publications team)



Cover of LST Review July Edition 2015 (Publications team)





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