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About the Law & Society Trust

Vision

*“A society 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”*

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.

LST has worked for almost three decades to end social inequity, secure justice and promote dignity for all. LST’s strengths are in its experience, knowledge and reputation sustained over the years among partners at community, national, regional and international-levels.

The trust it 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.

Message of the Chairman

Mr. R.K.W. Goonesekere

I am pleased to provide this message for the release of the Annual Report of the Law & Society Trust for the period 1st April 2009 to 31st March 2010.

This report covers the period which began with the last month of the war and carries through to its aftermath -- the continued state of conflict albeit in the absence of war.

The strategies, programmes and activities that were undertaken by the Trust were shaped to a large extent by the conflict and the violations of Human Rights that occurred during this time. Violations of civil and political rights related to the conflict took precedence over economic, social and cultural rights in this period where the safety of staff was also a concern.

Despite the shrinking space available for civil society organisations to engage in advocacy with state agencies and attacks in the media against individuals who express dissenting opinions, LST staff managed to work with public officials, train human rights defenders, research and document violations, and conduct campaigns to promote rights.

While LST is primarily a research and advocacy organisation, it also addressed in a limited way the protection of victims and their families and engaged in international advocacy on their behalf.

The internal problems faced included shortfalls in funds for publications and changes in senior management including retirement of our long-serving Executive Director, Ms Damaris Wickremesekera who stepped down in February. I take this opportunity to recognise her long service to the Trust and contribution as Executive Director.

Goals and Objectives

“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”

The Law & Society Trust is a documentation, research and advocacy organisation promoting human rights which utilises the law to achieve social and economic transformation.

LSTs interventions include awareness raising on the law and accountability of duty bearers, legal literacy, 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 these efforts have informed policy recommendations, shaped the strategies and approaches and influenced internal decisions on programme development and resource allocation.

Specifically, LST through its three 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 democracy.
- 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 collaboration in the Asian region and especially South Asia.

The Year 2009-2010

Opportunities and threats in a watershed year

This period, **31 March 2009 to 30 April 2010** marked a watershed between intensified fighting in the North when large numbers of war- displaced people were detained in camps and the war's aftermath holding the promise of peace and a political solution. It ought to have been the opportunity for the reassertion of human rights and democratic values into the governance and development agenda, but this sadly did not turn out to be the case.

The war between the government and the LTTE dominated the realization of human rights and the rule of law for the last thirty years in Sri Lanka. The Emergency Regulations and the Prevention of Terrorism Act effectively replaced the Constitution and ordinary criminal procedures and penal laws as the law of the land in the minds of not only the police and the military but also, unfortunately, the judiciary, the legal establishment and the people themselves. While the failure of justice and violation of human rights impacted all communities, the most negative effects were felt by ethnic and religious minorities and critics of the government.

LSTs dialogue with state actors as well as its programming in this period maintained the focus on human rights based approaches throughout the spectrum of interventions from conflict, post-conflict, return, resettlement and development.

Many challenges remain in transforming project and programme level efforts into the stated objectives of securing human rights of all in the current context.

LST will continue to look for means to broaden its constituency among civil society and find openings for dialogue with state actors, while safeguarding the integrity of its programmes and safety of its staff through concerted efforts, strategic thinking and innovative approaches.

The need for building bridges between the state and advocacy organisations like the Trust assumed greater urgency this year. LST, while maintaining the position of non- partisanship in a turbulent political environment continued to engage in advocacy for human rights during and after the war.

The Programmes

Civil and Political Rights

Economic, Social and Cultural Rights

Human Rights in Conflict

Target Groups

Publications

Advocacy & Lobbying

LST's programme of work has four interlocking and mutually reinforcing dimensions that are intended to respond to the situation described earlier as well as to transform it in a pro-peace and pro-human rights direction.

The **first** component is raising awareness of rights and violations associated with the conflict, socio-economic development and accessing basic services among both minority and majority communities while enhancing accountability and the capacity of public officials in service delivery in accordance with the law. The **second** component is to develop skills in human rights advocacy and documentation among civil society organisations outside Colombo, in all parts of the country, so that they are familiar with rights and remedies and are able to conduct their own initiatives. The **third** component is to use LST's research and publications to undertake advocacy on legal and policy reforms with policymakers, legislators, judges, lawyers and media organisations and build broad alliances for change. The **fourth** component focuses on lobbying at the national, regional and international levels for needed reforms in laws, policies and practices.

The Trust works throughout Sri Lanka and among all ethnic groups, with both men and women. The target groups include victims of rights violations and those marginalised by poverty, gender, ethnicity or social class. The duty bearers are public officials, parliamentarians, the judiciary, international donor agencies and bodies tasked with human rights protection, especially the National Human Rights Commission.

LST's publications are a significant component of the overall programme strategy; they are used in disseminating research findings and to recommend law and policy reform to decision makers. Publications such as the LST Review, intended for both students and practitioners compel the reader to delve deeper into issues and to question norms and practices while raising awareness of how comparable questions are dealt with in other jurisdictions.

LST while protecting rights and working for social justice through its thirty- year existence has never aligned itself with partisan politics. The Trust will continue to engage with civil society in a meaningful way to unite diverse social groups separated by age, culture, language, gender, geographical region, ethnicity, religion, politics, ideology and income.

Civil and Political Rights

Objectives and Strategies

The value of fact based documentation combined with thorough analysis pinpointing the precise points at which violations occur, was clearly evident from the Programme's work

Research focus

Following on its previous work, the Programme focus centred broadly on using theoretical guarantees contained in Sri Lanka's constitutional and legal framework to monitor the actual protection of rights through substantive documentation, research, analysis and advocacy in regard to particular areas of the law.

As in the past, considerable effort was made to foster and build linkages between urban and rural communities (including legal practitioners, judges, academics, community leaders and civil society activists) on acknowledging and recognizing the Rule of Law in the post war phase. Judges and lawyers working in the provinces formed a specific segment of the target groups.

The outreach in the provinces continued through to the national level resulting in comprehensive analysis of relevant aspects of policy and the law which was finally shared at regional and international fora. The Programme sought to emphasize the fact that South Asian legal systems are characterized by a common dysfunction in eradicating impunity for grave human rights violations coupled with a lack of political will. Particularly therefore, its work stressed a regional interlinking of common and shared issues of concern as well as awareness of successful strategies pursued by partners in changing public opinion and government will.

The Programme combined five major research and advocacy projects during this period.

General and overarching analysis and advocacy in regard to the functioning of Sri Lanka's constitutional institutions under the then operational 17th Amendment to the Constitution

During the mid to latter part of 2009, the Programme continued its work in respect to examining the constitutional functioning of the National Police Commission (NPC). Input from the provinces was obtained through a series of public consultations which was continued over from the previous period culminating in the signing of a public petition calling for the proper implementation of the 17th Amendment by 183 grassroots activists, lawyers, public administrators and activists. A specific emphasis was laid on analysis of the practical impact of the NPC's Procedure on Public Complaints Against the Police. This was particularly significant since the Programme had previously drafted a Public Complaints Procedure for the NPC as constitutionally mandated, in collaboration with the

Public complaints
procedure for NPC & Policy
Paper on NPC and NHRC
prepared by the CPR
Programme

Programme's regional partners. This draft was submitted to the NPC in its first term, when its members were constitutionally appointed. Thereafter, the Programme held several discussions with relevant policymakers. The procedure that was adopted later by the NPC was based substantially on this draft. This work continued during the period under review, officers of the NPC engaged in discussions with the Programme and sought assistance on how the Procedures could be further strengthened. Unfortunately, the dissolving of the NPC by the executive and its continued state of non-constitution brought these initiatives to a standstill. A policy paper prepared by the Programme containing relevant legal and constitutional analysis as well as advocacy results on the NPC as well as the National Human Rights Commission (NHRC), feedback from the provincial consultations and putting forward suggestions and recommendations for reform titled 'Non-Implementation of the 17th Amendment to the Constitution – Perspectives from the Provinces' was published in *LST Review*, Issue 266, December 2009

Dysfunction of the criminal
Justice System &
recommendations for its
proper function

Specific analysis and advocacy in regard to Sri Lanka's Criminal Justice System

Consequent to in-depth research supplemented by interviews with judicial officers, prosecutors and members of the unofficial Bar in trial courts as well as appellate courts, a briefing paper on the criminal justice system of Sri Lanka was released by the Programme. The briefing paper discussed three primary concerns; the role and function of the investigators, i.e. the police, the deficiencies that emerge from the trial process including some of the key legal lacunae in the criminal justice statutes and finally the role and function of the prosecutor. The paper also looked at crimes of torture and enforced disappearance and the manner in which the criminal justice system deals with accountability for grave offences through examination of court orders of the High Courts and superior courts. Conclusions and recommendations were proposed in terms of addressing specific shortcomings in the relevant laws and trial system. The findings were shared with judicial officers and lawyers specifically based in the trial courts.

Whether the Commissions of Inquiry established by successive political regimes in Sri Lanka ever visualized justice, truth and reconciliation for victims as the core objective of their work, is a pertinent question

The study findings based on extensive review of laws and people's experiences and views resulted in a set of proposed legislative amendments to reform gender discriminatory aspects in laws relating to land and property ownership

Specific analysis and advocacy in regard to Commissions of Inquiry in Sri Lanka

Sri Lanka has constituted Commissions of Inquiry since 1963 as an instrument to investigate and prevent human rights abuses. The failure to investigate un-inquired cases, the lack of public faith in the commission proceedings, the reluctance of victims to look to the law and Commission processes for relief were all relevant factors.

With the objective of compiling all the work of past Commissions of Inquiry, the Programme undertook a compilation of their reports, their recommendations and most importantly the extent to which these recommendations have been implemented.

Comprehensive Examination of Sri Lanka's Statutes and Administrative Practices relating to State Lands from a Gender Discriminatory Viewpoint

A Study on "Land and Property Rights of Women in Sri Lanka - Discriminatory Laws, Regulations and Administrative Practices" was concluded during the period. The Study aimed at critically reviewing national and provincial laws, regulations and administrative practices in Sri Lanka relating to women's land and property ownership. The Study placed the review in the context of practical situations experienced by people living around the country. In order to achieve its objective, legislation enacted since the British Colonial period to date found in the statute books, amendments to laws introduced from time to time by respective legislative councils and the statutes passed by nine Provincial Councils were scrutinized. The Study also drew on empirical evidence gathered from a four province field study in Sri Lanka on gender perspectives of property ownership.

The conducting of the survey, focus group discussions and in depth interviews also focused on obtaining a copy of the Lands Manual, which contains a codification of the laws relating to land and property that is followed by the officers of the Divisional Secretariats, a copy of which is not in circulation in the public sphere but which has been found, during the course of the Study, to run counter to the law and result in further aggravated discrimination against women.

Research findings were widely distributed among key government institutions and interested civil society groups including activist organizations, research institutions and women's groups working at national and grassroots level.

This is the first time that a comprehensive study was undertaken regarding the working and effectiveness of the *habeas corpus* remedy in Sri Lanka during the current Constitution era, both at the stage of the appellate courts as well as the Provincial High Courts

The enactment of a *Habeas Corpus* Act for Sri Lanka particularly engineered at making the working of the remedy more efficacious and better able to serve the cause of justice for the poor and disadvantaged was proposed

Comprehensive Analysis of the Writ Remedy of *Habeas Corpus* and the Fundamental Rights Remedy against Arbitrary Arrest and Detention in relation to the Right to Life

This research project examined the efficacy of the public law remedy of writs of *habeas corpus* exercised before the Court of Appeal in terms of Article 141 of the Constitution and (from 1990) before the Provincial High Courts.

The research culminated in a 220 page study examining approximately 886 judgments of the Supreme Court of Sri Lanka, the Court of Appeal and Provincial High Courts dating from the pre independence period right up to the present. The number of cases included represented a large increase over the 50 cases that the grant agreement contemplated. However, given that this was the first time that a comprehensive study of the most important legal remedy available in times of conflict, namely the right to *habeas corpus*, had been entered into and given also the fact that the project team was able, by successfully linking up with judges at all levels of Sri Lanka's judicial institutions, to obtain access to an unprecedented number of decisions, the project team embarked on an extensive examination of the data.

Based on the foregoing analysis, several legal reforms were called for in this Study. The need for such reforms was also borne out by the dysfunctional nature of the *habeas corpus* remedy at the provincial level. Illustrating this was the examination of 37 briefs/preliminary inquiry orders of the Provincial High Court of the Northern Province from the year 2002 onwards, again indicating the difficulties in the effective use of this remedy and containing in some instances, sharply critical observations by the judges of the lower courts themselves on the frustration of the writ due to a variety of reasons including systemic problems.

The analysis was engaged in with the broad objective of not only illustrating judicial attitudes to the freedoms of life and liberty but also highlighting paucities in the working of the legal/judicial system. The formulation of a body of recommendations and reforms aimed at redressing these deficiencies was a key part of this effort.

Research findings and advocacy strategies were shared and discussed with key regional partners in India, Pakistan and Nepal.

The Right to Life network in South Asia for building a strong regional platform for regional solidarity on lobbying South Asian governments to address common problems of impunity in their investigative, prosecutorial and legal systems.

Detailed examination of judgments, briefs and court documentation as outlined above were supplemented by interviews with judges, lawyers and court officials, the vast majority of whom have wished to remain anonymous due to the contentious nature of this research in the current context in Sri Lanka.

During the period above, the Programme also completed a second study comprising 84 pages on the efficacy of the fundamental rights remedy in terms of the jurisdiction of the Supreme Court during 2000-2007 under Article 13(1) and 13 (2) of the Constitution, which also contained recommendations for improving rights under this remedy.

Sharing strategies with partners in the region

The sharing of strategies was a result of requests by legal practitioners and activists in the region as these may be useful in their country context as well. The demand was towards forming a regional network on the Right to Life in South Asia in order to build up a strong regional platform for regional solidarity on lobbying South Asian governments to address common problems of impunity in their investigative, prosecutorial and legal systems.

Lessons Learnt

Though Programme activities during this period were carried out in a post-war environment which was not conducive to the highlighting of paucities in Sri Lanka's domestic systems of accountability for grave human rights violations, the tremendous value of fact based documentation combined with thorough analysis pinpointing the precise points at which violations occur, was clearly evident from the Programme's work. Using that factual basis to build up a body of opinion for change and through that, interlinking national opinion with provincial feedback, in turn, reflecting on the manner in which national concerns were reflected regionally and lastly, bringing regional opinion in line with international solidarity proved to be an effective method of advocacy.

**Regional and
International
Conferences Attended by
Programme Head**

Panel Speaker, Discussion Sessions on Protection of the Rule of Law in Sri Lanka, Judicial Institutions and the Legal Process, conducted as a parallel event to sessions of the United Nations Human Rights Council, Geneva, March 8th 2010

Conference sessions of the Asian Human Rights Commission on *Corruption and the Justice System*, Hong Kong, January 2010

Delegate, *Police Reforms in South Asia – Role of Civil Society*, hosted by the Commonwealth Human Rights Initiative (CHRI), New Delhi, October 2009

Delegate, *Rule of Law in South Asia*, hosted by the International Commission of Jurists, October 2009

**Pending Books- Drafts as
at March 2010**

Habeas Corpus in Sri Lanka; Theory and Practice of the Great Writ in Extraordinary Times (283 pp).

Is Land for Men? Critiquing Discriminatory Laws, Regulations and Practices Relating to State Land in Sri Lanka(330 pp).

A Legacy to Remember: Sri Lanka's Commissions of Inquiry from 1963 to 2002, A Reference Guide to Commission Reports with a Tabulated List of Recommendations (174 pp).

Programme Consultants

Ms. Kishali Pinto-Jayawardena, LLB (Hons. Col.), Attorney-at-Law and (Consultant) Deputy Director/Head of the Civil and Political Rights Programme,

Dr. Jayantha De Almeida Guneratne, President's Counsel

Mr Basil Fernando, Attorney-at-law

Mr Rohana Ratnayake, LLB, Attorney-at-law

Ms Madushika Jayachandra, LLB (Hons. Col.), Attorney-at-law

Ms Dinesha Samararatne, LLB (Hons. Col.), LLM (Harvard), Attorney-at-law

Ms Dinushika Dissanayake, LLB (Col.), Attorney-at-law

Mr Keerthi Rajapakse, Attorney-at-law

Mr. Chandralal Majuwana, Attorney- at- law

Affiliations with national organisations

Sarvodaya Legal Services Movement

Sinhala Tamil Rural Women's Organization

United Lanka Welfare Foundation

Jayamaga Development Foundation

Asian Human Rights Office, Kandy

Prayathna organisation

Galle Human Rights Protection Organisation

Galle District Media Association

Amalgamated Organization of Persons Aggrieved by the Southern Highway

Galle Law Association

Baddegama South United Welfare Society,

Regional and International organisations

Commonwealth Human Rights Initiative, New Delhi

Asian Human Rights Commission, Hong Kong

International Commission of Jurists, Geneva/Bangkok

Economic Social, Cultural Rights

Objectives:

Promoting awareness and respect for economic, social and cultural rights in Sri Lanka and their protection through reform of laws, policies and institutions

Sri Lanka's relatively good human development indicators, resilient even through decades of war are the rewards of progressive social and economic policies in the post-independence period. Many of these policies were reversed or diluted by neo-liberal market reforms including greater integration in the global economy after 1977, that created opportunities for some while increasing the vulnerability of others. The intensity of conflict-related human rights violations and visibility of abuses of civil and political rights by state actors has overshadowed violations of economic, social and cultural rights in Sri Lanka. Moreover, economic and social rights while constitutionally recognised are not directly justiciable. This context, the expectations of partners representing marginalised groups, and the paucity of knowledge and pro-poor analysis to inform campaigns and policy advocacy determined the interventions of the programme.

Globalisation of Trade

Some years ago LST was actively involved in public education on the World Trade Organisation (WTO) and its agreements. Since then, there has been a rash of bilateral and multilateral free trade agreements which are even less known than the WTO regime. There is an influential lobby in Sri Lanka and India for a Comprehensive Economic Partnership Agreement (CEPA), the text of which has never been publicly disclosed. Meanwhile, the India-Sri Lanka Free Trade Agreement (ISLFTA) completed 10 years of operation but has not been evaluated from a citizens' perspective. Therefore, LST conducted research on the costs and benefits of the ISLFTA, including through interviews with industrialists, government officials and others. The study identified non-transparency, unavailability of disaggregated trade statistics, and lack of consultation with stakeholders as fundamental flaws in the ISLFTA and warned that the CEPA drafting process shared these problems.

LST's research report was published in *LST Review* (April 2010) and translated and separately published in Sinhala and Tamil too. It was serialized in the *Daily FT* (8-10 June 2010), and discussed in *The Island* newspaper (07 June and 27 June 2010), and the researcher made several presentations in public seminars including at a forum jointly organized by LST and the Movement for National Land and Agricultural Reform (MONLAR) and has contributed to greater public understanding of free

Fact-finding,
research and
analysis, advocacy,
national and
regional
partnerships and
networking;
solidarity actions
including public
protests,
statements and
letters

Collective NGO
advocacy on status
& implementation
of the 2001 Durban
World Conference
Against Racism

trade agreements, and scrutiny of the CEPA process in particular.

Globalisation of Production

Acting on the request of women activists working with free trade zone workers, LST conducted research on the impact of the global financial and economic crisis on working conditions in factories within the Katunayake and Koggala Free Trade Zones. Structured interviews were conducted with selected Board of Investment officers, factory managers, production line workers and a focus group discussion with retrenched workers. A survey questionnaire was prepared in consultation with the Women's Centre in Katunayake and completed by 273 respondents (186 women).

The research concluded that the global crisis had provided an opportunity for factory management to roll-back some of the gains made by workers over the past 15 years including the withdrawal of non-wage benefits such as free or subsidized meals and transport; intensification of work norms; and to evade wage increments. The research findings have been used by workers organizations in their campaign for a living wage, and were also shared at an international conference on the Global Crisis and its impact on Women organized by the Programme for Women's Economic, Social and Cultural Rights in New Delhi in August 2010.

Minority Rights

In advance of the Durban Review Conference in Geneva in April 2009, LST drafted a collective NGO advocacy document that was improved and endorsed at a broad civil society consultation. It is the first and only civil society assessment on the status and implementation of the 2001 Durban (World Conference Against Racism) Declaration and Programme of Action in Sri Lanka. Regrettably the Government of Sri Lanka did not present a state report and chose not to respond to the recommendations in the NGO report, though it claimed during the DRC in Geneva that derogatory statements cited in the report and made by a Cabinet Minister and then Army Commander did not reflect state policy. The NGO report was tabled by the Office of the High Commissioner for Human Rights in the documentation of the DRC.

The advocacy report is published in *LST Review* (April 2009) and has been used as a baseline document to share information and

Monitoring the Human Rights Commission of Sri Lanka:

Enhanced scrutiny of the Human Rights Commission both nationally and internationally contributed to its re-accreditation as a 'B' status institution by the Asia-Pacific Forum

raise awareness on the status of minority rights in Sri Lanka and internationally.

Human Rights Commission

LST promoted the establishment of a national human rights institution and has been monitoring its performance and effectiveness ever since, as a critical component of the national machinery for the promotion and protection of human rights.

Information on the challenges and constraints of regional offices of the Human Rights Commission was gathered through field interviews in Batticaloa, Galle, Kandy and Vavuniya, with regional coordinators, human rights defenders and civil society activists.

Field mission interview notes and observations, news-reports and secondary literature were used to prepare the Asia region report, also published in *LST Review* (August 2009) and translated into Sinhala and Tamil.

The concerns and recommendations of human rights defenders were shared in a presentation at the NGO parallel conference to the Asia-Pacific Forum of National Human Rights Institutions (APF) conference in Amman, Jordan in August 2009.

LST regularly receives requests for information on the HRC from national, regional and international organisations and the researcher was interviewed in the *Ravaya* newspaper (28 March 2010) and *Samabima* magazine (April 2010).

The greater scrutiny on the HRC both nationally and internationally contributed to its re-accreditation as a 'B' status institution by the Asia-Pacific Forum; and greater demands on both the GoSL and the HRC for its better performance, improved relations with civil society organizations, and independence from the Executive.

Debt and Development

The aim of interventions in this area is to stimulate greater understanding and debate within civil society and political actors on issues of external debt and mega-development projects that are not in the public arena.

A field mission to the Hambantota district in August 2009 met with people displaced or otherwise affected by mega-development projects. Journalists and researchers were briefed

Stimulating greater understanding and debate within civil society and political actors on issues of external debt and mega-development projects

on the findings of the field mission; and a presentation on the issues identified was made at the Rajani Thiranagama Commemoration Conference in Colombo in September 2009.

In comparison to other Asian countries, there is relatively little awareness of the costs and consequences of foreign loans and the policies of international financial institutions in Sri Lanka. Therefore, an accessible guide produced to help activists conduct a citizen's audit of the debt by the Europe-Third World Centre (CETIM) in Geneva and the Committee for the Cancellation of Debt (CADTM) in Liege was translated into Sinhala only because of limited funds. The book was disseminated to targeted parliamentarians, civil society organizations and activists. There have been many requests from university libraries. Since its publication and circulation there have been more critical media reports on Sri Lanka's debt burden and its servicing and more questions by the opposition raised in parliament on these issues.

LST also contributed to greater discussion on debt and development through analysis of the 2009 International Monetary Fund loan to Sri Lanka that was widely reproduced as well as a presentation (in absentia) at the 2nd CADTM South Asian Workshop on IFIs and Debt in Dhaka in December 2009.

Exploring existing governmental and non-governmental schemes for the reintegration of returnee women migrant workers so that alternatives could be found for women's out migration

Returnee Migrant Women Workers

This research project was a response to the GoSL's decision (later suspended) to ban women with children under the age of 5 from foreign employment. A stakeholder consultation was held with the participation of the Sri Lanka Bureau of Foreign Employment, the Association of Licensed Foreign Employment Agencies, migrant rights and women's organizations; The translation and publication in Sinhala and Tamil of the UN Migrant Workers Convention was done.

The accessibility of the UN Convention in local languages for the first time enabled civil society organizations to use it in their trainings and human rights education programmes and thereby increased awareness of international standards and mechanisms for the protection of the rights of migrant workers

Workshops,
Seminars,
Consultations,
Media

and their families. It has contributed to the pressure for the domestication of the Convention in national law and related law, policy and institutional reforms.

Consultation on Sri Lanka NGO lobby document for Durban Review Conference, convened by International Movement Against All Forms of Discrimination and Racism (IMADR) on 7 April 2009.

1st National Consultation on proposed South Asian Human Rights Commission on Marginalized Sexualities, convened by the Women's Support Group on 3 June 2009.

Lecture on 'Discrimination and Human Rights' on the invitation of the Sri Lanka Foundation Institute commemorating International Human Rights Day on 10 December 2009.

MTV Channel One 'Peoples Show' appearances on 'language and governance' in December 2009 and 'Sri Lanka Tomorrow' in March 2010 screened on 24 February 2010 and 31 March 2010 respectively.

Publications

"Written Statement to the Durban Review Conference on the Durban Declaration and Programme of Action of the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance" in *LST Review*, Vol. 19, Issue No. 258 (April 2009), pp. 36-45

'The Human Rights Commission of Sri Lanka in 2008' in *2009 ANNI Report on the Performance and Establishment of National Human Rights Institutions in Asia*, Gil Emmerlyne and Pia Alexandra Muzaffar Dawson (eds.), Asian Forum for Human Rights and Development (FORUM-ASIA): Bangkok, pp. 195-219

Revised and expanded version published as **"Window-Dressing? The National Human Rights Commission of Sri Lanka"**, *LST Review*, Vol. 19, Issue No. 262, August 2009, pp. 5-26

'An Activists Manual on Auditing External Debt', Law & Society Trust, Colombo 2009, pp. 111 (in Sinhala)

"A 'Patriotic' Loan", *Himal Southasian* (Kathmandu), Vol. 22, No. 10/11, October-November 2009, pp. 15-17 Reprinted in *transcurrents.com* (Toronto); *Europe Solidaire San Frontieres* (Paris, October 08 2009; *Probe News Magazine* (Dhaka), Vol. 8,

'Workers' Rights' in *Sri Lanka: State of Human Rights 2008*, Law & Society Trust: Colombo 2009, pp. 339-382.

'Debt Profile and Recent Trends in Sri Lanka' in Desai, Kartiki (ed.), *Debt Crisis in South Asia: Role of International Financial Institutions*, VAK Publications: Mumbai 2009, pp. 56-61.

'Upali Cooray and Sri Lanka solidarity activism', *transcurrents.com* (Toronto), [December 2009]

Free Trade Agreements and Human Rights, Law & Society Trust, Colombo 2010: Sinhala edition (65pp) and Tamil edition (68pp)

LST Forum

Public discussions on current issues convened by the Economic, Social and Cultural Rights programme

April 3 2009: Vanni IDPs and Tamil Diaspora Politics M. Sooriasegaram (Alliance for Peace and Reconciliation in Sri Lanka)

May 21 2009: Durban Review Conference against Racism Nimalka Fernando (President, International Movement Against all forms of Discrimination and Racism)

June 30 2009: De-Positioning Sovereignty and the Limits of the Political Dr Stewart Motha (Senior Lecturer in Law, University of Kent)

October 8 2009: Misconceiving the Rule of Law Professor Martin Krygier (University of New South Wales)

February 11 2010: Between Two Elections Dr Rohini Hensman (Writer and Researcher, Mumbai)

Human Rights in Conflict

Given the detention of about 280,000 displaced people in the North, the attention of key partners was focused on addressing immediate humanitarian concerns. Strategies for addressing human rights issues directly related to the war had to be adjusted accordingly

At a time when the flow of information was severely restricted, the HRC program engaged in sharing information on violations of human rights

The period deals with the last two months of the war and its aftermath. The period commenced with the head of the program in exile due to threats and a key volunteer researcher from the north, an intern of LST and several of the program's close partners in detention under emergency regulations. In the North, this was a period which saw severe restrictions in terms of access to victims, their families and affected areas in general, and heightened level of threats, intimidations and fear to partners in the North. Given the detention of about 280,000 displaced people in the North, the attention of key partners was also focused on addressing immediate humanitarian concerns. In this context and given that the HRC program was addressing human rights issues directly related to the war and its aftermath, program implementation strategies had to be adjusted in view of the context.

Monitoring, Documentation and Dissemination

Through fact finding visits to the North & East and regular contacts with human rights defenders and humanitarian workers, LST monitored and documented disappearances and extrajudicial killings in relation to the conflict and issues related to displacement and resettlement. The reports were shared with selected individuals and groups such as diplomats, UN officials, politicians, local and international human rights groups and media, international human rights and press freedom organizations, human rights defenders and policy makers. LST also facilitated the visit of several foreign journalists to war affected areas which were restricted, and arranged meetings with affected people, their families and human rights defenders.

LST working with other groups organized several events and campaigns against media repression.

Campaigns:

Several public campaigns were conducted even in an atmosphere of severe repression such as organizing protests, signature campaigns for petitions, commemorations, exhibitions, felicitations etc. One such event was a felicitation ceremony for a journalist Tissanayagam, who was sentenced to 20 years imprisonment for his writings. His release on bail in January 2010 and subsequent Presidential pardon is believed to be due to sustained domestic and international campaigns and the HRC program took a lead role in these efforts.

Advocacy in Sri Lanka:

The Head of HRC program was invited to brief several visiting representatives of foreign governments, including immigration officials, and diplomats based in Sri Lanka about the human rights situation, particularly focusing on the situation in the North and in relation to repression of dissent. The HRC program also assisted HRDs from the North and East to meet with such officials. The HRC program also met two Ministers to discuss human rights issues and directly took up issues with the IDP unit of the National Human Rights Commission.

There was little awareness of the situation in Sri Lanka amongst human rights defenders in Asia and media coverage too was relatively low, except perhaps in India.

Advocacy in Asia

The war and human rights issues had low visibility in Asia compared to the west. Most governments in Asia supported the Sri Lankan government's war efforts and attempts to avoid international scrutiny of reported abuses. At the height of the war, the Head of the Program was invited to visit several Asian countries to make presentations and meet human rights defenders, church leaders, media and legislators and government officials in Korea, Philippines, Thailand, Malaysia and Cambodia. Advocacy efforts, arrangements for meetings,

Advocacy among
human rights
defenders,
governments, media
& at
regional/international
level

media coverage and other events and financial support were provided by local human rights defenders and partners in Asia. In all the countries, LST staff was able to raise the awareness of local human rights defenders. In the Philippines, a public event related to Sri Lanka was organized. In the Philippines and Korea, briefings were done for parliamentarians and key church leaders. Media coverage about the effect of war on civilians and repression of human rights defenders was also generated in the media, through news reports, feature articles, interviews to radio and press. In Korea, a briefing was held for the Ministry of Foreign Affairs.

Advocacy in Paris:

In May 2009 and March 2010, the Head of the Program was invited by CCFD, a French partner organization, to participate in a series of advocacy events in Paris. There were several meetings with human rights defenders and aid agencies, media and Ministry of Foreign Affairs. The Head of the Program was also invited to speak at a press conference and individually with media. Several media reports highlighting the effects of the war on civilians came out as a result of these interventions.

Advocacy during sessions of the UN Human Rights Council:

In June 2009 and March 2010, the Head of the Program participated in the UN Human Rights Council sessions in Geneva. The HRC program also facilitated and supported the participation of HRDs from North and South, press freedom advocates and exiled HRDs at the UN Human Rights Council. With them and another human rights defender / journalist from Sri Lanka, the HRC program conducted a series of meetings to brief some member states, UN officials, international human rights groups and church groups about the situation in Sri Lanka. Activities also included speaking at a panel discussion and assisting international NGOs with drafting oral statements.

Advocacy with UN Special Procedures:

The HRC program submitted several individual complaints to the UN Working Group on Enforced and Involuntary Disappearances, and the Special Rapporteur on Human Rights Defenders and Special Rapporteur on Freedom of

Review of the Performance of the Human Rights Commission of Sri Lanka & programme support for victims of grave human rights violations

Expression & Opinion. A special submission was also made to the United Nations Special Envoy on Children and Armed Conflict.

The Head of the program also personally briefed key Special Procedures (E.g. Chairman of the Working Group on Arbitrary Detention, Chairman of the Working Group on Enforced and Involuntary Disappearances, Representative of the Secretary General on Human Rights of IDPs and the Special Rapporteur on Human Rights Defenders) about latest updates on the evolving situation in Sri Lanka.

Advocacy with Asia Pacific Forum and Intl Coordinating Committee of NHRIs

The HRC program assisted the representative of LST to the meeting of the Asia Pacific Forum of National Human Rights Institutions and also met and briefed the Secretariat of the International Coordination Committee of the NHRIs several times. General trends in terms of the functioning of the Sri Lankan Human Rights Commission, as well as specific examples highlighting its lack of proactive action were presented. The HRC program collaborated with the ESCR and CPR programs to produce a report titled “**Window Dressing**”, a critical review of the National Human Rights Commission. The report was published in English and translated into Sinhalese and Tamil.

Protection of victims, witnesses, and families in danger:

As the repression of dissent intensified in 2009 and 2010, the HRC program took a proactive role in assisting those in need of protection and support. Close coordination was established with family members, local and international human rights groups and the diplomatic community in Colombo. Amongst the interventions undertaken were:

- Solidarity and monitoring visits to detention centres and observing trials in relation to human rights defenders and journalists who were detained
- Accompaniment and support to family members of victims
- Assisting in relocation of those facing threats, within the country and outside – arranging protective presence and accompaniment, safe houses, host organizations and individuals, assisting with visa and asylum processes
- Fundraising for expenses
- Launching local campaigns

- Launching international appeals

In March 2010, the Head of the Program met with several exiled journalists living in Europe and this formed the basis for advocacy for theirs and their families' wellbeing while being exiled.

Participation at international fora to highlight the human rights situation in Sri Lanka

The Head of the HRC program was invited to speak at several international fora in India, Korea, Cambodia, Philippines, France and Geneva about the human rights situation in Sri Lanka. These were attended by the national and international NGOs, media, foreign and Sri Lankan diplomats.

Internship program

With the aim of building a movement to address human rights issues in Sri Lanka, the HRC program engaged youth in its internship program. Amongst these were young activists from Jaffna, foreign youth, Sri Lankan students studying overseas and students from local universities. Two went on to serve the program as full time staff. The program initiated internships for young activists from the North had to be suspended after one intern was arrested and detained for two months.

Training for human rights defenders

LST worked with several partners to conduct 12 training workshops at which over 240 HRDs were introduced to basic human rights, domestic and international standards, and international protection mechanisms including Special Procedures Mandate Holders. Most of the participants were from the conflict affected North and East. The Head of the HRC program was also a resource person / facilitator at the annual Asian training for HRDs organized by FORUM-ASIA in Bangkok.

Publications and education materials

(Individually by HRC program, jointly and with other groups and supported by HRC programs and presented by other groups), several items listed below were done as confidential documents.

“Know Your Rights” guide to human rights and fundamental rights and protection mechanisms in all three languages. (Preparations in 2009-2010, and published in all three languages in latter part of 2010)

Human rights
training and
dissemination
of human
rights
material

The UN Declaration on human rights defenders translated into Sinhala and Tamil and printed.

Booklet containing UN Special Procedures complaint forms translated into Sinhalese and Tamil and printed

Sri Lanka: Urgent Human Rights priorities (summary of key issues and benchmarks) March 2010

Memo to the Minister of Justice – October 2009

Short note on detention of alleged ex- LTTE cadres- March 2010

Displaced People from the Vanni, Sri Lanka, (Concerns of returnees and those still in camps or with host families) March 2010

General briefing note on media repression Jan- Feb 2010

Paper on repression of dissenting state media personnel, Jan-Feb 2010, containing selected cases and incidents

Paper on repression of human rights defenders in Sri Lanka in 2009, containing selected cases

List of humanitarian aid workers killed and disappeared (2006-2009)

Notes of visits to prison and court trial observations in relation to human rights defenders & journalists

The head of the programme also gave interviews to media, participated in talk shows on TV and wrote articles and papers that were used to highlight key human rights issues during the period. Amongst these was a chapter on Human Rights issues and concerns during the Ceasefire Period, “Sri Lanka: Perspectives on the CFA of 2002” published in April 2009 by the South Asia Peace Institute.

Others

In April 2009, the Head of Human Rights in Conflict program was awarded the 12th Justice and Peace award, given by the Bishop Tji Hak Soon Foundation in Korea. He was the 1st Sri Lankan recipient of the award and this award also provided opportunities to raise visibility about the human rights protection issues in Sri Lanka and obtain funds to support human rights defenders facing threats.

Expulsion of the Northern Muslims

Project Coordinator:
Dr Farazana Haniffa

The objective was to produce authoritative documentation of the expulsion and its consequences that is sanctioned by the community, and to list the community's grievances through a document endorsed by a Commission consisting of eminent civil society actors

In October 1990, the Liberation Tigers of Tamil Eelam (LTTE) expelled the entire Muslim population of the Northern Province of Sri Lanka. Within a period of 48 hours the LTTE systematically chased out close to 75,000 Muslims residing in the districts of Kilinochchi, Mulaitiwu, Jaffna, Mannar and parts of Vavuniya.

The LTTE expulsion of Muslims from five Northern districts in October 1990 had not been adequately integrated into any mainstream historical narrative in Sri Lanka.

Northern Muslim civil society leadership worked hard to highlight the issue and faced numerous obstacles including the disinterest of the larger civil society community in Sri Lanka. The Law & Society Trust in partnership with three Northern Muslim organizations, namely, Community Trust Fund (CTF), Rural Development Foundation (RDF) and Peoples' Secretariat (PS), and an advisory group of prominent Muslim civil society actors conducted a truth seeking initiative in the form of a Citizens' Commission.

The first meeting of the commissioners was held in August 2009 and the first commission sitting was held in September 2009.

Activities included

- Several commission sittings conducted in Puttalam, Colombo and visits to Mannar, Jaffna, Vavuniya and Anuradhapura to ascertain displacement experiences outside of Puttalam, as well as the recent occurrences of spontaneous resettlement. The Puttalam sittings included sittings with the host community and sittings with women.
- Testimonies were collected and were transcribed and translated.
- A newsletter was produced that included articles written by commissioners Dr.Devanesan Nesiiah, Judge U.L.A Majeed, and commission project manager Dr. Fara Haniffa. The newsletter was published in both Tamil and English.

Commission

testimonies were remarkable in the manner in which they captured women's voices and suffering

The lack of privacy, the impossibility of practicing some limited form of seclusion which Muslim communities consider important made women suffer greatly

Issues raised at the Women's Sitings

There were significant losses suffered by the community through the expulsion and the damage to women's independence is one such loss. In Mannar, in particular, women cultivated their home gardens for additional income. This was not possible in Puttalam. They were compelled to engage in the demeaning activity of wage labour in the onion fields of Puttalam landowners. Most of these women considered this change to be a severe loss of status.

Many also stated that the displacement made them lose their community. They no longer lived among those they knew, but among strangers. This meant dangers to girl children and the loss of important support networks. It was also a loss of privacy. They stated that the displacement experience was harsh for pregnant women, lactating women, menstruating women, and giving birth was often dangerous for women.

The hearings with women also raised several other issues that were particular to women. The extreme poverty and uncertainty of the displacement experience impacted women and girls in very specific ways. The lack of protection for girl children in the camps and resettlement villages meant that walking long distances to school posed a problem for young girls and their education was halted. Additionally early marriages of girl children were common for the same reasons of protection and for the dowry.

Networking & Coalition Building

LST has contributed to influencing the policies and practices of governments in the region by participating in regional networks that promote human rights, justice and democracy

LST gained through the opportunities for building bridges with civil society actors across national boundaries

LST recognises the increasingly important role played by global civil society networks in advancing human rights, the rule of law and good governance. Networks help members address common challenges and provide opportunities for collective advocacy and campaigns, knowledge sharing and capacity building. LST is a member of several networks especially in the South Asia Region.

FORUM ASIA The Asian Forum for Human Rights and Development is a regional human rights network with 46 member organisations across Asia. It is committed to the promotion and protection of Human Rights including the right to development.

ASIAN NGOS NETWORK ON NATIONAL HUMAN RIGHTS INSTITUTIONS (ANNI) members and partners are Asian human rights NGOs that monitor national human rights institutions (NHRIs) in their own countries in order to strengthen domestic human rights protection mechanisms in accordance with international human rights standards and best practice norms.

SOUTH ASIANS FOR HUMAN RIGHTS (SAHR) SAHR is a regional network of organisations and individuals committed to addressing human rights issues at both national and regional levels. SAHR's activities include, reviewing laws, policies and practices, that impact on human rights, conducting campaigns and programmes on issues of major concern in the region. SAHR also monitors human rights violations and undertakes initiatives to promote the right to participatory democracy, good governance and justice in the South Asian region.

SOUTH ASIAN WATCH FOR TRADE, ECONOMICS & ENVIRONMENT (SAWTEE) is a regional network of non-governmental organizations of five South Asian countries: Bangladesh, India, Nepal, Pakistan and Sri Lanka, formed to work towards equitable, inclusive and sustainable growth and development in the region. It promotes fair, effective and meaningful integration of South Asian countries into the regional and global economies. SAWTEE's activities include policy research, advocacy and capacity building on trade, economic and environmental issues at local, national, regional as well as international levels.

Partnering with organisations with comparable values within Sri Lanka has led to extending the reach and deepening the focus of rights based initiatives.

Resource & Documentation Centre

The Resource and Documentation Centre has one of Sri Lanka's extensive collections of materials on Law and Human Rights. It is open to the public and contains historical material related to the Sri Lankan legal system.

The Resource and Documentation Centre holds over 8500 volumes of books and includes a rare collection of early Sri Lankan legal literature as well as contemporary material, such as the New Law Reports, Sri Lanka Law Reports, Legislative Enactments, Acts of Sri Lanka, the Parliamentary Debates and Government Gazettes. The reference collection is particularly rich in historical material related to the Sri Lankan legal system.

The New Law Reports, Sri Lanka and Indian Law Reports and recently reported and unreported Supreme Court Judgments are in great demand. A substantial number of Indian Supreme Court Cases (2003-2009) back volumes were added to the library collection during this period. Reports from national, regional and international human rights organisations and United Nations agencies were added to the collection in the year under review.

During the year several new additions were made in the areas of peace, governance, human rights, poverty and other socio-economic issues in Sri Lanka.

There are also 20 Sri Lankan and International Journals, including bulletins and newsletters which are relevant to existing research programmes. Besides direct purchasing, the resource centre obtains publications through exchanges and by gifts from various local, regional and international organisations.

Our monthly publication the LST Review and Sri Lanka: State of Human Rights our annual publication, which contain articles contributed by experts and researchers are available on an exchange or request basis for any professional journal or annual publication of interest and relevance to us.

Newspaper clippings on selected issues (conflict related issues) are also available at the Resource Centre. Referral services are available to users through contact with other libraries and queries are directed to other organisations like the Nadesan Centre, and the International Centre for Ethnic Studies.

Publications

LST publishes books, monographs, reports and briefing papers. They are vital for introducing the law as a tool to benefit society to both lawyers and non-lawyers

Publications are an integral part of LSTs advocacy strategy; they are valuable in broadening the reach of new ideas and for disseminating research findings and policy recommendations.

LST recorded a drop in the sale of publications in this period as staples such as the LST Review and the State of Human Rights and the Appellate Law Recorder were delayed due to challenges in the commissioning, editing and production process and staff changes.

LST Review The Review published ten times a year is the oldest and best known of LSTs regular publications. Edited by Kishali Pinto-Jayawardena the *Review*, mailed directly to almost 250 people and used by hundreds more is essential reading for legal activists, practitioners, researchers and students. It provides knowledge on the rights-based approach to law and policy reform for promoting social justice and equity.

Sri Lanka: State of Human Rights is an annual report that assesses and reviews the state of rights in Sri Lanka framed through the policy and legal frameworks pertaining to each right being discussed. Each year, authors who are recognised experts in their respective fields analyse political, social, economic and cultural freedom and comment on the status of at least eight selected rights chosen as being important to a specific year.

Appellate Law Recorder Published three times this year, the Appellate Law Recorder collates judgements by Sri Lankan courts in public, civil, criminal and constitutional law. It carries summaries of judgements in Sinhala and Tamil, a glossary of words and phrases as well as critical reflections on the judgements. Also published in this period:

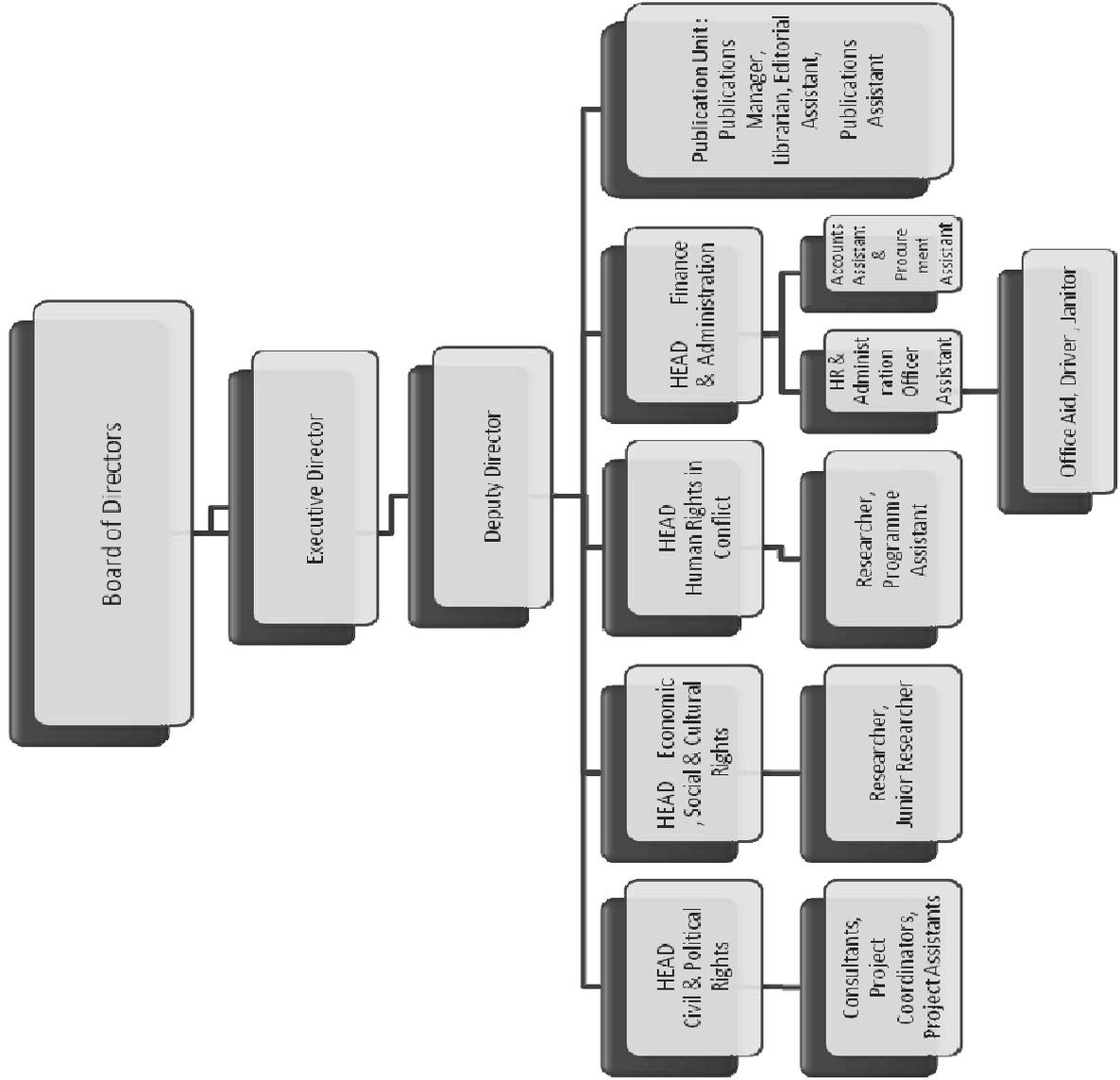
Occasional Papers Legal Development, Good Governance and the Rule of Law -Sriyan de Silva

Arm of the Law –R.K.W. Goonesekere

Sri Lanka: The Right not to be Tortured – Sinhala/Tamil

Window Dressing”? The National Human Rights Commission of Sri Lanka (in Sinhala and Tamil)

Organisational Structure Of LST



Board of Directors & Staff

LST's Board of Directors meet once a quarter or more frequently if needed. They are:

Mr. R.K.W. Goonesekere (Chairman)
Justice P.N. Bhagwati
Mr. Kanag Iswaran, PC
Dr. G. Uswatte-Aratchi
Dr. Deepika Udagama
Dr. Shivaji Felix

COMPANY SECRETARY
Secretarius (private) Limited

EXECUTIVE DIRECTOR
Mrs. Damaris Wickremesekera (up to 31 January 2010)
Mrs. Damaris Wickremesekera - Interim Executive Director for February
Mrs. Damaris Wickremesekera - Consultant for March
Mr. B. Skanthakumar –Acting Executive Director From March to July 2010

CIVIL & POLITICAL RIGHTS
Head/ Deputy Director/Editor – LST Review
Ms. Kishali Pinto-Jayawardena

ECONOMIC SOCIAL & CULTURAL RIGHTS
Head
Mr. B. Skanthakumar
Programme Officer
Ms. Anushaya Collure

HUMAN RIGHTS IN CONFLICT
Head
Mr. Ruki Fernando
Intern/Researcher
Ms. Buddhima Padmasiri (from Sep 2009)

Consultant , Human Rights in Conflict
Dr. Farzana Haniffa
BA,MA, Ph.D
Co-ordinator
Ms. N. Kaneeza Faris
Co-ordinator

Mr. Haris Rasheed (Puttalam Office)

INFORMATION AND DOCUMENTATION CENTRE

Information and Documentation Officer

Ms. Pushpa Tennekoon

Assistant Librarian

Ms. Dilhara Pathirana

OPERATIONS MANAGER

Ms. Judy Pietersz

PUBLICATIONS MANAGER

Mr. Dilshan Muhajarine

Publication Trainee

Mr. Rawden Keith de Silva (from 16 Sep 2009)

General Clerk

Ms. Kanchana Udayangani

ADMINISTRATION

Senior Accountant

Ms. Sivayogachelvy Premarajah

Accounts & Administrative Officer

Ms. Janaki Dharmasena

Accounts Officer

Mr. K. Ravikumar

Accounts Assistant

Mr. Prasanna Gajaweera

Transport Assistant

Mr. N.D.K.B. Navaratne

Donors and Partners

Long term commitment to the work of the Trust, transparency in financial matters and shared values at the individual level form the basis of the engagement with donors and civil society partners alike- and has been so through the years.

Diakonia

Diakonia is a Swedish development organization that works with partner organisations in Sri Lanka to promote and defend human rights, gender awareness and equal rights for men and women. It supports LST with core funding and project funding for the Economic, Social and Cultural Rights Programme in particular.

Cordaid

Cordaid is a large International Development agency based in the Netherlands and has a strong support base in the Netherlands. The grant from Cordaid supports the Civil and Political Rights Programme and the Human Rights in Conflict Programme

USAID/ARD

A grant from the United States Agency for International Development, administered by ARD supports research on the application of the writ of *Habeas Corpus* in Sri Lanka.

ADB

The Asian Development Bank provided a grant for a study on discriminatory land laws

CCFD

CCFD is a Catholic Charity based in France. It has a permanent staff of 170 based in Paris and in various regions of France who work to fulfill CCFD objectives which are conflict prevention and resolution. CCFD also seeks to support development workers and activists in other ways by providing opportunities to broaden their horizons, and to build alliances capable of influencing the priorities of policy makers. It achieves this goal by promoting network building among CCFD partners.

Partners

In the period under review LST partnered among others with INFORM Human Rights Documentation Centre, Rights Now – Collective for Democracy, Centre for Human Rights and Development, Non Violent Peace Force, IMADR-Sri Lanka, Women's' Centre, Movement for National Land and Agricultural Reform, etc.

Grants & Accounts

SJMS

A S S O C I A T E S
Independent Correspondent Firm to
Deloitte Touche Tohmatsu

SJMS Associates
Chartered Accountants
No. 02, Castle Lane,
Colombo 04, Sri Lanka.
Tel: +94(11) 2580409, 2503262
Fax: +94(11) 2582452

Restructure & Corporate Recovery
Tel: 5364293, 5444420 Fax: 5364295

E-mail: sjmsa@sjmsassociates.com
Website: www.sjmsassociates.lk

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF LAW & SOCIETY TRUST

Report on the Financial Statements

We have audited the accompanying financial statements of Law & Society Trust, which comprise the balance sheet as at 31st March 2010, and the related statement of financial activities, statement of changes in accumulated fund and cash flow statement for the year then ended, and a summary of significant accounting policies and other explanatory notes.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Sri Lanka Statement of Recommended Practices for Not-for-profit Organizations.. This responsibility includes: designing, implementing and maintaining internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error: selecting and applying appropriate accounting policies, and making accounting estimates that are reasonable in the circumstances.

Scope of Audit and Basis of Opinion

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Sri Lanka Statement of Recommended Practices for Not-for-Profit-Organizations. Those standards require that we plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

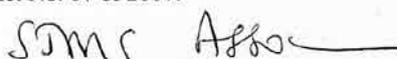
We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purposes of our audit. We therefore believe that our audit provides a reasonable basis for our opinion.

Opinion

In our opinion, so far as appears from our examination, the Trust maintained proper accounting records for the year ended 31st March 2010, and the financial statements give a true and fair view of the state of affairs of the Trust as at 31st March 2010 and of the results of its operations and changes in accumulated funds and its cash flows for the year then ended in accordance with Sri Lanka Statement of Recommended Practices for Not –for –Profit Organizations.

Report on Other Legal Requirements

In our opinion, these financial statements also comply with the requirements of Section 151(2) of the Companies Act No. 07 of 2007.



SJMS ASSOCIATES
Chartered Accountants
Colombo
26th August 2010

LAW & SOCIETY TRUST
STATEMENT OF FINANCIAL ACTIVITIES
FOR THE YEAR ENDED 31ST MARCH 2010

	Note	2009/2010 Rs.	2008/2009 Rs.
Incoming resources	3	34,128,289.54	29,749,617
Project expenditure	4	<u>(33,647,539.79)</u>	<u>(29,361,506)</u>
Excess income over expenditure		480,749.75	388,111
Other income	5	5,469,796.42	6,565,756
Administrative expenses	6	<u>(6,059,913.24)</u>	<u>(3,450,055)</u>
Net surplus / (deficit) on operating activities		(109,367.06)	3,503,812
Finance cost	7	<u>(91,733.89)</u>	<u>(85,077)</u>
Net surplus / (deficit)		<u><u>(201,100.95)</u></u>	<u><u>3,418,735</u></u>

The accounting policies and notes from 01 to 22 form an integral part of these financial statements.



LAW & SOCIETY TRUST
BALANCE SHEET AS AT 31ST MARCH 2010

	Note	31.03.2010 Rs.	31.03.2009 Rs.
Assets			
Non Current Assets			
Equipment	8	4,783,310.42	5,188,547
Current Assets			
Accounts receivable	9	1,409,728.86	1,475,342
Deposits, advances and prepayments	10	1,131,280.00	981,500
Short term investments	11	47,129,755.98	40,711,344
Cash & cash equivalents	12	1,032,136.04	7,488,393
		<u>50,702,900.88</u>	<u>50,656,579</u>
Total Assets		<u><u>55,486,211.30</u></u>	<u><u>55,845,126</u></u>
Funds and Liabilities			
Unutilized specific purpose grants	13	-	5,759,938
Revenue reserves and other reserves		41,552,564.36	46,579,764
		<u>41,552,564.36</u>	<u>52,339,702</u>
Total Funds			
Non Current Liabilities			
Defined benefit obligations	14	2,110,341.18	2,310,493.56
Current Liabilities			
Accounts payable	15	2,295,736.43	1,194,929.81
Deferred Income	16	8,142,905.43	-
Bank Overdraft	17	1,384,663.90	-
		<u>13,933,646.94</u>	<u>3,505,423</u>
Total Liabilities		<u><u>13,933,646.94</u></u>	<u><u>3,505,423</u></u>
Total Funds and Liabilities		<u><u>55,486,211.30</u></u>	<u><u>55,845,126</u></u>

I certify that the financial statements have been prepared in compliance with the requirements of the Companies Act No. 07 of 2007

.....*S. Premarajah*.....

Accountant

The Board of Directors is responsible for the preparation and presentation of these financial statements.

.....*Mala Kiyiyi*.....

Executive Director

Date: 26.08.2010

Signed for and on behalf of the Board

.....*K. M. S. S. S.*.....

Director

Date: 26.08.2010

The accounting policies and notes from 01 to 22 form an integral part of these financial statements.



Grants Received During the Year	LKR
Diakonia for LST's Core / Normal Programme 2009/2010	4,806,719.63
CORDAID/HIVOS for CPR & HRC Programmes	13,073,440.00
ADB for project of Reform of Gender Discriminatory Land Laws	3,966,959.50
USAID/ARD for analysis of Judicial & Prosecutorial System	1,209,840.00
The Coalition to stop the use of child soldiers	63,140.00
Committee for the cancellation of third world debt ADMT in Belgium for translation of Debt Audit Manual	192,023.67
TOTAL	<u>23,312,122.80</u>