



ANNUAL REPORT

The Support to Justice Sector Project (JURE)



January - December 2023

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LIST OF ABBREVIATIONS

ADB	Asian Development Bank
AGD	Advocate General Department
ADR	Alternative Dispute Resolution
BASL	Bar Association of Sri Lanka
CBO	Community Based Organisation
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CELP	Centre for Environmental Law and Policy
CIABOC	Commission to Investigate Allegations of Bribery or Corruption
CLE	Continuous Legal Education
CLS	Colombo Law Society
CRC	Convention on the Rights of the Child
CSHR	Centre for the Study of Human Rights
CSO	Civil Society Organisation
CYPO	Children and Young Persons Ordinance
DCBC	Department of Community-based Corrections
DCB	Debt Conciliation Board
DCS	Department of Census and Statistics
DOP	Department of Prisons
DPCCS	Department of Probation and Child Care Services
EEJ	Efficient and Effective Justice
EU	European Union
GAD	Government Analyst's Department
HRCSL	Human Rights Commission of Sri Lanka
J4C	Justice for Children
JMO	Judicial Medical Officers
JURE	The Support to Justice Sector Project
LAC	Legal Aid Commission
LDO	Legal Draftsman' Office
LGBTQ	Lesbian, Gay, Bisexual, Transgender and Queer
LHRD	Lawyers for Human Rights and Development
LMS	Learning Management System
MWCASE	Ministry of Women, Child Affairs and Social Empowerment
MOJ	Ministry of Justice
NAPVCW	National Authority for the Protection of Victims of Crime and Witnesses
NCPA	National Child Protection Authority
NDDCB	National Dangerous Drugs Control Board
NISD	National Institute of Social Development
NJTI	Non Judges Training Institute
NPC	National Police Commission
OIC	Officer in Charge
PDM	Public Defenders Mechanism
PWD	Persons with disabilities
RRU	Rapid Response Unit
RTIC	Right to Information Commission
SDG	Sustainable Development Goals
SGBV	Sexual and Gender-Based Violence
SL	Sri Lanka
SLAPSW	Sri Lanka Association of Professional Social Workers
SLJI	Sri Lanka Judges Institute
SLWLA	Sri Lanka Women Lawyers' Association
SMS	Student Management System
SSW	Social Service Workforce

TAF	The Asia Foundation
TI	Transparency International
UOM	University of Moratuwa
UN	United Nations
UNCAC	United Nations Convention against Corruption
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
USAID	The United States Agency for International Development
WDO	Women Development Officers
WIN	Women In Need

Project Summary

Project Title	Support to Justice Sector Project (JURE)/ JP “EU-Sri Lanka Justice Reform Programme (JURE)
Duration	January 2022 –May 2026
Location	Sri Lanka
Sustainable Development Goals (SDGs)	SDG 5, 10, 16 and 17
Participating UN Agencies	UNDP and UNICEF
Overall Budget	USD 19,422,120.00
2023 Budget:	USD 5,342,535

EXECUTIVE SUMMARY

The Support to Justice Sector Project (JURE) has made significant strides in its endeavors to enhance the justice sector in Sri Lanka. Through its multifaceted approach, the project has focused on access to justice for the right holders, building institutional capacity of the justice sector institution to strengthen the service delivery, taking anti-corruption measures to enhance accountability and transparency, legislative and policy reforms to provide a clear roadmap to the justice sector institutional and streamline the reform process in line with the Sri Lanka international commitments.

Building on the work started during the inception phase (2022), JURE made impressive progress in implementation of activities in 2023: JURE facilitated inter-agency cooperation among anti-corruption institutions, promoting the effective implementation of the new Anti-Corruption Law; fostered collaboration among various stakeholders within the justice sector, ensuring swift assistance to victims and witnesses of crime through streamlined coordination mechanisms; initiatives such as free legal aid clinics were conducted to improve access to justice, particularly for underserved communities; recognizing the importance of ADR in commercial disputes, project promoted access to justice through expeditious commercial mediation processes; continuous advocacy efforts led to important legal amendments to promote holistic child-friendly justice systems and reduce delays in the justice system; JURE strengthened its monitoring and evaluation system focusing on results based management to ensure accountability and track progress effectively; and established formal agreements with key stakeholders, enabling coordinated efforts in implementing project activities.

During the period JURE achieved some key results progressed towards the three outcomes. The results include: development of three key policy and legislative instruments to strengthen the delivery and governance of justice sector institutions in Sri Lanka including the development of Victims Protection Act, the Act giving effect to Singapore Convention on Mediation, the bill on Civil and Commercial dispute resolution using Mediation, an Amendment to the Mediation Board Act to increase diversion of children involved in theft, and an Amendment to the Children and Young Persons Ordinance (CYPO), and provided technical inputs to develop another seven draft legislations; organizing 197 legal awareness sessions which directly benefitted 11,128 persons including (5,923 women, 150 children, 10 disabled persons) on access to justice, environmental justice, child protection, access to justice for plantation sector, accessibility audit, quota of jobs for persons with disabilities, national preventive mechanism, human rights, land law, dealing with civilian protests, anti-corruption, integrity and values for the education sector, the new anti-corruption law and the new act on protecting victims of crime and witnesses, environmental justice; sensitizing over 912,000 persons through a series of traditional awareness media campaigns (radio and television) on content related to access to justice, including on legislation and avenues for redress, sexual and gender-based violence, cyber and domestic violence, and legal protection frameworks including 500,000 persons reached through a local TV station with a video on the services of Legal Aid Commission; provision of legal aid to 5,753 persons including 3,387 women and 9 persons with disabilities through legal aid camps, free

consultations on hotline and mobile clinics, and CSOs; capacity building of 6,513 justice sector personnel including 3,338 women and 51 persons with disabilities on upgrading the standards of the domestic legal system, skills in investigation and anti-corruption, protection of victims and witnesses, human rights, laws related to young offenders, disability auditing, small claims courts' procedures, environmental law, industrial/ alternative dispute resolution, commercial mediation, arbitration, international standards and practices in rehabilitation and correctional policies, child protection and juvenile justice; initiation of implementation of the Alternative Care Policy, with 2,402 children directly benefitting from child-friendly justice interventions, preventing institutionalization and support for early release and reintegration; and 30 laws relevant and helpful to meet regulatory commitments in day-to-day life of general public were simplified into Sinhala and Tamil languages.

2023 brought several challenges as well which delayed implementation of some of the project activities: context in which JURE is being implemented underwent rapid changes in 2023 making it difficult to engage in activities as per 2023 plan; reform agendas continued shifting for institutions and additional efforts were made to convince the institutions that the initiatives were supporting them in the long run; some partners, especially working within government structures do not have a broad comprehension of project activities and working with external organizations and differing structures, resulting in gaps in work processes, in communication and understanding, and in systematic execution of activities; a general lack of interest/initiative of government institutions to envision long term policy development, plan and allocate personnel and other resources to sustain those policies; government actors sometimes sidelined the agreed project deadlines and work processes due to their political situation; the political and economic instability affected the implementation of certain project activities, as new laws are introduced, and existing laws are amended.

2023 brought several opportunities as well: during 2023 UN Agencies strengthened partnership with Ministry of Justice (MoJ), alongside partnerships with Advocate General Department (AGD), Bar Association of Sri Lanka (BASL), Commission to Investigate Allegations of Bribery or Corruption (CIABOC), Colombo Law Society (CLS), Department of Probation and Child Care Services (DPCCS), Government Analyst's Department (GAD), Human Rights Commission of Sri Lanka (HRCSL), Legal Aid Commission (LAC), National Authority for the Protection of Victims of Crime and Witnesses (NAPVCW), National Institute of Social Development (NISD), Department of Prison (DOP), National Police Commission (NCPA), Non-judges Training Institute (NJTI), Sri Lanka Judges Institute (SLJI), Sri Lanka Women Lawyers' Association (SLWLA), Ministry of Women, Child Affairs and Social Empowerment (MWCASE) The Asia Foundation (TAF), University of Colombo (UoC), and Women in Need (WIN) which would be catalytic in implementing the reforms envisaged under JURE. UNDP and UNICEF have increased their collaboration. The two agencies jointly provided technical input for the recently enacted "the Assistance to and Protection of Victims of Crime and Witnesses Act" and the amendments to "the Children and Young Persons Ordinance". In addition, both organizations provided technical input for the expansion of the existing audio-visual facilities at the National Authority for the Protection of Victims of Crime and Witnesses, including the establishment of a victim-centric interview room with child-friendly features. UNDP and

UNICEF jointly guided the team conducting infrastructure needs assessments of selected courts, leading to victim centric infrastructure in court houses, facilitating access to justice to vulnerable persons. The key outcomes of these collaborative initiatives include increased interprovincial learning and experience sharing, more effective use of combined resources and expertise, and a synergised and coordinated approach to rule of law reform under the Project.

Looking ahead, JURE will continue its efforts to professionalize the justice sector workforce, improve data collection in the justice for children sector, and support alternative care policies to prevent institutionalization and promote reintegration. With ongoing collaboration between UNDP, UNICEF, and various stakeholders, JURE is well-positioned to continue its impactful work in advancing justice and human rights in Sri Lanka.

PROGRESS

Outcome 1: Improved access to justice for all, in particular women, the poor and persons in vulnerable situations

Output 1.1. Efficient and accessible legal aid including legal representation for vulnerable communities (including women, IDPs, PwDs, children)

Given the socio-economic crisis that has been prevailing in Sri Lanka, there has been an increase in vulnerable populations requiring provision of enhanced legal support services and legal advice. However, there has not been a corresponding improvement in the capacity of justice sector institutions, both in the government sector and civil society, to cater to the demand. Resultantly the island legal aid system came under immense pressure struggling to meet and respond to the emerging growing needs of the people, due to several reasons including shortage of funding from the government, capacity issue of the legal aid commission to efficiently utilize the available meager funding by adapting innovative approaches to expand the scope of legal aid with the meager resources. The island's existing legal aid model is reliant on the government funding, but the ongoing economic crisis has limited the capacity of both the government (LAC) and people being hard hit by the collapse of economy causing loss of jobs, low performing businesses, and growing inflation. Therefore, it is a high time to think out of the box and revamp the island's legal aid system by diversifying the legal aid options, expanding the legal aid providers' net, and efficiently utilizing meager resources allocated for the legal aid both to the commission and other entities. The circumstances call for exploring other existing and potential options to expand the legal aid net of Sri Lanka by entering into partnership with the BASL to maximize pro bono and low bono legal aid provided by the lawyers, with public and private law colleges streamlining the clinical legal education to utilize the potentials of law students, add other potential legal aid providers such as civil society organizations to participate and play their role in provision of legal aid, introduce a paralegals model for Sri Lanka to improve legal advice and referral system, and exploring possibility of support from the private sector and philanthropists.

This output contributes to the improvement of legal aid network coordination; educating the public on their legal rights and responsibilities; understanding the legal aid sector including child-friendly legal aid, through studies and assessments of sector institutions and international best practices, with enhanced focus on women, PwDs, and children.

Output 1.1 has six key activities conducted under the broader umbrella of accessibility and representation with each activity bringing together 2 sub-activities under them, leading to 12 sub-activities under output 1.1. These activities are carried out in collaboration with the UNDP justice sector institutions including BASL, DCB, LAC, MoJ, MWCASE, WIN, and SLWLA and overall guidance of a project steering committee.

Activity 1.1.1. Enhance the capacity and scope of the LAC, BASL and other legal aid service providers for efficient and efficacious legal aid services. (UNDP)

This activity has two sub activities and is partially achieved during the reporting period. The planned sub activities under this activity, add strategic value to outcome 1 as building capacities of the legal aid services across the country and enhancing coordination amongst legal aid stakeholders are crucial in improving access to justice for all. This activity paves the way for enhanced and coordinated approaches to the use of resources, including expertise unique to stakeholders.

Coordination amongst the legal aid network of partners providing legal aid has been improved, through quarterly knowledge sharing sessions organized by the LAC and its network of 84 centres spread across the island, and other organizations that operate in the sector. 88 persons (58 women, 30 men) including legal sector professionals and officers from affiliated organizations participated in the sessions, where latest developments in the legal sector related to the criminal justice system and civil law were discussed.

Sub-Activity 1.1.1.1 Establish periodic coordination amongst legal aid service providers to capitalize on services provided to the public based on the findings of the legal aid service providers mapping and capacity assessment.

Spearheaded by the LAC, for year 2023, a brain-storming session was organized. This session targeted professionals and organizations dedicated to providing legal assistance to the underprivileged. 18 participants (7 women, 11 men) attended the session, including various legal and non-governmental organizations, representing the DOP, NDDCB National Dangerous Drugs Control Board, Transparency International (TI), WIN, SLWLA , as well as the field of community medicine. Through these sessions the stakeholders were able to explore the possibilities of mobilizing collective resources to address the legal aid requirements relating to substance abuse, rehabilitation, and prevention of violence against women and children.

Two knowledge sharing sessions were also held among LAC officials covering legal aid centres in Eastern, Western and Northern Provinces. These sessions allowed for knowledge sharing in these provinces including on new processes such as pre-trial and small claims court procedures. The first session was held in Colombo on 23 September 2023, for 42 participants (33 women, 9 men). The second was held on 23 December 2023 for regional LAC centers in Batticaloa targeting the Northern and Eastern provinces, with 28 participants (18 women, 10 men).

Collaborating with the BASL, the project supported the National Law Week in 2023, which enabled access to justice and awareness building for over 1,500 persons (including at least 400 women) through renowned legal professionals, academics, and experts in various fields of law who volunteered to share their knowledge and insights. Additionally, over 700 school children (including over 450 girls) participated in selected mock court sessions and awareness sessions on legal rights. It was an interactive activity which allowed for an immersive experience, of visiting court rooms, sitting through enacted court sessions, meeting legal professionals, and supported by shared publications.

Sub-Activity 1.1.1.2 Based on the findings of the legal aid service providers mapping and capacity assessment, support targeted capacity development initiatives.

A legal aid service providers mapping was conducted with a capacity assessment for LAC Colombo centre, selected 8 branches of LAC centers island wide (Anuradhapura, Ratnapura, Galle, Matara, Gampaha, Hambantota, Mannar) and selected 9 CSOs who are providing legal aid, namely: Women In Need (WIN); Transparency International Sri Lanka (TISL); Centre for Human Rights and Development (CHRD); Jaffna Social Action Centre (JSAC); Women Development Centre (WDC); Suriya Women's Development Centre (SWDC); Centre for Equality and Justice (CEJ); Disabilities Organizations Joint Front (DOJF); and Centre for Policy Alternatives (CPA).

The findings of the report provided short-, medium- and long-term recommendations to strengthen the free legal aid landscape in the country. A key recommendation was the revision of the 'needs test' utilized by LAC, when identifying needy persons. A long-term recommendation was the setting up of regional legal expert panels, enabling the harnessing of expertise of senior lawyers in each Province. Annex 6 - Legal Aid Providers Mapping Report.

A Gender Capacity Assessment of selected legal aid providers including nine branches of the LAC representing all provinces and the above-mentioned nine CSOs was conducted, helping to define and enhance gender mainstreaming at an organizational level.

The findings of these studies will be incorporated in the National Policy and Strategic Action Plan on Legal Aid which is being reviewed by the MOJ.

Activity 1.1.2 Operationalize the cabinet approved National Policy and Strategic Action Plan on Legal Aid (UNDP)

As mentioned under Activity 1.1.1 that the legal aid system in Sri Lanka is struggling to meet the growing demand for legal aid to access the formal justice system in the country. Due to the collapse of Sri Lankan economy, this is high unlikely that in the near future Sri Lankan Government will be able to pump more money into the legal aid. Therefore, the potential solution is to spread and diversify the legal aid providers net by introducing a paralegal system in collaboration with the key stakeholders, establishing legal aid desks with the BASL, and legal aid clinics with the law students, and explore the option of paralegals.

This activity adds strategic value to the overall outcome 1 as this will enable the country to have a holistic and strategic approach (led by the MOJ) to legal aid, as opposed to ad hoc and isolated approaches and will also support the coordinated use of resources. The sub activities under this activity have been partially completed during the reporting period for reasons detailed below and will continue in 2024.

Sub-activity 1.1.2.1 Support the updating of the cabinet approved National Legal Aid Policy and Strategic Action Plan in collaboration with MOJ, BASL and LAC

Further to the recommendations provided by LAC, MOJ is in the process of updating the National Legal Aid Policy and Strategic Action Plan with input from relevant stakeholders. The project is liaising with the MOJ to include the findings of the Gender Capacity Assessments of selected institutions, Legal Aid Stakeholder Mapping and Capacity Assessment as well as the Assigned Counsel Study, to align the policy on par with

international best practices, keeping in mind, local nuances. Annex. 7: Assigned Council Study.

Sub-activity 1.1.2.2 *Support the Ministry of Justice and Legal Aid Commission to organize the launch of the Policy and the Action Plan and its operationalization.*

Launch to be held after updating the National Policy and Strategic Action Plan on Legal Aid. This sub-activity is linked to completion of 1.1.2.1.

Activity 1.1.2 a) Provide technical support to the LAC to strengthen access to child-friendly legal aid. (UNICEF)

The project initiated an assessment (which is ongoing), on child-friendly legal aid in Sri Lanka with the aim of developing child friendly legal aid guidelines, as well as continued consultations with the key stakeholder institutions, including the Legal Aid Commission, Department of Probation and Child Care Services (DPCCS) and Department of Prisons.

Sub-activity 1.1.2.a)1 *Hire an individual consultant to develop the guidelines on child-friendly legal aid and then provide training for the LAC officers on the guidelines.*

The project facilitated two consultations on legal aid for children. The first consultation involved the DPCCS, Department of Prisons and UNICEF where the project learnt that there was no formal provision of legal aid for children. The dire status of children in prisons was also discussed as child suspects are kept imprisoned together with adults (please see Sub Activity 3.1.1.1 regarding a transformative change in this regard). As of October 2023, there were 29 child suspects kept in adult prisons. The second consultation involved the LAC, DPCCS and the CSO, Lawyers for Human Rights and Development (LHRD).

Continued coordination among these three institutions helped collate the details of these children, including the availability of and access to legal representation, ability to pay for bail and care, and protection arrangements upon release from prison. Accordingly, LAC, has been provided with necessary information by the Department of Probation to provide necessary legal aid assistance.

Consent from LAC and the Ministry of Justice was secured to develop child-friendly legal aid. An assessment is being conducted at present, to understand the existing practices through close engagement with LAC and its regional offices. The findings will inform the development of the first-ever child-friendly legal aid guidelines. This activity will be enhanced by the findings of the Legal Aid Service Providers Mapping, already conducted by the project.

Sub-activity 1.1.2.a)2 *Based on the recommendations of the J4C Workforce mapping and information related to training needs, deliver a robust in-service training program for the legal fraternity including State Counsels and the Private Bar (BASL) and for civil society legal aid providers related to child representation.*

This activity relates to Activity 3.1.7., focusing on the Justice for Children (J4C) Workforce Mapping and Training Needs Assessment, which are currently ongoing. The establishment of a Reference Group comprising of over 10 J4C stakeholders, including the National Child Protection Authority, AGD, Department of Probation and Childcare Services and Judiciary, has been useful for reviewing existing training content and providing the necessary guidance

for improvement. This initiative primarily focuses on areas related to justice for children, including: (1) best interest of the child, (2) technical competency, (3) prioritization of challenges, (4) overall training gaps, (5) specific institutional training gaps, and (6) individual stakeholder training gaps.

While the Training Needs Assessment is ongoing and given the judiciary is a key J4C stakeholder, by the end of 2023, structured training programmes on overall child protection were conducted for J4C stakeholders, including with participation of 35 Magistrates and 75 High Court Judges.

Activity 1.1.3 Improve and strengthen “Assigned Counsel System” in High Courts and Magistrate’s Courts and improve the knowledge and capacity of lawyers especially those working on pro-bono cases. (UNDP)

Under the assigned counsel system, once an indictment is filed, where the accused requests for an attorney-at-law upon the judge’s inquiry, court to assign an attorney-at-law for his / her defense. This ensures that no defendant goes unrepresented in a criminal trial. There is little written reference on how the assigned counsel system works in Sri Lanka which brings to the fore a dearly felt need for its proper identification. An analysis of how this system is in operation and how it could be improved would ultimately lead to a stronger and more vigorous justice sector for Sri Lanka. The activity is part of the overall inclusivity of the criminal justice system where accused persons should have access to counsel. The activity contributes to the outcome 1 focusing on improving access to justice for all. Part of the strategy, the project will review the existing assigned counsel system and public defenders in detail to find out gaps and areas for support.

This activity adds strategic value to the overall outcome as an internationally accepted method of strengthening free legal aid. As the MOJ is updating the National Policy on Legal Aid, incorporating the learnings from this assessment will improve the strategic approach to state-led legal aid. This activity is partially completed. Specific details are mentioned under the sub activities.

Sub-activity 1.1.3.1 Complete the study on the Assigned Counsel System with stakeholder discussions and comparative analysis to identify recommendations for Sri Lanka.

The study on ‘Assigned Counsel System’ was conducted in consultation with the key stakeholders including judicial officers, defense lawyers, former prosecutors, non-judicial officers, criminal justice experts. Further key institutions including the MOJ, LAC as well CSOs providing legal aid in criminal cases were consulted in this process. The study analyzed the efficacy of the respective systems with special emphasis on the quality of representation, delivery of justice, and financial remuneration for the counsels.

The study underwent validation by key stakeholders from the justice sector institutions and professionals. Based on the findings of a study conducted in 2022 at the validation it was confirmed that the public defender model was not viable for Sri Lanka being ineffective to address and respond to the emerging growing needs of the people of Sri Lanka in view of the ongoing economic crisis. As an outcome it was decided that the findings of the study on Assigned Counsel System should be included in the National Action Plan on Legal Aid to improve an integrated synergized approach.

Recommendations outlined in the study on Assigned Counsel system: i) systematize and standardize qualifications and experience; ii) remuneration to reflect at least a portion of the current fee rate; iii) access to a wider range of criminal justice legal aid; iv) panel to guide and support the Assigned Counsel; v) centralized system to collect, store and analyze data; vi) and guidelines and continuous training including on gender sensitivity; and a unit within the MOJ to oversee operations.

Sub-activity 1.1.3.2 Support the relevant sector stakeholders to implement selected findings of the two studies on criminal legal aid - (Public Defender Mechanism, conducted last year and Assigned Counsel System).

The findings of the assigned counsel system study were not implemented separately given the fact that a National Action Plan on Legal Aid is being developed by the MoJ in consultation with BASL and LAC. The findings of the Assigned Counsel System will be utilized to enhance the National Policy and Action Plan on Legal Aid under discussion and to support a national and strategic approach to legal aid. JURE has been following up with the MOJ to expedite the revision of the National Policy and Action Plan on Legal Aid to enable LAC and other providers respond to the growing legal aid needs of the people of Sri Lanka.

Activity 1.1.4 Enhance sensitivity and responsiveness, by training, of 'first point of contact' individuals such as JMOs, police officers, other similar professionals especially when assisting girls and women victims of violence. (UNDP)

The first responders are the first point of contact for the victims of crime in a criminal justice system. In the Sri Lankan criminal justice system, the judicial medical officers, development officers such as social service workers, child protection officers, child rights officers, counsellors, counselling assistants, women development officers, child rights promotion officers and police are the first responders. As violence including gender-based violence is a regular phenomenon in Sri Lanka, therefore strengthening the capacity of first responders will improve conditions including safety and services for the victims in general and vulnerable persons including women, children, transgenders, persons with disabilities and Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community, in particular. This aims to enhance sensitivity and responsiveness of the first responders by building their capacity on laws, counseling, and referral to legal aid and necessary medico legal and social services available for Sexual and Gender Based Violence (SGBV) survivors.

The outcome of this activity is to ensure that SGBV survivors have access to legal aid, medicolegal and other social services. This activity adds strategic value to the overall outcome 1 as it is crucial that sensitivity and responsiveness of these individuals are enhanced, enabling the victims to share their issues openly and without fear. As a result, their rights could be ultimately vindicated.

The project has initiated implementation of this activity however for reasons mentioned under the sub activities the implementation will go to 2024.

Sub-activity 1.1.4.1 Implementation of key recommendations of the Gender Gap Analysis of the Police Force.

This sub-activity is intended to provide the police with gender sensitivity related skills when responding to victims as the police force is a key first-point-of-contact in the criminal justice sector. Initial conversations were held with the National Police Commission to identify specific areas for potential support, however due to the prevailing socio-political uncertainty this activity was not implemented in 2023.

Sub-activity 1.1.4.2 Roll out of the paralegal training at national and sub-national level among WDOs and Counseling Assts to initiate legal clinics and identify SGBV survivors.

This activity is strategically significant as Women Development Officers (WDOs) and Counsellors, Counselling Assistants, and Child Protection Officers are key first responders in situations related to crimes. It is crucial that they have basic legal knowledge to understand where to channel cases as relevant. If not for this training, there is leeway for the victims to be referred to institutions that cannot provide the required support, leading to delays in solutions and mistrust of public institutions providing justice services.

Strategic discussions were held between the MWCASE and the project to strengthen the SGBV referral pathway where WDOs and counsellors, counselling assistants, and child protection officers. The discussion with the Ministry highlighted several areas that needed to be addressed and improved through targeted training module development.

The Module on Paralegal Training on Laws and Rights Related to Women and Children, developed by UNDP in collaboration with MWCASE in 2020 will be one of the materials that will be utilized in 2024 for these capacity development workshops.

Activity 1.1.5. Develop sustainable mechanisms to provide for legal protection of economic and property rights of vulnerable communities and women, including legal protection from predatory lending. (UNDP)

In Sri Lanka, it has become a popular and commonplace practice to pledge immovable property such as agricultural and residential property, as security for short term financial needs, at high interest rates. To avoid the long court procedure, a 'Deed of Transfer' simply transfers ownership of the property in favour of the creditor if/ when the debt is in default. Finally, when it is not possible to repay the loans within the given period of time, there has even been extreme cases of suicide attempts, especially with regards to women mainly in rural households, as financial decisionmakers. Most debtors with financial difficulties have no access to proper legal advice or legal representation. Therefore, sustainable mechanisms are necessary for the legal protection of vulnerable communities. This activity was designed to strategically address the absence of effective legal safeguards and improve access to justice under outcome 1, protecting economic and property rights of marginalized communities.

DCB, as the only entity in Sri Lanka specifically addressing debt related issues attached to land, the present vision of the DCB is to offer relief arrangements for the repayment of loans involving immovable property, along with facilitating recovery of such property through negotiations, such as installment payments and negotiated rates. Sub-activities under this provide strategic value to outcome 1 by protecting economic and property rights of vulnerable populations.

DCB, established in 1941, is a platform that use conciliation techniques as a method to resolve debt related disputes in Sri Lanka. Its core function is to provide relief for debtors to recover immovable property placed as security to meet their urgent financing needs. However, people are largely unaware of DCB and its services, as the Board functions with limited resources, with just three regional branches in Galle, Gampaha and Kurunegala. Activity 1.1.5 was partially completed due to the reasons provided with sub – activities.

Sub-activity 1.1.5.1 Conduct capacity needs assessment of the Debt Conciliation Board.

The project conducted a study in quarter 1 and 2 to identify the legal and capacity gaps of DCB, that hinder its ability to deliver meaningful and sufficient services to disadvantaged communities. The study consisted of interviews with selected officials, institutions, and professionals and surveys across the country's nine provinces. Some of the key capacity gaps identified are lack of training and supervision of the members of DCB, lack of expertise in debt restructuring, failure to give prominence to core skills needed in conciliation of the proceedings, representation by lawyers, etc. The study identified some institutional gaps including the non-use of technology for record keeping, data sharing and data collection issues, insufficient funds to source human and physical infrastructure to fulfil daily work. Annex. 8: Debt Conciliation Board Study.

Sub-activity 1.1.5.2 Based on the findings of the assessment, provide support to the Debt Conciliation Board to enhance capacity. The project held a series of discussions after the DCB study, including with members of the DCB, with a supreme court judge, and multiple conversations with MOJ officials on enhancing the operational procedure of DCB. Based on these consultations and with the concurrence from the MOJ, three areas were prioritized for implementation by DCB: Development of software for DCB to keep track of the cases, collect data as well as online application facility to improve service delivery.

1. Revisit DCB regulations/ procedures to improve resolution of cases.
2. Develop a communication plan to improve public awareness of DCB.

The project is planning to set up a technical/ working committee consisting of key stakeholders in the sector, such as judges and local experts having expertise in mediation techniques. This committee will be tasked to suggest procedural; functional and policy changes needed for DCB to operate and provide services efficiently. Simultaneously, the software will provide sufficient information on the progress of cases and other statistical data enabling DCB to analyze growth and areas for improvement. The communication plan will provide guidance to DCB on ways in which they should approach the public to raise awareness on the importance of exploring DCB as a reliable method of resolving disputes.

Output 1.2. Equal Access to Justice strengthened including through language mainstreaming across the justice sector (through improved translation/ interpretation capacities)

Output 1.2 has three activities coming under its purview, under which are nine sub-activities. Out of these, all sub-activities are under way except 1.2.1.1 and 1.2.1.4, and reasons are provided below.

Activity 1.2.1. Enhance capacity for legislative drafting, translation, consolidation and simplification of laws and set up a sustainable mechanism that facilitates (real time) public access (including online) to laws and subsidiary legislation. (UNDP)

Activity 1.2.1 focuses on both the demand side and supply side of the justice sector. The overall objective of this activity is to enhance legal awareness of the people of Sri Lanka on the newly enacted laws and changes in the existing laws and to enhance knowledge and build capacity of the justice sector institutions.

The Sri Lankan laws are written in English and translated to local Sinhala and Tamil languages. Partly because of the language and complex legal terminologies legal literacy of the public of laws, legal rights and available legal support mechanisms such as legal aid and other redressal mechanisms remain low in Sri Lanka. The island in the past could not develop a well- established translation system to timely translate new enactments. Delays in translation prevent people's access to know newly enacted laws in their local languages being literate in their mother tongue only.

As the world is moving towards the use of artificial intelligence therefore the first version of translation can easily be done through software, which will reduce the time taken to get the first translation. The expert translators deployed in the translation unit will then review and improve the translation before the translated laws are made public.

Simultaneously, with the rapid changes in the socio-economic landscape of the country, there have been many newly introduced laws in Sri Lanka in the past few years, therefore there is a need to run a comprehensive legal awareness programme to sensitize public on the newly enacted laws enabling them to know their legal rights and liabilities and available legal assistance mechanisms.

The impact of this activity would be transformational in terms of access to justice – people will be equipped with knowledge, in their own language, on the solutions that are available to them including the access to institutions that are authorized to provide these solutions to them. The initiative will also help the human resources including lawyers, police, prosecution and judges to get translated in an efficient and timely manner.

Simplification of laws and translation activities provide strategic value to the achievement of Outcome 1, in ensuring better access to justice for the most vulnerable populations.

Activity 1.2.1 is partially completed for the reasons provided under sub-activities.

Sub-activity 1.2.1.1 In collaboration with the University of Moratuwa, operationalize a customized translation software for the Legal Draftsman's Office to expedite translation of Bills.

The project facilitated multiple discussions among the University of Moratuwa (UOM), Legal Draftsman's Office (LDD), and Secretary of the MOJ regarding the implementation of UOM's translation software for converting English documents into local languages. These

discussions were geared towards customizing the software to meet identified legal needs. The LDD was not convinced on the proposed customizations.

This entails exploring additional models to address the requirements of the Legal Draftsman's Office moving to 2024. Given the dissatisfaction with the translation customizations provided by the UOM, an alternative approach must be considered moving forward in 2024 including recommencing discussions with LDD and onboarding another service provider after consensus are built with the LDD. The project will discuss this with the MOJ and develop a plan of action, including the option to remove this activity from the JURE plan.

Sub-activity 1.2.1.2 Simplification of selected key legislation/ legislative enactments and key provisions of selected laws (including Penal Code, the Consumer Affairs Act, Domestic Violence Act, Companies Act, National Environmental Act).

Thirty key laws relevant to the day-to-day life of Sri Lankans, were selected for simplification after identifying key needs of different segments of society and based on stakeholder consultations carried out during the inception phase (2022). These laws were simplified by a group of legal researchers/ professionals. The selected laws (as given below) are now available in Sinhala and Tamil languages in simplified form.

1. The 21st Amendment to the Constitution
2. The Penal Code Ordinance, No. 2 of 1883 - key provisions
3. The Companies Act No. 7 of 2007
4. The Mediation Boards Act No. 72 of 1988
5. The Consumer Affairs Act No.9 of 2003
6. The Debt Conciliation Ordinance No. 39 of 1941
7. The Personal Data Protection Act No. 09 Of 2022
8. The Computer Crimes Act No. 24 of 2007
9. The Prevention of Terrorism (Temporary Provisions) Act (No. 48 of 1979)
10. The Right to Information Act No. 12 of 2016
11. The Shop & Office Employees (Regulation of Employment & Remuneration) Act 1954
12. The Prevention of Frauds Ordinance No. 7 of 1840
13. The Sri Lanka Drug Dependent Persons (Treatment and Rehabilitation) Act, 2007
14. The Poisons, Opium and Dangerous Drugs (Amendment) Act No. 41 of 2022
15. The Domestic Violence Act, No. 34 of 2005
16. The Victims of Crime and Witnesses Protection Act, No. 04 of 2015
17. The Fauna and Flora Protection Ordinance, No 2 of 1937
18. The National Environmental Act, No. 47 of 1980
19. The Maintenance Ordinance, No 19 of 1889
20. The Marriage Registration Ordinance, No.19 of 1907
21. The Kandyan Marriage and Divorce Act, No. 44 of 1952
22. The Muslim Marriage and Divorce Act, No. 13 of 1951
23. The Matrimonial Rights and Inheritance Jaffna Ordinance, No. 1 Of 1911
24. The Small Claims Courts' Procedure Act, No 33 of 2022
25. The Wills Ordinance, No 21 of 1844
26. Finance Leasing Act, No. 56 of 2000
27. Financial Transactions Reporting Act, No. 6 of 2006
28. Debt Recovery (Special Provisions) Act, No. 2 of 1990
29. Anti-Corruption Act, No. 9 of 2023

30. Regulation of Election Expenditure Act, No. 3 of 2023

In collaboration with MOJ, key institutions handling these laws were approached for feedback. The validation workshop inviting the relevant stakeholders will be held in 2024.

Once the simplified laws are validated, communication material will be developed to widely disseminate the simplified and translated laws among the public, through a comprehensive media campaign. These simplified laws will facilitate better legal awareness and improve legal literacy among the public. Along with awareness campaigns on the simplified laws that will be held after the approval of the MOJ, the project with the support of media firms develop short and easy to read and understand legal awareness messages on these laws aiming to enable the general public to understand the fundamental messages making part of these laws, their legal rights protected under these laws, their legal liabilities and redressal forums and referral pathways provided in these laws.

As access to justice is not a standalone term, it comprehends the availability of an efficient legal aid and advisory service a means to ensure people's access to the formal and informal justice system on one hand and entails adequate knowledge about the prevailing laws especially the newly enacted laws on the other. Therefore, both the aspects will go side by side leading to transformational impact to enhance access to justice for all in Sri Lanka.

Sub-activity 1.2.1.3 Updating the glossary.

The Glossary of Legal Terms contains the Sinhala, Tamil, and English phrases for the use by the legal fraternity including lawyers, judges, and legal researchers. The glossary that is currently in use has not been updated in nearly a decade. During this time many laws have been amended and new concepts and terminology have been introduced to the justice sector in Sri Lanka. This activity is strategically important as it will keep the legal fraternity abreast of new legal terminology and its application in local languages.

With the support of the project, MOJ is in the process of appointing a technical committee representing the Legal Draftsman's Department; Ministry of Education; Department of Official Languages; and three editors for English, Sinhala, and Tamil languages. UNDP will be facilitating the process of technical evaluation of the drafted glossary and coordination among the committee to deliver the glossary with a plan in place for dissemination among the key stakeholders.

Sub-activity 1.2.1.4 Conduct media campaign on selected laws, including on traditional media and social media (including on laws enacted in the past 6 months)

This sub-activity is not completed and is linked to 1.2.1.2, namely the simplification of laws, for which the validation workshop will take place in the second quarter of 2024. Based on the findings, a communications strategy will be developed, and communications material designed through a communications company, to ensure a comprehensive awareness raising campaign on the simplified laws, to reach a wider public, especially focused on marginalized communities. The project will engage media firms to design legal awareness messages on new laws and changes in the existing laws enabling the public to know the laws and will support the project in awareness.

Sub-activity 1.2.1.5 Support the setting up of the mechanism to print a supplement to the Legislative Enactments every five years and update and print Sri Lanka Law Reports

Legislative Enactments are used and referred to by lawyers and judges in delivering justice. Until last year, Legislative Enactments from 2019 to 2023 were not available for legal professionals, in printed form. To achieve the objective of the outcome 1, it is crucial to ensure their unfettered access, for the continuation of uninterrupted court processes.

In collaboration with MOJ, the Legislative Enactments from 2019 to 2023 were compiled and made available to lawyers and judges from January 2024.

Activity 1.2.2. Improve interpretation and translation services at all stages of judicial proceedings (including through special translation units in Courts). (UNDP)

Throughout outcome 1, language has been flagged as a main barrier affecting equally the demand and supply sides of the justice system. A glaring example of the Sri Lankan disconnected legal and judicial system is that the magistrate's courts and district courts conduct court proceedings and write judgements in Sinhala language however at the high court and supreme court level the proceedings are recorded, and judgements are written in the English language. Due to this issue, litigants are required to translate the court file into English language for the superior courts. Delays in translation lead to delays in timely filing of appeals and consequent delays in timely disposal of appeals. This barrier was pointed out by the judiciary at the time of project design and subsequently by litigants, judges and other justice sector institutions. Therefore, the important role of language in securing justice, the MOJ and JSC are envisioning the need for strengthening the translation unit to efficiently cope with the translation matters. This unit will enable litigants in general and vulnerable segments such as women, children, transgenders, unable to pay for translation, to undertake translation without any cost through the unit and file their appeals before the appellate courts. The impact of this activity, ensuring timely translation, is directly connected with the project outcome 1 access to justice for all in a timely and efficient manner.

Sub-activities planned under 1.1.2 would contribute to the overall strategic value of the project under outcome 1 ensuring better access to justice and overcoming language barriers in the process.

Sub-activity 1.2.2.1 Lay the groundwork to set up a Special Translations Unit in the Court of Appeal and Supreme Court, in collaboration with the MoJ, AC and SC

As mentioned, that delays in translations of judgements into local languages impact the time taken to carry out appeal procedures and related court processes. Such delays are a barrier to effective access to justice and can result in public distrust in judicial processes.

Recognizing the critical role language plays in securing justice, the project provided equipment to the existing translation unit to strengthen its capacity. The project received a request through MOJ from the Supreme Court and the Court Appeal for human resources to be deployed in Translation Unit. However, the secretary MOJ was convinced that the government should arrange human resources from its own budget to ensure sustainability of the unit.

Sub-activity 1.2.2.2 Support the development of a language mainstreaming strategy, in consultation with justice sector stakeholders

As a first step, a comprehensive language audit was carried out by the project in selected courts, police stations and mediation boards in all twenty-five administrative districts in Sri Lanka. A range of service providers in the government sector as well as CSOs were also consulted in the process. The audit identified gaps in terms of the official language policy and constitutionally guaranteed language rights.

Based on the audit findings language mainstreaming strategy was developed that identified short- and long-term action points for consideration of MOJ, JSC, non-judicial staff, National Institute of Language Education and Training, and Official Languages Department. Recommendations include intensive training for interpreters and translators, templates for litigants in all three languages, coordinated networks for intensive interpreter training, encouraging plain language in documents, and interpretation to be professionalized in the legal system. Annex. 9 : Report on Language Audit and Strategy.

The project will liaise with the MOJ, National Institute of Language Education and Training, and Official Languages Department in identifying key priorities for implementation from the above- mentioned recommendations.

Whilst at present there is a national language policy, in the court processes litigants and parties face challenges when accessing services in their preferred language. The implementation of the strategy/the recommendations will ensure a streamlined service delivery in the justice sector, particularly in the court structure where language sensitivities are accounted for, which aligns with the access to justice paradigm of the project.

Sub-activity 1.2.2.3 Introduce Code of Conduct for ISD and Sworn Translators.

The project in collaboration with the MOJ has completed development of a Code of Conduct for Inquirers of Sudden Deaths. The objective is to streamline and manage inquests efficiently.

The project in collaboration with the MOJ conducted four trainings for ISDs on the newly developed code of conduct. 271 IDS officers in Kandy, Trincomalee, Matara and Colombo participated in the training.

The project, with the MOJ, began developing a Manual for the Sworn Translators. The MOJ constituted a committee to standardize and streamline their practices. The manual will be ready for dissemination by first quarter 2025.

Activity 1.2.2 a) Update and translate legal documents relevant for all children in contact with the law. (UNICEF)

As the primary procedural law on child protection is currently undergoing a comprehensive reform process, the translation of this law into local languages is on hold.

Sub-activity 1.2.2.a)1 Update and translate legal documents relevant for all children in contact with the law and provide direct support for translation services to the AGD.

The current procedural law on child protection is the Children and Young Persons Ordinance (CYPO) dating back to 1939, which is only available in English. Initially, the project planned to translate this key legislation into Sinhala and Tamil languages. However, the CYPO is currently being reviewed by a technical committee appointed by the MOJ to introduce a new Child Protection and Justice Bill. Therefore, this activity was not prioritized during the reporting period.

A constraint faced was on providing translation services to the AGD. The project, together with the AGD, prepared a proposal to subcontract these services to external translators so that the AGD could provide services equitably to all people in both local languages. However, this proposal did not materialize due to privacy and confidentiality issues, and therefore this activity was discontinued as discussed during the PSC.

Output 1.3. Improved legal awareness amongst the public (especially vulnerable communities)

Output 1.3 has two key activities conducted under its purview with a total of six sub-activities. Under activity 2, sub-activities 1.3.2.3 – 1.3.2.5 are ongoing, while sub-activities 1.3.2.1 and 1.3.2.2 have not been conducted due to reasons detailed below.

Within this output, the Human Rights Commission of Sri Lanka (HRCSL) initiated discussions to incorporate child rights in the secondary school national curriculum. Teachers of Civic Education were given trainings on promoting child rights, awareness on laws, were enhanced through partnerships with the MOJ, CIABOC and HRCSL. Higher education institutes such as the Faculty of Law of UoC, as well as professional educational establishments such as the Law College were supported in curriculum development.

Activity 1.3.1 Conduct awareness raising programmes on Justice for Children and the law in relation to young people and ensure its inclusion in curriculum reform. (UNICEF)

Through the project's support, the HRCL initiated consultations with the National Institute of Education to incorporate child rights in the ongoing overall curriculum reform. The project also engaged with teachers of civic education to raise awareness on promoting child rights.

Sub-activity 1.3.1.1 Conduct awareness raising programmes on Justice for Children and the law in relation to young people and ensure its inclusion in curricula of relevant institutions.

Despite the administrative changes that occurred at the HRCSL, three key teacher training pilot programmes were completed in Kurunegala, Anuradhapura and Matara educational divisions. These locations were prioritized due to the high prevalence of child abuse cases. The HRCSL conducted each training programme for approximately 60 subject teachers of civic education, with a primary focus on understanding human values and human rights; international legal framework on child rights; national legal framework on child rights; existing

local child rights mechanisms to protect and promote child rights; and the teachers' role in creating a child-friendly environment. Suggestions by participants in these programmes will help develop a model teacher training manual on child rights in 2024. The HRCSL also initiated its advocacy and consultative efforts with the National Institute of Education on incorporating child rights and values in the ongoing overall education reforms.

Activity 1.3.2. Improve the capacity and level of awareness of right holders (including vulnerable groups), CSOs (non-state organizations, think tanks, lawyers, law faculties and colleges and professional research institutions) involved in access to justice, defense of human rights, children and women's rights; and support their dialogue with duty-bearers including on environmental justice. (UNDP)

As mentioned throughout the output 1, that lack of legal awareness has been a serious problem in Sri Lanka. This situation was further aggravated by the enactment of new laws to respond to changing socio-economic conditions in Sri Lanka. This activity envisions an engagement strategy for the CSOs keeping in view the a general sense of reluctance among some of the justice sector institutions to provide a space to the CSO therefore provided a catalytic role by bringing the CSOs to sit together and start communicating to each other. The second segment of this activity is to enhance the knowledge of people on the laws.

Sub-activity 1.3.2.1 Support the development of a CSOs engagement strategy for the sector with input from the justice sector stakeholders to improve collaboration between CSOs and the sector.

Whilst engaging CSOs is important in the justice sector processes, it has become clear in our interactions with the justice sector actors that all institutions do not share the same level of willingness to engage civil society. Therefore, developing a strategy for the sector would have limitations.

In our continuous engagements with the sector, the project is facilitating the interaction between sector stakeholders and CSOs (for example in the context of legal aid service provision as explained under output 1.1), inculcating a culture of openness which could be leveraged to develop a strategy in the future. Therefore, the project will conduct a mapping of CSOs engagement that has the potential to feed into a strategy later if there is consensus in the sector.

Sub-activity 1.3.2.2 Support the implementation of selected initiatives of the CSO engagement strategy in collaboration with the justice sector stakeholders and CSOs.

This sub-activity will follow sub-activity 1.3.2.1. Once 1.3.2.1 is completed JURE will commence work on this activity.

Sub-activity 1.3.2.3 Conduct awareness raising campaigns (including media campaigns) on selected civil (including Small Claims Court), criminal (including Bribery Act) and commercial laws (including arbitration) and remedial mechanisms collaborating with Ministry of Justice, Law Faculties, CIABOC, HRC.

This activity aims to enhance awareness on laws, through partnerships with the MOJ, Faculty of Law of UoC, CIABOC and HRCSL.

The project conducted 49 legal awareness raising programmes including panel discussions and interviews were conducted on mass media (television and radio) with the participation of experts from the UOC, Bribery Commission, and HRC, on content related to access to justice, including on legislation and avenues for redress, SGBV, cyber and domestic violence, and legal protection frameworks. Approximately 912,000 people were reached out through the media campaigns.

A short video on LAC's services was developed collectively and disseminated on local television during the first quarter of 2023. Reach of the television channels covered approximately 500,000 persons. LAC notes that the video resulted in an increase in the number of cases received.

The LAC website has been developed and is awaiting final clearance at present. When launched in 2024, it will be a platform for efficient sharing of information and awareness-raising.

The Centre for the Study of Human Rights (CSHR), UOC held 9 radio programmes from October 2023 with the support of the project. Between October-November 5 radio programs (in Sinhala) on SGBV 16 days campaign, on themes of cyber violence, domestic violence, legal and protection framework; in December 2023, 4 radio programmes on SGBV and child rights on *Kandurata Sevaya* and SLBC (two each in Sinhala and Tamil).

Sub-activity 1.3.2.4 Supporting the University of Jaffna, Peradeniya and Colombo to set up/strengthen Legal Aid Centre and the Clinical Legal training mechanism, environmental justice, improving mooted skills, legal English, specialised skills on analysing case law and collaborating with UOJ to conduct research on selected areas of the law.

This sub-activity is directly relevant to the achievement of outcome 1 as it seeks to strengthen academia who are key players in enhancing access to justice processes.

Strengthening the LAC in the University of Jaffna, Peradeniya and Colombo directly impact the ability for vulnerable persons to access justice mechanisms, improve capabilities of young lawyers, and enhance their research skills, contributing to their ability to find creative and innovative solutions to legal issues faced by the public.

The project is supporting the CSHR and the Centre for Environmental Law and Policy (CELP), both of the UOC, to conduct free legal advice services on human rights and environmental law matters. Accordingly, the project has supported CSHR to have a hotline for the public to call in for free legal inquiries. Within the reporting year, with the support of 15 part time coordinators and 17 law student interns, 525 legal aid seekers received free legal aid (320 women, 205 men), through the centre in Colombo as well as the regional network established in all provinces in the country. JURE resources have provided a platform to broaden the vision of UoC, enhancing their capacity, which will contribute to continuation of legal service provision, and exploration of avenues to continue and expand work in the area.

The CELP launched a 'Green Road Trip' targeting students, government officials and the public, to create awareness on environmental rights and justice, with 98 public officials (61 women, 37 men) and 142 youth (90 women, 52 men) made aware of environmental rights and justice.

With the support of four interns CSHR has assisted the HRC to document, conduct the preliminary review and monitor the progress of the cases received at periodic public consultation days of HRC. Additionally, 293 fundamental rights reported cases have been summarized with the support of 2 interns to be uploaded to the database of cases maintained by CSHR for the utilization of graduates and legal practitioners.

The curriculum for the master's in international Environment and Climate Change Law, was developed, enabling the UOC to launch the course within quarter 4 of 2023. In this first-of-its-kind academic course in this thematic area, launched in South Asia, 24 students (13 women, 11 men) enrolled, including 2 male foreign students. Annex – 10: Curriculum master's in international Environment and Climate Change Law.

Support to develop the curriculum and content for a MA in Business and Human Rights is ongoing. An expert committee, including academics, and practitioners in the business and human rights fields, was appointed to plan the course outline. The finalized course outline has now been shared for internal approval.

A research forum on interdisciplinary approaches to environmental law created a platform for academics to come together for an unprecedented venture, to share their views and learnings. An abstract book titled 'Environmental Law and Governance in Sri Lanka: Multidisciplinary Perspectives' was launched on the occasion, and the full papers will be published at the expanded forum to be held in mid-2024. The event witnessed the participation of His Lordship Honourable Justice Janak De Silva Judge of the Supreme Court and Prof. Sarath Kotagama Professor Emeritus, Department of Zoology and Environment Sciences, University of Colombo, participated at the event. Annex. 11: Collections of Abstract.

To inculcate a culture of respect for human rights in the decision-making process at grassroot level and at national level, the project in collaboration with the CSHR is educating divisional secretaries and parliamentarians on human rights-based decision making. During the reporting period, 384 government officials (219 women, 129 men) including divisional secretaries, additional divisional secretaries, and relevant officers of the district secretariats were trained.

Sub-activity 1.3.2.5 Support the development of Sri Lanka Law College curriculum including Legal English and on latest ADR mechanisms, provide digital infrastructure including Learning Management Systems.

Consultations with multiple stakeholders/ experts in the sector affirmed, including the Principal of Sri Lanka Law College that the curriculum of the Law College has not undergone significant changes for decades. For example, in terms of course content, structure, and skill components, the current curriculum has significant gaps. The existing administrative procedures and teaching methods are ineffective as the processes are performed manually with limited digital intervention. Overall, the education system at Law College does not address prevailing needs in developing knowledge and skills. Nor is it on par with other higher

educational institutions. Therefore, with the strategic vision of preparing law students to suit the developments in the legal fraternity, it was decided to support reforms in the curriculum.

The Council of Legal Education headed by the Chief Justice agreed to the threefold reforms for the Sri Lanka Law College, outlined as follows:

1. Revamp the curriculum of Law College, which has not been properly evaluated for relevance or validity for decades;
2. Digitalize the learning and teaching processes; and
3. Introduce a specialized course on legal English.

The project commenced activities in Quarter 2 of 2023 by supporting the internal team of experts formed by the Law College to revise the study structure for the entire curriculum under the guidance of the Board of Studies. The project hosted a workshop which was attended by the members of the Board of Studies and 12 members internal panel of experts (six women, and six men), to expedite the process and finalize the study structure, which was completed in quarter 4, and was presented for a second review to the Board of Studies.

Next a panel will be formed to build study guides for all subjects. The experts will be divided into several sub-committees based on different disciplines of law. The sub-committees will then form the learning outcomes of each subject, prepare the study texts and lecture guides. This will be undertaken in 2024.

The project has also initiated the process to engage an international academic expert for a high-level vetting of the learning outcomes, study structure and study guides prepared.

In relation to digitalization of Law College, specifically the teaching, learning and administrative components, the project conducted several consultations with multiple industrial experts.

The initial set of digitalization activities are:

1. Learning Management System (LMS);
2. Law College website;
3. Integrated Library Management System;
4. Student Management System (SMS);
5. HR System;
6. Procurement System;
7. IT infrastructure and other digital hardware; and
8. Staff training for system implementation.

The project completed an assessment of the digital capacity and institutional gaps to mobilize digital resources to Law College. The assessment shows that out of 55 students who participated in a survey, 68% were dissatisfied with communications between them and the administration. Key channels of communication mentioned were emails and phone calls and key requirements for communications were either enrollment-related or in relation to notices about study activities and on study material. [Annex 12: Law College Assessment Report.](#)

The assessment recommended deploying a SMS and LMS as a first step. The SMS should broadly fix the requirement for notices and information, frequently asked questions, and also allow student queries to be answered in a systematic manner. The LMS would streamline all study-related matters methodically as per worldwide best practices.

The current website was also found to be out of date, and incompatible to sync the recommended digitalized systems. Therefore, by the end of the year, the discussions with a web developing company on revamping the existing website had commenced and the company has moved on to the stage of designing the site map. Moreover, the project appointed a specialized content writer who also commenced work in December, in consultation with Law College staff. The new website is designed to integrate the student journey and all administrative, informative and educational interactions, supporting real-time updates.

The preparation for the development of Student Management and Learning Management systems is aimed to commence in quarter 3 of 2024. The learnings from the new website, especially how students and staff interact with the real time updates, sharing of information will be incorporated into development of the SMS and LMS

OUTCOME 2: Improved accountability, transparency and credibility of the justice system

Related to outcome 2, in improving accountability, transparency and credibility of the justice system, a significant accomplishment was the finalization and launch of the assessment of routine data collection gaps in the justice for children sector. Alongside this, activities have been conducted with independent commissions, particularly with HRCSL, and CIABOC to implement their inquiry, investigation and prevention mandates and to strengthen individual and organizational capacity, by providing technical and financial resources.

Output 2.1. Strengthened data collection, analysis and dissemination capacities of government institutions, sector professionals, CSOs, and other accountability organizations on justice sector performance for the public.

This output is significant to the achievement of the outcome as this is focused on improving data collection, management, analysis and dissemination of the same across the justice sector including police, and prisons. It also includes the development of a communications strategy which enhances transparency and accountability in the sector. As low capacity of the justice sector institutions and personnel has been a key problem highlighted during the project inception and throughout JURE's interaction with the institutions and several studies and capacity needs assessments conducted under the project. Therefore, the project is working closely with the senior leadership and different functional cadres of these institutions to build the capacity of human resource on job related skills and strengthening the institutional capacity in matters of delivering services in efficient and transparent manners and by in placing systems through digital solutions to improve internal and external accountability, which is one of the key focus areas for the Government of Sri Lanka (GOSL) and part of the IMF conditions for financial bailout. Under this sub output JURE is working on establishing linkages with other development partners, UNDP and other UN Agencies projects, EU funded justice sector and governance projects to avoid overlap and enhance complimentary and

coordination. The activities under this sub output are complementing and feeding not only outcome 2 but also other outcomes as with enhance accountability and transparency, the institutional responsiveness will automatically increase leading to improved services delivery of the justice system and enhanced people's trust in the justice system in Sri Lanka.

Output 2.1 has 3 key activities conducted under the broader umbrella of accountability, transparency, and credibility of the system. There are eight sub-activities under these. While the other sub-activities are underway, sub-activity 2.1.1.2, 2.1.1.3, and 2.1.3.1 have not been conducted during the reporting period, as outlined in the respective sections.

Activity 2.1.1. Capacity building of justice sector institutions to collect and analyse disaggregated data (including on gender-based violence and environmental justice) as well as to disseminate these data (public access and monitoring of statistics) (UNDP)

Mapping of data management practices and understanding the gaps and potential improvements is a key requirement to enhance transparency and accountability in the justice sector which is linked to outcome 2 of the project. This will lead to the improvement of sector efficiency and also impact on sharing information in the public domain, leading to increased trust.

Activity 2.1.1. is partially completed. as preliminary data mapping of selected justice sector institutions was completed, which can be utilised as a basis for the development of the justice sector data snapshot, which will be implemented in 2024 and was presented to relevant justice sector stakeholders in 2023.

Sub-activity 2.1.1.1 Complete the data mapping exercise covering the justice sector to understand existing data management processes, gaps, and potential improvements.

The preliminary mapping of the sector capacity on data collection, analysis and dissemination was completed. Parallely with the support of an international data expert, a prototype of a sector wide data snapshot (as introduced in several jurisdictions) with potential to systematically collate and maintain data to monitor sector performance, identify resource gaps, and strengthen JSC's oversight mandate on judicial performance was presented to the Minister, Secretary, JSC, Police, Prisons, and other relevant institutions. Having secured the sector buy in to establish the mechanism and identified measures (and GOSL's commitment) to ensure sustainability of the same, the comprehensive justice sector data snapshot development was identified to be prioritized during 2024. Annex. 13: Mapping Report on Data Collection.

These findings will be utilized in conducting the justice sector snapshot in 2024.

Sub-activity 2.1.1.2 Support Prisons Department to enhance prison related research.

Please refer to outline in the prison information management under 3.3.7.2.

Sub-activity 2.1.1.3 Support the sector with SDG16 indicator tracking

There is currently no systemized collection of data from the justice sector in correlation to SDG16 tracking and reporting. To better support SDG 16 indicator tracking, UNDP Regional Office has been approached for technical support.

The Justice Sector Snapshot planned for 2024 will support the identification of capacities required for indicator tracking and provide an action plan for periodic tracking of same.

Activity 2.1.1 a) Improve the collection, analysis and use of routine data on Justice for Children and undertake research on key J4C issues. (UNICEF)

A significant accomplishment was the finalization and launch of the assessment of routine data collection gaps in the justice for children sector. A key objective of this assessment was to set baseline indicators for some of the core sector indicators. JURE initiated action research on children deprived of liberty at the Certified School, Remand Home and Child Development Center in the Western Province, aimed at developing targeted individual plans for children and strengthening institutional capacities. Annex. 14: Assessment of Routine Data System for Child Justice in Sri Lanka.

Sub-activity 2.1.1.a)1 Finalize the assessment of the routine data collection system in the J4C sector and support efforts to implement the recommendations of the J4C data assessment at national level and in at least 3 provinces.

The Assessment of the Routine Data System for Child Justice in Sri Lanka, including key recommendations, was successfully launched in November 2023. The assessment findings underscore the importance of high quality, reliable data on youth justice and child protection systems to enable evidence-based policy development and implementation. It also provides institution-specific recommendations for strengthening the data management system at the national and provincial level. Accordingly, the project will continue to provide the necessary technical assistance to the MOJ and the DPCCS who have initiated the review and update of the existing data collection forms. This will ensure the collation of key details that will inform evidence-based policy development in the sector.

Sub-activity 2.1.1.a)2 Undertake an Action-Research for children deprived of their liberty in Sri Lanka

The project maintained a partnership with a research team to conduct an action research initiative. The initial assessment provided insights into the current local situation concerning children's deprivation of liberty and institutionalization.

The research team, in consultation with the project, identified ten children (6 girls, 4 boys) from three key institutions in the Western Province - a certified school, remand home and voluntary home. Three assessment reports for each child on: 1) psychosocial 2) career and 3) family were developed, following which individual care plans were developed. While this unique initiative aims to provide targeted support for nine children and three institutions, its broader objective is to catalyse strategic and in-depth engagement. The initiative is geared toward achieving transformational change at both institutional and individual level, to improve the reintegration of children and enhance overall service delivery standards.

Sub-activity 2.1.1.a)3 Undertake the bidding and contracting with an institution to undertake a national violence against children and adolescent survey - to provide baselines for SDG indicators.

Discussions were held with the Department of Census and Statistics (DCS) and the MWCASE on the need for national data on violence against children and adolescents and how it could be integrated into routine national surveys. However, given the competing priorities of the DCS and recognizing the importance of this Department in spearheading this activity in the interest of sustainability, it was decided to include this initiative in their schedule for 2025.

Activity 2.1.2. Enhance the criminological knowledgebase of the Sri Lanka Police through targeted research to promote evidence-based policy and reform. (UNDP)

This activity aims to strengthen the criminological knowledge base of Sri Lankan police. Through close collaboration with various police divisions including Crimes Division (CD), CID, Crime Record Division (CRD), Women and Child Desks, and Protection Division key trends will be identified that will inform the National Sentencing Policy, guide targeted preventive measures, bolster community policing efforts, and enhance early warning systems. This initiative will ensure inclusive access to high-quality data to foster well-informed policymaking, legal reform, and transparency within the justice sector. Through this collaboration with Sri Lanka police outcome 2 is informed because it facilitates accountability, transparency and credibility of a key justice stakeholder.

This activity is partially completed. Accordingly, the preliminary review of the existing mechanisms and gaps and the linkages with the justice sector data snapshot have been undertaken. In parallelly, a Criminal Victimization Survey is ongoing to complement the work under this activity.

Sub-activity 2.1.2.1 Conduct capacity assessment of Sri Lanka Police (Criminal Records Division) and support to enhance institutional and individual capacities, including data management and related skills.

A preliminary review of the existing mechanism for data collection/analysis within the criminal records division was undertaken and the gaps in the existing (largely quantitative) model identified. Discussions were held with the CD and the CRD to identify the way forward in terms of incorporating international best practices on police data. The types of data (beyond what is traditionally collated) to be collected, analyzed and disseminated (for greater transparency) were also discussed including with the support of an international justice sector data expert. The linkages with the justice sector data snapshot (to be developed in 2024) were also identified.

The (island-wide) Criminal Victimization Survey was also rolled out (on going) by the National Victims and Witness Protection Authority, the Police Protection Division and Police CD and CRD. The survey which will be completed in 2024 will contribute to enhance the criminological knowledgebase in Sri Lanka by strengthening qualitative analysis (transcending beyond the mere quantitative analysis conducted at present) and inform the development of the national crime prevention strategy.

Activity 2.1.3. Enhance the trust between the justice sector and the public through the development and implementation of a communication strategy for the justice sector. (UNDP)

This activity targets building trust between the justice sector and the public through the development of a communication strategy with the view of enhancing communications with

the public / raising awareness on rights, entitlements and avenues for redressal implemented by the sector. This ties with outcome 2 as facilitation of the linkage and flow of information between the public and the justice sector institutions enables building credibility about their mandate and how they implement it.

This activity has not been completed during the reporting time due to reasons detailed under the sub activity.

Sub-activity 2.1.3.1 *Develop the communication strategy for the justice sector to enhance trust between the sector and the public and provide support to implement the key findings (linked to awareness raising work in outcome 1 as well)*

This activity was not carried out during the reporting period. While effective communication is crucial for engaging with stakeholders, public and private, and can improve transparency and accountability, this activity was consulted with partners and international expertise, and not seen as realistic to develop a communication strategy for the entire justice sector. This approach will ensure timely communication of developments of the justice sector (including on recently enacted legislation, key judgments (including landmark cases), relevant and useful statistics etc) – so as to meet the original intent of strengthening public confidence in the judicial system through enhanced access to sector information and performance.

Output 2.2. Increased capacities of different justice sector actors to develop and implement codes of ethics and professional conduct.

Output 2.2 has three key activities conducted under it and five sub-activities altogether. Activity 2.2.3 under this was not conducted during the reporting period while all other Sub-activities have been initiated and ongoing. This output involves the development of policies, manuals, procedures and processes in the justice sector, in enhancing transparency and accountability in the sector, by streamlining and providing guidance for ethical conduct.

Activity 2.2.1. Support the Judicial Service Commission to better regulate the discharge of judicial function of judges through the introduction and improvement of policies (including non-discriminatory human resource policies), manuals, procedures and processes. (UNDP)

This activity envisages development of policies, manuals and procedures and processes required to strengthen the discharge of judicial for the effective and efficient discharge of judicial duties and responsibilities. Another expectation of this activity is the incorporation of international best practices into the policies and procedures and processes. These endeavors directly contribute to enhancing accountability and credibility of the judiciary.

This activity is partially completed. This sub-activity contributes to outcome 2 as it involves the development of policies, manuals, procedures and processes in the justice sector, as judges wield enormous authority and responsibility in ensuring transparency and accountability.

Sub-activity 2.2.1.1 *Support the Judicial Service Commission to develop policies, manuals, procedures and processes.*

After series of consultations with Sri Lanka Judges Training Institute, the project-initiated development of a manual on the Role of the Magistrate, while the Handbook on Partition Law

is being revised and amended. Upon the advice of the Judicial Service Commission, the need for comprehensive resource material for Commercial High Court judges was identified. As such, a retired Supreme Court judge was selected to prepare a Bench Book on Commercial Law which will be finalized in 2024. The bench book will act as a reference point for judges in delivering judgements.

Activity 2.2.2. Develop/revise codes of conduct and procedural manuals for sector professionals. (UNDP)

Code of Conduct for the professionals and officers of justice sector institutions captures the organization's values, ethical principles, and expected behaviors. This fosters transparency and ensures the personnel understands the standards they are expected to uphold. They enhance the professional conduct by setting clear boundaries and discourages unethical behavior and potential misconduct. A strong Code of Conduct demonstrates the institution's commitment to ethical practices. This fosters trust and strengthens the institution's reputation among stakeholders, including clients, partners, and the public. Therefore, the activity resonates with outcome two in that it improves accountability, transparency and credibility of the relevant institutions.

This activity is partially completed. Accordingly, the project has supported the development of a Code of Ethics for the HRC that is currently under review by the relevant HRC officials. Codes of conduct and procedural manuals are important for the above-mentioned justice sector institutions given their key roles. This activity significantly contributes to outcome 2 in enhancing transparency and accountability in the sector, by streamlining and providing guidance for ethical conduct.

Sub-activity 2.2.2.1 Develop/ revise codes of conduct and/ or procedural manuals for Prisons, JMO, Inquirer of sudden deaths, HRC.

The project provided technical support to the Code of Ethics that was developed to be observed by all commissioners, members, employees, staff, representatives of associations of HRC, and persons working with the Commission. The Code is under review by the Commission before it can be adopted and internalized, following the re-appointment of the commission. It is expected to be adopted in 2024.

Activity 2.2.2 a) Provide support to the professionalization of the justice for children workforce and the development of Codes of Conduct and HR Policies that support child friendly justice. (UNICEF)

In strengthening the Social Service Workforce (SSW), district level programmes with linkages between government officers continued to demonstrate positive results for children, leading to the identification of and support to 942 children (429 girls, 317 boys) at risk.

Sub-activity 2.2.2.a)1 Support the National Institute of Social Development to implement the roadmap for professionalizing social work in Sri Lanka

Following the establishment of a Steering Committee chaired by the Ministry of Women and Child Affairs, a new partnership was established with the National Institute for Social Development (NISD) to standardize social work curricula, support the roll out of the existing

roadmap to professionalize the SSW and establish on-the-job supervision This initiative relies on extensive support from key national stakeholders, with particular emphasis on the Sri Lanka Association of Professional Social Workers (SLAPSW).

The 12-month consultancy to support the professionalization of social work in Sri Lanka began in November 2023 with a successful inception visit and a second mission planned for February 2024. Over the long-term, the objective of this initiative is to enhance the capacity of social workers in Sri Lanka, enabling them to deliver services within their communities more effectively.

Sub-activity 2.2.2.a)2 Provide support to the professionalization and recognition of the social services and justice for children workforce and the development of Codes of Conduct and HR Policies that support child friendly justice.

The SSW programme was expanded to a further 17 Grama Niladhari (village level) divisions in the Northern and Eastern Provinces, reaching 98 out of 331 divisions, in 2023. This involved the training of 176 social service workers (79 women, 79 men) to help establish coordinated care and protection services at the village level, directly providing 942 children at risk (513 boys and 429 girls) with support and referral to child protection and care services.

Activity 2.2.3 Support the establishment and implementation of a plan of action to strengthen women's representation within the sector (UNDP)

Studies indicate a concerning lack of women in positions of power in the Sri Lankan justice sector. There is a low representation of women in the parliament and the judiciary. In this context women face various obstacles, including cultural biases, lack of mentorship, and limited access to training and networking opportunities. Women's underrepresentation in the justice sector creates a sense of alienation for female litigants, particularly in cases related to gender-based violence or family law particularly in court processes. Further, lack of diverse voices in the justice system can hinder its ability to address issues effectively and consider all viewpoints. When women are not adequately represented in legal decision-making, policies and laws may not fully address the specific needs and challenges faced by women in Sri Lanka. Therefore, to enhance credibility of the justice sector institutions in line with outcome 2, the implementation of this activity is crucial given the nationwide repercussions, deeply felt at policy level.

It is noted that women's representation in the justice sector is low. To achieve outcome 2, especially to ensure credibility of the justice sector, it is crucial that barriers to women's representation within the sector is identified and issues addressed.

This activity was not initiated during 2023 and will be conducted in 2024. During 2023, the focus was on engaging with high-ranking officials in the justice sector to secure the buy in for the strategic direction of this initiative. Based on discussions with key stakeholders an assessment will be carried out in 2024 which will inform the required action plan.

Output 2.3. Strengthened capacity of independent institutions to carry out their mandate.

In achieving transparency and accountability in the justice sector strengthening independent institutions in this space is crucial. HRC, CIABOC and the National Police Commission were the key institutions that were focused on under this output.

Output 2.3 has two key activities conducted under it. Out of that, there are five sub-activities. Sub-activity 2.3.1.3 was not carried out as per the direction of the Project Steering Committee. Basis of this decision was the need to limit the number of activities in a strategic manner. All other activities are underway.

Activity 2.3.1. Strengthening the capacity of independent institutions to implement their respective mandates (HRC, JSC, NPC, CIABOC). (UNDP).

Independent institutions captured under this activity, such as HRC and CIABOC, act as watchdogs, holding other institutions accountable and promoting transparency. Reinforced capacity allows them to effectively investigate wrongdoing, expose corruption, and advocate for reform. These institutions play a vital role in safeguarding fundamental rights and ensuring the rule of law. A well-equipped institution can effectively investigate human rights violations and ensure fair and equal application of the law. When independent institutions function effectively, citizens have greater trust in the government and legal system. This fosters a sense of security and encourages cooperation with these institutions. Hence the implementation of this activity informs outcome 2 in that it contributes to accountability, transparency and credibility of justice sector institutions.

This activity was partially completed during the reporting period. It is crucial that the capacities of independent commissions are enhanced, to successfully monitor and address transparency and accountability issues effectively, also in a timely manner. This will help achieve outcome 2.

Sub-activity 2.3.1.1 Strengthen individual and organizational capacity of HRC - this includes support to their inquiry and investigation mandate, setting up of sub offices in Nuwara Eliya and Rathnapura Districts to safeguard plantation sector community, and reasonable accommodation for persons with disabilities.

The project supported HRCSL to implement their inquiry, investigation and prevention mandates.

The project supported the HRCSL to conduct fact finding missions. For instance, given allegations levelled against the National Institute of Mental Health (NIMH) on safeguarding the right to health and personal liberty of patients, two fact-finding visits were conducted by the HRCSL. The project supported HRCSL to secure technical expertise for these facts finding missions and the field visits. Based on this mission, the HRCSL presented the Interim Report on the Right to Health and Personal Liberty of Patients of the NIMH, in December 2023. The report is available on the HRCSL website, for public comments. This report and its findings/recommendations will be a reference point for policy makers in evidence-based decision making. The findings can be further leveraged by CSOs and the public to lobby for accountability on the part of the relevant authorities in the short and long term. Annex. 16: HRCSL Facts Finding Mission Report.

Based on complaints received by HRCSL on custodial deaths and encounter deaths, the HRCSL along with the technical expertise provided under the project formulated general guidelines and recommendations to Sri Lanka Police, to prevent custodial and encounter deaths and to safeguard the inherent right to life of all persons. The Draft Recommended Guidelines to Sri Lanka Police on Prevention of Custodial Death and Extra-Judicial Killings was released in December 2023, and was published in the HRCSL website for public comments. Annex. 17: Guidelines and Recommendations for Sri Lanka Police.

Facilitating access to justice for the plantation community, HRCSL expanded its network of regional offices by establishing two sub-offices in the Nuwara Eliya and Ratnapura Districts, in September and December 2023, respectively. In order to ensure sustainability, the commission will include the budget requirements for staff, under the allocations to be requested from the government.

Five training programmes for 308 (200 women, 108 men) Public Health Midwives and Public Health Inspectors of the Ratnapura and Nuwara Eliya Districts were conducted to create awareness and establish a health network for plantation sector workers. According to participants' feedback, the training programme created awareness on health rights and health and sanitary concerns and of plantation sector workers.

A discussion with community level CSOs in the Nuwara Eliya District was conducted by HRCSL, to develop a civil society network to coordinate with the estate sector community, in identifying and addressing human rights issues. As an outcome of this discussion, the CSOs created a civil society network for better coordination and to identify and address human rights issues faced by the workers and their families. As health rights are human rights and fall within the purview of HRCSL, this collaboration has been crucial from an access to justice perspective and for leveraging the strategic relationship between HRCSL and the project.

A distance learning initiative to educate people on Human Rights is underway, to be completed early 2024. The project supports HRCSL to develop the content of the online courses on human rights and supports designing of the Learning Management system to be a user friendly and approachable platform for the public. These courses on human rights will be accessible virtually to any individual across a variety of proficiency levels. Its overarching goal will be to enhance public understanding and awareness of human rights, catering to both beginners and advanced learners. Annex. 18: Course Contents on Human Rights.

Accessibility Audit Trainings for 156 officers from government institutions (57 women, 99 men, 51 disabled persons) was carried out in the Western, Northern, Uva and North Central Provinces of Sri Lanka, to develop Accessibility Audit teams. Audits have been completed in Badulla and Monaragala Districts. Under this activity, 105 participants were also sensitized on the rights of the disabled. The trainings will be a first step in enhancing infrastructure needs to be inclusive of the disabled. These audit trainings improve coordination among the government sector officials and the disabled persons, which creates a sustainable platform of dialogue among them in conducting accessibility audits of government institutions.

Initiative to provide equal access to employment for persons with disabilities, through advocacy and policy intervention keeping in line with the UN Convention on the Rights of Persons with Disabilities has been activated. Accordingly, HRCSL conducted a roundtable discussion for revision of The Public Administration Circular No.27/28 of 1988. The discussion included representatives from government institutions and disabled persons. Guidelines on revision of the Circular are currently being drafted by the HRCSL. The HRCSL has submitted observations to the Ministry of Justice, on the Draft Bill on Protection of the Rights of Persons with Disabilities, to ensure the compliance of the Bill with the Convention on the Rights of Persons with Disabilities. Annex. 19: Draft Bill on Protection of the Rights of Persons with Disabilities.

A research unit was established to support the field of human rights, to uphold the protection and promotion of human rights, which will continue operations beyond the project timeframe. The research unit undertakes research in the field of human rights, document research findings, and submit to policy makers and relevant authorities for the protection and promotion of human rights. This is crucial in ensuring that relevant information is monitored, tracked and is made available for evidence-based decision making by policy makers.

The HRCSL had a backlog of over 5,100 files related to human rights violation complaints since 2015, due to a lack of staff members to dispense cases. JURE recruited three lawyers to support HRCSL to clear the backlog and expedite the process. HRCSL remains committed to continue the work initiated by assigning internal staff for the clearance of backlog files upon the exit of the recruited lawyers.

A Rapid Response Unit (RRU) was established to respond immediately to incidents and complaints related to custodial violations, natural disasters, and unrest in places of detention, with the aim of providing timely remedies and recommendations. Six RRU visits, and five cases of inquiries and investigations were held within 2023.

To Support the National Preventive Mechanism (NPM), 56 visits to detention centers have been conducted in 2023, by the staff of the Research and Monitoring Division of HRC, to monitor conditions of detention and compliance with human rights standards, and to prevent torture and other forms of inhuman treatment or punishment. As an outcome of these visits, the human rights conditions of detention were monitored, and interventions at the inception phase of the NPM were made with the aim of issuing recommendations to relevant authorities mainly for prevention of torture and improving the human rights conditions of places of detention.

Staff training has been carried out in November 2023 and a National Consultation on NPM was conducted for 46 representatives (20 women, 26 men) of tri-forces and other government institutes. Discussions were held on inspections carried out by NPM to monitor conditions of persons deprived of their liberty. As an outcome, this consultation enabled the smooth

functioning of the NPM visits to detention centers, furthering the protection of the rights of the detained.

A study visit to Nepal in December 2023 was conducted to identify the best practices followed by various other states, on their NPM, with the following lessons learnt in the process:

- Digitalization of the detention centers aiming to prevent torture i.e., setting up CCTV system in police cells.
- Reducing the period of detention for prisoners who depot good character.
- Utilization of detainees as human resources to fulfil the gap of internal management in prisons.

In accordance with the Prison Study Recommendations conducted in 2020¹, in November and December 2023 HRCSL conducted eight capacity building trainings for 355 prison officers (42 women, 313 men) in eight regions through HRCSL regional offices in Jaffna, Batticaloa, Kandy, Badulla, Matara, Ampara, Vavuniya, and Trincomalee. Additionally, three trainings were carried out for nine young offenders, 25 HRCL officials (18 women, seven men), and 54 prison officers (6 women, 48 men) to ensure the safety and wellbeing of young offenders.

The workshop for the nine young offenders aimed to build their confidence in reintegrating with society, improving their mental health and well-being, and identifying future goals and plans.

The training programme for the 25 staff of the HRCSL (18 women, seven men) and the training for 54 prison officers (six women, 48 men) aimed to enhance the awareness of international laws and practices, domestic legal and judicial framework related to young offenders, status of young offenders in Sri Lanka, and the role of duty bearers.

The aspects identified by the National Prison Study helped define the training areas. Prison officers stated that the responsibility of young offenders should be shifted from the DOP to the DPCCS.

The Recommended Guidelines for the State and Law Enforcement Officials on Dealing with Civilian Protests was launched in May 2023, as a guideline for crowd control for the police and tri-forces, to enlighten them on how to manage crowds in the instance of peaceful assemblies, in line with fundamental rights in the Constitution from a rights-based perspective. These recommendations were published on the HRCSL website for public comments. As an outcome of the guidelines, the law enforcement officials will use lawful means to disperse crowds in civilian protests. Follow-up meetings are being conducted by the HRCSL to ensure the compliance of law enforcement authorities with these guidelines. [Annex. 20: Guidelines for the State and Law Enforcement Officials.](#)

¹ The Prison Study 2020 was conducted with the financial support of the UNDP, UNV, United Nations Peacebuilding Fund (PBF), European Union Catalytic Support to Peacebuilding in Sri Lanka Fund and Royal Norwegian Embassy (RNE),

Sub-activity 2.3.1.2 Strengthen individual and organizational capacity of CIABOC - this includes training on upcoming amendments to the law, facilitating international and domestic expertise to develop the asset declaration online system.

Five capacity building trainings and workshops have been conducted for 212 CIABOC staff members (104 women, 108 men), in the legal and prevention divisions, to strengthen individual and organizational capacity. Participants stated that they have been empowered to guide and coordinate the establishment of Institution Corruption Prevention Committees (ICPCs) and the implementation of Corruption Risk Assessment models, thereby contributing to strengthening CIABOC's capacity. Further the participants have gained deeper understanding of bribery and corruption issues, integrity and conflict of interest of government servants as stipulated in the United Nations Convention Against Corruption (UNCAC).

The training programs targeting the integrity officer network in the country has resulted in strengthened integrity network in public institutions, including the creation of network via social media platform (WhatsApp) enabling effective communication and knowledge sharing.

The integrity and anti-corruption awareness program reaching school students has enabled these students to function as the foundation for School Integrity Clubs, ensuring a sustained impact on fostering integrity and combating corruption. CIABOC plans to capitalize on this achievement by developing a comprehensive island-wide network of integrity clubs, catalyzing systematic change against corruption.

Sub-activity 2.3.1.3 Conduct a capacity needs assessment of the NPC.

This activity, which is scheduled to be conducted by the NPC, was postponed based on PSC 2023 guidance.

Activity 2.3.2.a Strengthen the role of targeted independent institutions to monitor child rights and provide age-appropriate justice services (UNICEF)

The Child Rights Unit of the Human Rights Commission of Sri Lanka has been making gradual progress in its mandate on child rights monitoring, with the project continuing to support the Unit, as well as HRC's expansive network of regional offices and sub-offices.

Sub-activity 2.3.2.a)1 Provide technical and financial support to the Child Rights Unit within the Human Rights Commission to independently monitor child rights and provide age-appropriate justice services.

Following the establishment of the Child Rights Unit of HRCSL with the support of the project in 2022, and its expanded network, the Child Rights Unit facilitated the receipt of 325 cases leading to ongoing investigations and inquiries on the violation of child rights related to school admissions, education rights, examination issues, harassment, torture/ corporal punishment, and abuse.

The HRCSL also launched four special investigations on serious violations of child rights in Jaffna, Kalmunai, Narahenpita, and Sainthamarthu. The Child Rights Unit, in consultation with other key departments of HRCSL, is developing comprehensive recommendations for relevant authorities to improve the measures taken on the protection and promotion of child rights.

Given the importance of these initiatives one Commissioner of HRCSL has been assigned to specifically monitor child rights. Two dedicated investigation officials to investigate matters related to children are also to be assigned.

Sub-activity 2.3.2.a)2 *Support the process of reporting to the CRC Committee and the follow-up on recommendations.*

The project supported the production of the 7th Periodic State Party Report for Sri Lanka on the Convention on the Rights of the Child (CRC) Committee in 2023 through the engagement of a technical expert who directly supported the Ministry of Women and Child Affairs in drafting the report. The report contains progress updates against nine areas, including juvenile justice, alternative care, and education, leisure and cultural activities. The Ministry has submitted the draft report to the Ministry of Foreign Affairs in December 2023 for final review and submission to the CRC Committee in May 2024.

OUTCOME 3: Improved efficiency and quality of justice

Output 3.1. Efficient and age-appropriate child justice services available for every child in contact with the law

Output 3.1 has eight key activities implemented under the broader framework of child justice services, with 11 sub-activities under this.

Activity 3.1.1. Provide technical support to law reform, legal drafting and the development of training material related to J4C (UNICEF)

This activity aims to support the ongoing efforts of the key justice sector stakeholders, especially the MOJ in revamping, amending, or introducing laws that are connected to children. Given some of the legislative instruments in relation to children are archaic, ensuring full protection for children who encounter the law has become challenging. Introducing a new law for child protection and justice as well as amending laws on ending corporal punishment will contribute towards Outcome 3, improving efficient and quality justice.

Continued advocacy efforts by the project have helped issue a gazette notification, operationalizing the long-awaited amendment to the CYPO enacted in 2022.

Sub-activity 3.1.1.1 *Participate actively in Committees and provide technical support and advocacy for legal reforms related to children, including amendments to the CYPO; passing of a new Child Justice Bill; and ensuring that corporal punishment is prohibited in all settings.*

Advocacy efforts for the operationalization of the amendment to the CYPO continued. Marking a significant step towards protecting the rights and welfare of children, the amendment came into effect from 1 January 2024. This amendment will now protect all children under 18 years. Previously, the law only covered those up to the age of 16, leaving older adolescents vulnerable to inadequate legal protection. Furthermore, the revision also repeals Section 29 of the CYPO, which condones the infliction of corporal punishment on children.

The project continued to provide technical expertise to committees established for key legislative reforms, including the revamping of the CYPO into a new Bill on Child Justice and Protection, and on the prevention of corporal punishment.

Activity 3.1.2. Provide technical and financial support for case management within the penal chain, backlog clearance and Digital Case Management and Tracking (UNICEF)

The MOJ led a successful national consultation to identify the existing bottlenecks within the Justice for Children sector. Recommendations and suggestions from key justice sector stakeholders will assist in implementing targeted interventions.

Sub-activity 3.1.2.1 Through a series of workshops, provide technical and financial support to assess the backlog of children's cases in the criminal justice system and address major bottlenecks at each stage: Study on Identification of Bottleneck of the procedure-Reduce the case flow delays (AGs, GA, Child Probation, NCPA and Courts)

To strengthen child-friendly services for all children in contact with the law, technical support was extended to the MOJ to conduct a national consultation on a bottleneck analysis related to prolonged delays in the justice system. A session on the psychological impact of the justice process on a child set a clear foundation for the participants to study key challenges faced by each institution along the legal chain, and to propose clear recommendations. A diverse group of participants, including the Judiciary, Attorney General's Department, National Child Protection Authority, DPCCS, LAC, Sri Lanka Police and schoolteachers, captured existing issues and identified feasible suggestions to ensure access to timely justice for children. In 2024, the project will offer the necessary technical support for the implementation of the recommendations identified during the consultation, under the guidance of the Coordination Committee on Justice for Children.

Technical and financial support was also provided to the Attorney General's Department to expedite the backlog clearance of cases related to children. This resulted in approximately 650 accused being charged in high court, 95 advice files sent out, especially to the Sri Lanka Police for necessary action, and 230 cases being discharged.

Activity 3.1.3. Provide support to implement a diversion system for children in conflict with the law. (UNICEF)

In order to promote restorative justice rather than retributive justice for children who are in conflict with the law, the project aims to promote a broad-based diversion system. This system will keep these children away from the regular criminal justice pathway established for adults. Therefore, this activity will contribute towards improving age-appropriate quality justice in Sri Lanka.

The project explored the possibility of introducing a systematic diversion system for children in conflict with the law through pragmatic and strategic approaches. This included an amendment to the Mediation Boards Act; capacity strengthening of probation and police officials on existing diversion options; and conducting a sensitization initiative for judicial officials on child protection. These strategic interventions will lead to the development of a comprehensive diversion system for children in Sri Lanka.

Sub-activity 3.1.3.1 *Provide technical support to develop a legal framework for Diversion and make amendments to the Mediation Board Act.*

Contributions were made to the amendments of the Mediations Boards Act that aim to expand the scope of diversion of children who allegedly commit theft, by increasing the value (of stolen goods) from Sri Lankan Rupees 5,000 to 100,000. This amendment will take effect from January 2024, and discussions and advocacy efforts will continue with the Ministry of Justice, focusing on establishing a more broader and suitable diversion system.

Sub-activity 3.1.3.2 *Provide support to implement a diversion system for children in conflict with the law (using existing legal provisions) in 3 or 4 Provinces.*

The implementation of a diversion system has already commenced in four provinces – Northern, Eastern, Southern and Central. In the interim, as part of a broader diversion system, the project adopted a two-pronged strategic approach. The first approach strengthened the capacities of over 600 police officials and 385 probation officers on the existing diversion options. The DPCCS led this initiative in close consultation with all nine Provincial Departments of Probation and Childcare Services and Mediation Boards. The second approach focused on engaging judicial officials to increase their knowledge on child protection and diversion (more details under sub-activity 3.1.7 below). The combination of these two approaches aimed to increase the capacities of these critical stakeholders in the justice sector and help reduce the exposure of children (in conflict with the law) to formal adult judicial processes.

The impact of these two approaches will be analyzed in 2024, contributing to the broader diversion system for children in Sri Lanka.

Sub-activity 3.1.3.3 *Support the development and implementation of national and provincial plans for diversion of children in conflict with the law and the prevention of juvenile delinquency*

Linked to sub-activity 3.1.3.2, the DPCCS issued a special circular outlining the existing diversion options to all nine provinces. Currently, the provincial plans for diversion of children in conflict with the law and the prevention of juvenile delinquency are being developed in line with the existing framework. The finalization of these plans will be a priority in 2024.

Activity 3.1.4. Conduct an analysis of Child Justice related Sector Plans and a Child Justice budget analysis. (UNICEF)

As part of an overall focus on strengthening Public Financial Management for Children, the project envisages in conducting an analysis of child justice related sector plans and an analysis of the budget available for their implementation on an annual basis. This will serve

as the basis for advocacy on shifting or allocating new resources to ensure a more child-friendly justice system in Sri Lanka.

Sub-activity 3.1.4.1 *Hire an individual consultant to conduct an analysis of Child Justice related Sector Plans and a Child Justice budget analysis.*

It was postponed based on JURE Project Steering Committee Meeting 2023 advice.

Activity 3.1.5. Provide support to strengthen child-friendly services for all children in contact with the law, including both the separation of children detained in prisons from adults and children alleged as perpetrators of crimes from children in need of care and protection. (UNICEF)

Promoting child-friendly justice services, including the implementation of the Alternative Care Policy, has seen significant progress during the reporting period. The project provided technical support to the Provincial Departments of Probation and Child Care Services in all nine Provinces.

Sub-activity 3.1.5.1 *Provide support to strengthen child-friendly services for all children in contact with the law - including both the separation of children detained in prisons from adults; and the separation of children alleged as perpetrators of crimes from children in need of care and protection - focus on 6 Provinces for 2023.*

Technical support was provided to the National Probation Commissioner and the nine Provincial Departments of Probation and Child Care to develop costed action plans to implement the National Alternative Care Policy. The provincial level plans were launched in July 2023, with the objective of a 25 per cent reduction of children living in residential care by the end of 2025. The project provided targeted technical and financial support to implement the plans in all nine provinces. As of 31 December 2023, 1,371 children (652 boys, 719 girls) have been prevented from institutionalization and 286 children (131 boys, 155 girls) reunified with their families. Additionally, 512 at-risk families received family strengthening support, including economic support and follow-up by a social worker. An important result was that 21 children (all boys) in detention placed in certified schools/ detention centres had their cases reviewed and were reunified early with their families, and 212 children (96 boys, 116 girls) were supported to remain in family-based care through the FIT person allowance. Further, an Alternative Care Steering Committee was formed representing the Government, JURE, and INGO/ NGO partners.

As mentioned under sub -activity 1.1.2.a.1, continued advocacy efforts contributed to a long-awaited legislative framework to ensure that children detained in prison are separated from adults. Preliminary measures were discussed and attended to by the DPCCS, Department of Prisons and LAC even before the CYPO amendment came into effect. The project will work with these institutions to operationalize the amendment in 2024.

Sub-activity 3.1.5.2 *Support for the separation of Children in the care of female convicts in the prison.*

During the reporting period, discussions were held with the MOJ and Department of Prisons to identify short- and long-term interventions required. A dedicated facility is already in place in the Colombo Prison, and while support will be extended to address the immediate

requirements for improving its services, the project will also focus on expanding these services to other prisons in 2024.

Activity 3.1.6. Undertake an analysis of infrastructure needs and then provide support for the construction of Child-Friendly Spaces within the Justice Sector (UNICEF)

Child-Friendly Facilities – places for children to remain safely before a court hearing, or spaces for mothers to breastfeed will create a conducive environment for children. Given this is an essential element in improving efficient and quality justice services, the project is working closely with the MOJ and other relevant justice sector institutions.

In close consultation with the MOJ, the project initiated a pilot phase on child-friendly spaces within the justice sector, in the Kandy High Court. Consultative processes conducted with the MOJ, judicial officials, state counsel and judicial medical officials will be crucial in developing relevant procedures and processes.

Sub-activity 3.1.6.1 Undertake an analysis of infrastructure needs and then the provision of support for the construction of Child-Friendly Spaces within the Justice Sector; Upgrading Juvenile Magistrate's Court.

In parallel with the overall justice sector infrastructure assessment conducted by the project, an analysis of infrastructure needs for the Children's Court in Battaramulla, and High Courts in Anuradhapura, Kurunegala, Kegalle and Kandy were conducted to improve child-friendly courts environments. As the Kandy High Court already has a separate room, in the pilot phase, the project has initiated its refurbishment as a child-friendly space, including the necessary digital equipment. The same support will also be parallelly extended to the Forensic Department, University of Peradeniya and Judicial Medical Office, Kandy Hospital. This initiative will allow child victims to give evidence without being in the courtroom and having to encounter alleged perpetrator(s).

The pilot phase in the Kandy High Court will also include the development of necessary protocols/ procedures to ensure accuracy, consistency, and sustainability of this initiative, prior to expanding elsewhere. Discussions with the Attorney General's Department, Judicial Medical Service and Ministry of Justice have already commenced and will be extended to the Judicial Service Commission and the National Authority for Assistance to and Protection of Victims of Crime and Witnesses.

Activity 3.1.7. Undertake an innovative and case-based capacity building programme to ensure efficient and age-appropriate justice for children. (UNICEF)

Contributing to outcome 3, the project works towards in facilitating the development of a system wide capacity building programme to increase the sensitivity, timeliness and responsiveness of key justice sector professionals including: judges, lawyers, judicial medical officers, police, probation officers, mediation officers and child rights workers to deliver child-friendly and age-appropriate services for all girls and boys in contact with the law.

To develop a comprehensive multi-faceted training plan for the Justice for Children sector, the project continued to work on the J4C workforce mapping exercise during the reporting period. Special judicial colloquia conducted for the Magistrates and High Court Judges helped

reinforce “institutionalization should be the last resort for the shortest possible time”, when children come into contact with the law.

Sub-activity 3.1.7.1 *Based on the J4C workforce mapping and an overview of needs in the sector, develop an innovative and case-based programme of capacity building to ensure efficient and age appropriate justice for children.*

To lay the foundation for a more comprehensive training plan, the project commissioned a Training Needs Assessment of the Justice Sector Workforce, and the preliminary draft was completed.

As part of overall capacity strengthening initiatives, the project, in partnership with the Sri Lanka Judges’ Institute and the DPCCS, successfully organized a judicial colloquium on justice for children for 34 Magistrates (14 women, 20 men), during which the Magistrates visited the centres of care and detention. Based on the violations they witnessed, the Magistrates are taking steps to reduce the number of orders directing children to institutions, aiming instead to keep detained children in home-based environments.

Seventy-four High Court Judges (14 women, 60 men) from all High Courts across Sri Lanka attended a two-day residential judicial colloquium on child protection. The presence of the Chief Justice at this programme and a session conducted by a Supreme Court Judge have paved the way for the potential development of i) protocols on pre-trial audio-visual recordings of interviews during the investigation stage; ii) guidelines to assess the credibility and testimonial trustworthiness of child victims of crime and child witnesses; and iii) guidelines in relation to regulating the examination of child witnesses in a manner that protects their equality, dignity, privacy and fairness towards them. The project will help with these initiatives, as required.

Activity 3.1.8. Provide support to the set-up and functioning of a National Steering Committee for J4C/ Probation (UNICEF)

Recognizing the importance of a better coordinated approach to address matters in relation to children, under Outcome 3, support for the establishment of a common platform is a key priority. The MOJ will lead this initiative.

Sub-activity 3.1.8.1 *Provide support to the setting up and functioning of a National Steering Committee for J4C/ Probation*

The project supported the establishment of the Coordination Committee on J4C, under the leadership of the MOJ, and its inaugural meeting was held in September 2023. The committee comprises of key J4C sector stakeholders, including the JSC, Attorney General’s Department, National Child Protection Authority, DPCCS, and Sri Lanka Police. This committee serves as a strategic forum that will help address coordination issues faced by the J4C Sector in Sri Lanka, thereby expediting justice service delivery. The project will continue to provide the necessary assistance.

Output 3.2. Strengthened policy and legal reforms in line with international standards, norms and best practices.

Output 3.2 has a single Activity under it, with two sub-activities. While sub-activity 3.2.1.1 is underway, 3.2.1.2 was postponed based on PSC 2023 guidance.

Activity 3.2.1 Assist the Ministry of Justice (especially the legal and reforms units and the thematic law reform committees), the Law Commission of Sri Lanka and other targeted justice sector institutions to initiate and update policies, legislations, and regulations. (UNDP)

The activity envisages stronger legal frameworks that can remove barriers that prevent citizens from accessing justice and enforcing their rights. This facilitates access to justice. This endeavour results in enhanced public trust in the justice system, which inadvertently contributes to greater cooperation with law enforcement and a stronger sense of security. Incorporating aspects such as international best practices into these processes bring in further value contributing to fortified public confidence in the justice sector, thus enhancing institutional accountability, credibility and transparency. Therefore, Outcome two is reinforced through this activity.

This activity is partially completed. Accordingly, support on Proceeds of Crimes law, and support to legislative drafting has been provided during the reporting period.

Sub-activity 3.2.1.1 Technically assist the Ministry of Justice to initiate and update policies, legislations, and regulations (including guidelines on the operationalization of remote testimony, prison regulations, Disability Inclusion Bill, National Sentencing Policy, Proceeds of Crime Bill)

International expertise on proceeds of crime was provided to the expert committee appointed by the MOJ to develop the Proceeds of Crime Law, through an internationally renowned barrister working on asset recovery matters.

Through the support of expertise provided to the MOJ, the project has provided input and developed the following draft legislation whilst mentoring the legal team in the drafting of legislation:

1. The Assistance to and Protection of Victims of Crime and Witnesses Bill
2. The Amendment to the Penal Code (Statutory Rape)
3. The Contempt of Court Bill
4. Amendment to the Civil Procedure Code Section 167 (testimony of local and foreign witnesses through audio visual linkage from a remote location)
5. Prevention of Frauds (Amendment) Act
6. Amendment to the Penal Code (Chapter 19) (Strengthening the legal provisions to prohibit sexual harassment, sexual assault and sexual bribery)
7. Amendment to the Kandyan Law Declaration and Amendment Ordinance (to bring the Kandyan Law in line with the general law in matters relating to inheritance).

Sub-activity 3.2.1.2 Support the review of selected Judicial, Police and Prison circulars

This sub activity was postponed based on PSC 2023 guidance.

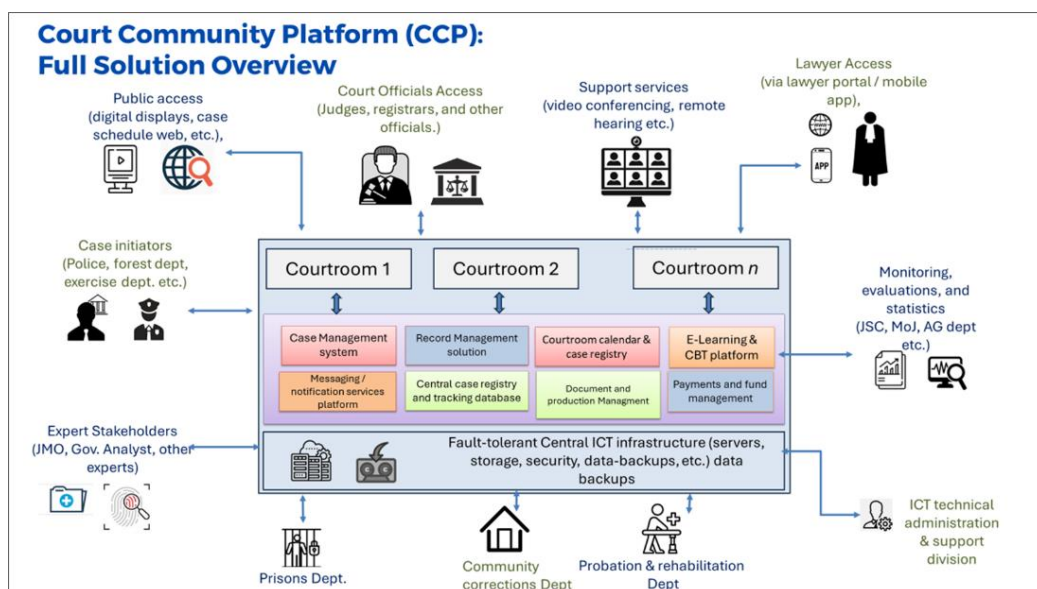
Output 3.3. Increased management, administrative and technical capacities and improved processes of the justice actors through expansion of digital solutions, skills development and enhancement of infrastructure

Output 3.3 has eight key activities, and 20 sub-activities. Out of all the activities to be carried out under this output, nine Sub-activities have not been operationalized, the majority due to PSC recommendations (3.3.5.1, 3.3.5.2, 3.3.5.4, 3.3.6.1).

Activity 3.3.1. Strengthen digital transformation within the justice sector (e-justice) through digital court hearings, digital case flow management/ tracking, remote legal counselling, court automation, and the promotion of digital tools to improve legal literacy of sector professionals. (UNDP)

Digitalization of justice sector processes is a key requirement to achieve outcome 3 of the project, i.e. improve efficiency and quality of justice. The work undertaken is aimed for the judges, lawyers and the public to interact with each other seamlessly, enhancing efficiency of court processes. The strategy envisions a mechanism to which all institutions connected to the justice sector, such as the Police, Prisons, Judicial Medical Officers, will have access to a central platform. The central platform is also connected to courts, lawyers and the public so that case related information can flow across institutions. As the platform enable transmission of information, this will enhance efficiency of case proceedings.

This activity is partially completed. The Rapid Digital Strategy serves the identified digitization needs of the justice sector institutions specifically connected to the courts, with a holistic and sustainable approach. The strategy attempts to visualize the sector as a community that feeds information to each other to ensure smooth flow of court functions:



Digitalization of justice sector processes is a key requirement to achieve outcome 3 of the project, i.e. improve efficiency and quality of justice. The work undertaken aimed for the

judges, lawyers and the public to interact with each other seamlessly, enhancing efficiency of court processes.

The implementation of this Rapid Digital Strategy marks a significant shift in the delivery of justice sector services. The digital systems strategically designed, promise immediate improvements in efficiency by automating repetitive administrative tasks, thereby freeing up valuable time and resources of judicial and non-judicial officers. This shift aims to, *inter alia*, alleviate the administrative burden on the judicial officers, enabling them to prioritize adjudication and disposal of cases. Moreover, these systems will foster collaboration and integration with relevant government bodies and stakeholders, thereby enhancing information sharing and communication effectiveness. Annex. 21: Rapid Digital Strategy.

Sub-activity 3.3.1.1 Support the development of the rapid digital strategy for the justice sector and implement selected interventions.

Digitalization of justice sector processes is a key requirement to achieve outcome 3 of the project, i.e. improve efficiency and quality of justice. The Rapid Digital Strategy was completed and presented to the MOJ. The strategy will be launched in 2024. The system developed for the justice sector is a new, modern case management and filing system that incorporates agile development, user-centered design, integrated cybersecurity, and modern technology-led architecture with unified search functionality. It aims at keeping stakeholders informed of case progress and regulators to closely monitor progress on such as age analysis of cases with real-time statistics that makes record search easier and user-friendly.

To advance outcome 3 which targets the enhancement of efficacy and quality of justice services, prioritizing the digitization of key justice sector institutions is crucial. The necessity for a digital transformation became glaringly evident in the wake of the COVID-19 pandemic. Hence, the project initiated an assessment leading to the development of the Rapid Digital Strategy, aimed at identifying and prioritizing the digitization needs of the justice sector institutions. The completed assessment directed to a dire need for a digital policy for the Justice sector while using the current resources and digitization initiatives as a part of the overall strategy. The proposed rapid digital strategy aims to achieve tangible results by implementing a modern case management and filing system that incorporates agile development, user-centric design, integrated cybersecurity, and modern technology-led architecture with unified search functionality. It aims at keeping stakeholders informed of case progress and regulators to closely monitor progression such as age analysis of cases with real-time statistics that makes record search easier and user-friendly. The Solution Architecture of the Proposed System is simple but effective to cover the digital functional requirements, leaving scope for continuous improvements aimed at a total 'paperless transformation' of the justice sector functions in the long run (beyond the rapid phase of the deployment strategy). The solution strategy entails implementing the "Court Community platform," a comprehensive digital system structured in three phases. Phase 1 will introduce a Central Case Registry and Tracking System, yielding immediate short-term benefits. Phase 2 will develop a Case Management System for workflow automation, and phase 3 will enable

Paperless Transformation for E-Record Management. The project will support the pilot phase, with subsequent phases transitioned to the MOJ for ongoing implementation and expansion, ensuring long-term sustainability.

Sub-activity 3.3.1.2 *Support the development of an online portal for judgements and notices including backend access to judges and a public interface with information on on-going cases (intranet/ internet)*

The development of an online portal is the final phase of the Rapid Digital Strategy and therefore will be launched once the early steps are in place. It will be carried out by MOJ and JSC.

Sub-activity 3.3.1.3 *Support and roll out remote court hearings.*

Guidelines on remote court hearings (digital virtual hearings) are being developed with MOJ and coordinated closely, moving beyond the temporary measures taken during COVID 19.

These remote hearing mechanisms will be implemented linked to the overall justice sector digitalization strategy.

Activity 3.3.2 Roll out capacity building support for justice sector personnel and targeted institutions on selected thematic subjects (in line with international best practices) and on overall administration, transparency and accountability, sensitivity and responsiveness. (UNDP)

This activity targets institutional and personnel capacity building with the expectation of bringing in transformational change in the sector thus enhancing the credibility, transparency and the accountability of justice sector institutions (outcome 2). Currently, capacity lacuna affects the continuous justice dispensation be it human resource, system oriented or due to resource allocation deficiencies. Therefore, keeping in mind a that a well-equipped and efficient justice system strengthens the rule of law and reduces opportunities for corruption and impunity and ensure better protection of human rights and fundamental freedoms for all Sri Lankans, this activity is crucial for sector transformation. This activity is strategically linked to the achievement of outcome 3, namely enhancing efficiency and quality of the sector.

This activity is partially implemented. The key institutions supported through this activity are the LDO, GAD, VWPA, and DoP. Accordingly, the needs assessment for LDD was concluded, support has been extended to GAD, VWPA (particularly relevant to the new law) to execute their mandates, and capacity building for Police.

Sub-activity 3.3.2.1 *Provide targeted capacity building support to Legal Draftsman's Department based on a capacity GAP assessment.*

The Legal Draftsman's Office is responsible for timely and effective drafting and development of legislation. There has not been a needs assessment of the Department to understand the capacity gaps, especially in the context of the increased number of legislations being developed recently. Thus, a needs assessment was completed in December 2023, where the key findings demonstrated shortcomings in human resource management, training, infrastructure, support material (manuals, updated glossaries, etc.) and work-flow

management. Initiatives to be prioritized and supported will be identified in consultation with Legal Draftsman's Department (LDD) and MOJ. MOJ and LDD can leverage the findings of the assessment to seek donor support or event lobby with the relevant state authorities for funding requirements as the requests are evidence driven. LDD also can utilize the assessment findings to strategize internal resource allocation for better efficiency and productivity. Annex. 22: Needs Assessment of LDO.

Sub-activity 3.3.2.2 Provide targeted capacity building support to Government Analyst Department - this includes support to enhance capacities in forensic sciences, explosives and ICT skill, support to obtain accreditation on efficiency, development of ICT policy and case backlog clearance.

GAD is a key stakeholder in the penal justice sector chain. It also receives a heavy number of cases each year. and has recently had a backlog of 18,000 cases that impact on efficiency of the justice sector. This activity is important for GAD to be able to keep up with the demand and clear its growing backlog of cases.

The project on the request of GAD provided 15 interns to assist in clearing the backlog of cases, supporting with temporary backstopping support to compile reports to Courts that are requested from GAD in deciding on bail or sentencing of accused persons. Out of 16,826 reports submitted to Courts by the four specified Sections of Narcotics, DNA, Toxicology, and Digital, of GAD, 4,538 (27%) of reports were completed with support of the project, contributing to a 75% overall backlog clearance by GAD, in 2023. The current backlog is also due to the freeze on recruitment the government has imposed. GAD is actively working with relevant state institutions to bring attention to the recruitment requirement to ensure sustainability of timely backlog clearance. The project has undertaken a consultation with the GAD management to expedite recruitment of necessary staff as the project will not be able to support beyond 2024. According to GAD the recruitment of 12 officers will be completed by July 2024 and recruitment of an additional 19 officers is in the pipeline.

Sub-activity 3.3.2.3 Provide targeted capacity building support to Victims Witnesses Protection Authority to implement the VWP Act, training programmes for the officers of the Authority and Police Protection Division (technical), Judiciary etc./ redesigning the witness box.

VWPA is a key justice sector stakeholder, enhancing their capacity will impact the quality of the justice sector, since protection of victims, witnesses of crime and their family members come under their mandate.

A total of 384 (151 women 151, 233 men justice sector stakeholders including judges, lawyers, judicial medical officers, police officers have enhanced their capacity in the implementation of the newly enacted Victims & Witness Protection Act through seven capacity building training programmes. A further 1,642 personnel (851 women ,191 men) received enhanced awareness of the VWP Act in 15 awareness programs conducted for Grama Niladharies, field officers, staff of district and divisional secretariats, and school children.

Sub-activity 3.3.2.4 Provide targeted capacity building support to Police

As a first point of contact in the justice sector, the Department of Police is of particular importance. Their capacity to handle the victims and witnesses who seek their assistance needs to be at optimal levels in order to ensure efficiency and quality of justice, which is key in outcome 3.

Police have been supported with awareness and capacity development based on international best practices on criminal victimization, protection mandate, data analysis, innovative investigation techniques and threat assessment.

Sub-activity 3.3.2.5 Provide training for court administrators to minimizing the administrative burden on judges.

It was agreed that work related to court administrators would require a policy level decision to proceed, with the MOJ taking the lead on this. PSC has directed to not to prioritize this activity until a policy decision is made.

Sub-activity 3.3.2.6 Provide training for non-judicial staff including on Small Claims Court processes.

In the Justice sector, Non-Judicial Officers (NJOs) play a major role as a connecting point to the Judges, litigants and lawyers. They manage the cases as per the orders/ directives given by Judges following legal procedures. Their skills and knowledge in handling cases in an efficient and effective manner has a direct influence on better case management, in reducing delays and bringing justice to the people. Therefore, it is important to keep their knowledge and skills updated through continuous training opportunities.

Seven trainings were completed by Non-Judicial Training Institute (NJTI) in seven judicial zones (Ratnapura, Embilipitiya, Nuwara Eliya, Badulla, Kandy, Kegalle, and Kurunegala) for a total of 2,322 non-judicial officers (1,826 women, 496 men) as scheduled.

Activity 3.3.3 Set up peer to peer contacts, on a pilot level, with courts and professionals in other jurisdictions to assist Sri Lankan judges and sector professionals in enhancing competency and efficiency across the sector. (UNDP)

This activity envisages direct interaction with experienced judges and professionals from other countries enabling the exchange of knowledge and successful practices on specific legal issues and judicial procedures. This networking fosters collaboration on tackling common challenges and developing innovative solutions relevant to the Sri Lankan context and is paramount for advancing a forward-thinking mindset in the justice sector. The exchange of knowledge and continuous learning is crucial for improved efficiency and quality of justice, and thus upholds outcome 3.

This is partially completed. As the dispensation of justice happens directly through judges, it is crucial that their capacity is enhanced on most recent developments of the law and legal processes, contributing to developing an efficient system with high quality standards. The following sub-activities including the judicial symposium contribute to the strategic value of outcome 3.

Sub-activity 3.3.3.1 Conduct judicial symposiums for knowledge exchange on selected topics

Five trainings/ symposiums were conducted in the four locations of Dambulla, Negombo, Kalutara and Colombo, for 384 (143 women, 241 men) Judges, Magistrates, and Labor Tribunal Presidents. The trainings were on jurisdiction and procedure in provincial high courts, role of a Magistrate, health and well-being, new trends and challenges in Industrial Disputes Resolution, Environmental Law, and enhancing public Confidence in the Judiciary in collaboration with SLJI. It was carried out by JSC.

These trainings provided judges with the necessary knowledge and skills to navigate through complex legal issues effectively, ensuring fair and just decisions. Understanding jurisdictional boundaries, procedural rules, and the responsibilities inherent in their role as magistrates enables judges to conduct proceedings efficiently and uphold the principles of justice. Furthermore, learning about health and well-being promotes personal resilience and enhances judges' ability to handle the pressures of their profession, thereby contributing to better decision-making on the bench. Acquiring insights into emerging trends in industrial disputes resolution and environmental law equips judges to address evolving challenges in these areas with competence and expertise.

Activity 3.3.4 Provide assistance for the development and delivery of a formal continuous professional development programme targeting judges and lawyers. (UNDP)

This activity is crucial to ensure judges and lawyers are up to date on the developments relevant to their areas of specialization and overall law related developments. Be it in advising clients or in delivering judgements, professional development that is continuous cannot be overlooked and contribute to efficiency and quality of justice dispensation encapsulated in outcome 3. Judges and lawyers can thus utilize the knowledge gained for better execution of professional duties and responsibilities.

Sub-activity 3.3.4.1 Training for judges and lawyers including on Small Claims Court and community based correction processes

Three trainings for 152 judges (52 women, 100 men) have been carried out in Waskaduwa, Kandy and Negombo on small claims procedure.

The workshop for judges on small claims court procedure produced significant outcomes. It clarified the process of filing and managing claims and explored potential amendments to the Act. Through dynamic discussions, judges gained valuable insights into the challenges and opportunities inherent in small claims court procedures, particularly in interactions with corporate clients. The workshop underscored the pivotal role of judges in guiding lawyers and litigants through the process, while addressing critical issues like case disposal and accurate reporting. Discussions on practical difficulties in implementing provisions enhanced understanding and promoted effective strategies for implementation. Overall, the workshop deepened judges' comprehension of small claims court procedures and equipped them to tackle challenges more effectively. Furthermore, the project initiated three training sessions, reaching 152 judges (52 females, 100 males) across Waskaduwa, Kandy, and Negombo, all focused on enhancing knowledge of small claims procedures.

Activity 3.3.5 Review and improve existing work processes within the justice sector through the implementation of the reforms agenda. (UNDP)

This activity prioritizes improving work processes within the justice sector through close collaboration with Ministerial Thematic Law Reform Committees and JSC. Multiple delays in case processing create a backlog that undermines the efficiency of the entire criminal justice system. These delays hinder the ability to deliver justice in a fair and timely manner, compromising the fundamental principles of criminal justice. Effective and efficient dispensation for the criminal justice is crucial for access to justice and rule of law hence outcome 3 inadvertently is fulfilled when the proper processes are put in place through the reform's agenda by the implementation of this activity.

The activity was postponed based on JURE Project Steering Committee 2023 advice.

Sub-activity 3.3.5.1 Implementation of key recommendations identified in the pioneering assessment on bottlenecks to Case Flow Management within the Criminal Justice Sector with close collaboration with justice sector stakeholders.

This activity was postponed based on JURE Project Steering Committee 2023 advice.

Sub-activity 3.3.5.2 Support to develop and operationalize guidelines on court administrators.

This activity was postponed based on JURE Project Steering Committee 2023 advice.

Sub-activity 3.3.5.3 Conduct assessment of the work-flow processes of court registries and develop a streamlining mechanism and pilot implementation of the findings in DC registries.

Court registries have a crucial role in the efficient dispensation of justice as they are key stakeholders that could ensure timely workflow processes. During the reporting period, buy in was secured from the Judiciary (Chief Justice) to undertake the assessment and develop a mechanism. The specifics of how the assessment will be rolled out in 2024 are being discussed with the JSC.

Sub-activity 3.3.5.4 Develop a SOP/ Guidelines for non-judicial court staff.

This activity was postponed based on JURE Project Steering Committee 2023 advice.

Activity 3.3.6. Support Court Administration as a stand-alone discipline and pilot the introduction of "court administrators" to assist judges in the management of the Courts. (UNDP)

Sub-activity 3.3.6.1 Conduct a feasibility assessment on the introduction of a robust court administrative mechanism under a Court Manager/ Administrator.

This activity was postponed based on JURE Project Steering Committee 2023 advice.

Activity 3.3.7. Strengthen prison reforms and the existing Community Based Correction mechanism as a viable response to reduce prison overcrowding. (UNDP)

The services offered by the Department of Community-based Corrections (DCBC) directly impacts the efficient dispensation of cases and the reintegration of the convict into the community. Recognizing the critical role of a strong community-based corrections system in reducing recidivism, prison overcrowding, and successful reintegration, MOJ, the State Ministry of Prison Reform, and the Parliamentary Ministerial Consultative Committee on Justice are committed to strengthening this approach through legal and procedural reforms. Given the social implications of a fledged community corrections mechanism in transforming the method of addressing petty crimes, this activity is hence crucial in terms of improving the current approach, and thus enables efficient and quality justice dispensation in line with outcome 3.

This activity has not been completed though initiated during the reporting period. This is crucial to enhance efficiency and quality of justice.

Sub-activity 3.3.7.1 Support capacity development of Department of Community Based Correction through interventions including training of trainers programs, training of officers of best practices on community based corrections, selected intervention of the prison study, and facilitating links with companies to encourage companies to hire rehabilitated persons.

After several discussions with the DCBC, assessment of service delivery, regulations to implement, and capacity development were identified as potential areas of support for the future. There are other donors who have come forward to support the DCBC and UNDP is in contact with them to fine tune the nature of support that can be provided in 2024.

Sub-activity 3.3.7.2 Support the development of the Prison Information Management System.

The existing (manual process) prison information collection mechanism was reviewed with a view to ascertaining the gaps in data and method. Technical discussions were conducted (including with the expertise of an international justice sector data expert) on the types of information that could/should be collated to also enable reporting on SDG16 indicators. The intrinsic linkages between the prison data and the overall comprehensive justice sector Data Snapshot (to be developed in 2024) were also identified and will be fed into the design of the Snapshot. Upon reviewing the existing data, types of qualitative research and analysis to be conducted were also identified to feed into the 'criminal victimization survey' and the crime prevention strategy to be formulated. The Prison Information Management System (PIMS) will be improved from a holistic lens so as to enable better institutional management and criminal justice sector wide data repositories that would inform (provide an empirical base) policy and legislative reform.

Activity 3.3.8. Carry out court infrastructure needs assessment and develop infrastructure planning tools with special focus on victim-sensitive infrastructure (including safe rooms for victim/ witness statements, court testimony (including remote testimony), victim shelters/ safe houses). (UNDP)

Comprehensive infrastructure needs assessment is critical for the justice sector institutions to determine the current state, deficiencies, and future requirements and to plan for the future and allocate resources effectively. Therefore, such assessment assists to ensure the

infrastructure investments address the most pressing issues and contribute to building a modern, efficient, and inclusive justice sector focused on accountability, transparency, efficiency and quality. Therefore, the analysis of the existing infrastructure in courts, to identify opportunities to enhance victim centric infrastructure is crucial and has a bearing on outcome 3 which focuses on quality of justice.

The activity is partially completed. Accordingly, the inception report on the infrastructure needs assessment has been completed and the second phase of visiting courts will continue in 2024.

Sub-activity 3.3.8.1 Complete the court infrastructure needs assessment and provide support for selected victim-centric infrastructure development.

The inception report on infrastructure needs assessment submitted by the consultant includes focus on child-friendly and victim centric needs. Following subsequent discussions MOJ submitted a list of 147 courts (9 High Courts, 33 District Courts, and 105 Magistrates Courts) to be visited, to best capture infrastructure needs of courts island wide. This includes disability inclusion, gender inclusivity and child protection in justice sector infrastructure. The site visits are planned for early 2024. Annex. 23: Draft Report Infrastructure Needs Assessment.

Sub-activity 3.3.8.2 Establish/ strengthen PWD Access for Courts

This activity will be undertaken in 2024 when the infrastructure needs assessment conducted under 3.3.8.1 is completed.

Output 3.4. Strengthened commercial and alternative dispute resolution mechanisms to provide expeditious remedies and create an investor-friendly environment.

Output 3.4 has four key activities under its purview, with 19 sub-activities in total.

Given the country's economic context, largely the commercial sector reform priorities of the GOSL were shifting towards law reforms. The project carried out a series of consultations and focus group discussions, with sector specialists to first identify the areas in which strategic interventions are needed. As such, the commercial law sector reforms were broadly designed as a three-pronged approach; they are 1) facilitating expeditious commercial litigation in courts; 2) capacity development of institutions facilitating commercial transactions; and 3) ADR mechanisms.

During the consultations, the project learnt that law reforms alone will not be sufficient to build a conducive environment for business transactions to prosper. Hence, consultations were mainly carried out for identification of existing problems. It was revealed that the capacity building of sector professionals is a much-needed requirement whilst improving the procedural needs of the sector. Accordingly, the project largely focused on moving beyond the traditional focal point of "law reform", with the aim of addressing the capacity gaps in the sector to produce better short-term as well as long-term benefits. As such, in addition to consultations, the project carried out assessments to identify the needs and possible solutions for implementation issues.

As such changes in the processes, implementation of the law in identified target areas and enhancing access to justice were given more priority.

Some of the key issues and solutions identified were, as follows:

- Inadequacy of legal provisions that help aggrieved parties of disputes arising out of commercial transactions.
- Appellate procedure for commercial disputes – A common bottleneck in the administration of justice of commercial disputes is the length of time taken in the adjudication of appeals. As such, time management during the pendency of the case was a recognized priority.
- Digitization – Institution of cases through electronic means and the usage of e-filing of documents and the digitization of Court proceedings will assist to a large extent in expediting the existing processes of the justice system. Moreover, digitization of routine administrative tasks that are currently vested within the purview of the presiding judges, such as administration of court complexes, staff and infrastructure will largely reduce the administrative burden on the judge. These tasks are considered to take away considerable time that could be utilized in the adjudication and determination of disputes by these judges.
- Development of dispute resolution methods set out in the Companies Act No. 07 of 2007– This piece of legislation set out the substantive law to determine one of the broadest areas of commercial law in Sri Lanka. This Act also provide the framework for an ADR mechanism of its own, the development of which will assist in easing the workload of the Courts.
- Lack of interest, capacity and knowledge on improvement of ADR mechanisms such as Commercial Mediation and Arbitration in Sri Lanka. Commercial Mediation has been able to gather interests of corporates in other countries as a less costly, and efficient process rather than litigating in courts.

As such, each output activity as defined below was strategically designed to incorporate the solutions identified above.

Activity 3.4.1 Review and improve existing commercial laws and work processes pertaining to commercial cases (UNDP)

The overall strategic vision for commercial courts in terms of improving laws and procedures were to expedite the enforcement of contractual arrangements in Sri Lanka through litigation. As described above, the project focused, beyond law reforms to adopt a holistic approach that looks at barriers to increase efficiency in commercial litigation proceedings as envisioned by outcome 3.

As mentioned above, this activity was introduced to bring in legal provisions that will help fill in the gaps in the current legislative provisions.

Sub-activity 3.4.1.1 Support the MOJ to effect legislative reforms relating to Commercial laws.

A number of key pieces of legislation are ready or being processed for enforcement, such as:

- Mediation of Civil and Commercial Disputes Act.

- Maintaining Records and Conducting Proceedings in English in commercial courts- intended for recording proceedings in the Commercial High Court, with jurisdiction in Arbitration proceedings and Admiralty cases, in English.
- Small Claims Court Procedure Act, including the subsequent amendment to increase the financial threshold of the claims.
- Mediation Boards (Amendment) Act and the Mediation (Special Categories of Disputes) Act.
- Reciprocal enforcement of Foreign Judgments procedure Act.
- Amendments to the Debt Conciliation Ordinance.
- New Arbitration Bill giving effect to the Convention on the Recognition & Enforcement of Foreign Arbitral Proceedings.
- Singapore Convention Bill giving effect to the Singapore Convention on Mediation.

Sub-activity 3.4.1.2 Support the activities in the Enforcement of Contract Task Force such as setting up the e-payment gateway system and Commercial High Court Website.

The project in collaboration with the Enforcing Contract Task Force developed an Action Plan aimed at improving the business enabling environment. Spearheaded by the Presidential Secretariat, the Task Force focuses on enhancing contract enforcement, which includes overseeing the implementation of the MOJ roadmap. Additionally, a dedicated parliamentary committee is tasked with complementary efforts to support these objectives. However, given that the Task Force has approached multiple donor agencies, a coalition between donor agencies was needed to delineate the areas of support by each agency and preempt duplication of resources.

The following activities identified by the Task Force are underway:

- Establish an additional Commercial High Court (CHC). The project completed the required tasks to support the operationalization, by providing equipment and furniture. The new CHC courthouse will be operational as soon as the new judicial appointments are made by the JSC. The project is in discussions with the MOJ and JSC to convince them to allocate these facilities for special hearings in this new courthouse as a measure of expediting the matters that have been delayed. This comes as an initial measure to address the time management issues in the existing system. The redirection of matters that consume a significant of time and scrutiny to a special hearing process will prevent clogging up of the entire case load in a courthouse.
- Designed and installed new witness boxes on par with international standards in four CHCs. One installed in Dec. 2023, and four others will be installed in 2024. The newly designed witness boxes will be installed in other court rooms as well, starting from Colombo High Courts having jurisdiction on criminal matters. This new design accommodates the special needs of persons with disability and is in line with the new law on victims and witnesses' protection. The impact of the new witnesses' boxes is transformational addressing a gap where victims and witnesses were reluctant to come before courts since the environment does not accommodate their disabilities and vulnerabilities. This support will have an impact on reducing case delays as now victims/witnesses could come before courts in spite of their physical disabilities as the court accommodates the same. Establishment of model Small Claims Courts – after

consulting MOJ, the first phase of setting up model courts commenced in Kandy district. The required infrastructure was in place, therefore the project provided equipment to these facilities. Once the court personnel are appointed by JSC to function as a separate courthouse the small claims matters will be taken up in this model courthouse. This is the first of its kind. As a measure of strengthening smooth functioning of this newly introduced law, the project supported trainings for judicial and non-judicial staff by coordinating with SLJI and NJTI units.

- Development of website for Commercial High Courts – the sitemap and the initial designs of the website was completed in close consultation with the Commercial High Court judges and IT Registrars. The website is currently designed to give quick access to orders, judgments and daily court lists of the CHC similar to websites of the Supreme Court and the Court of Appeal. The website is planned to launch in the second quarter of 2024, and as the next stage the website will be expanded to contain developments suggested by the Rapid Digital Strategy.

Sub-activity 3.4.1.3 Study the procedures of Commercial HC and support automation of processes.

Several meetings were held with the Commercial High Court judges and IT Registrars to identify the areas that need automation in relation to Commercial High Courts. To optimize resource mobilization and ensure strategic intervention, it was decided to implement the identified automation needs in line with the Rapid Digital Strategy action plan.

Sub-activity 3.4.1.4 Conduct specific training for in-house corporate legal professionals

A number of consultations were held with various stakeholders, such as the Association of Cooperate Lawyers, private practitioners, Colombo Law Society, corporate law firms in Sri Lanka to identify the areas of law that need strategic interventions. As a first step, considering the complexity and magnitude of the subject area, a lawyer’s manual for Banking Law was initiated. The Inception phase was completed in 2023; the manual and validation will be completed in quarter 2 of 2024. The manual will be further refined to contain the upcoming amendments to the Banking law before dissemination in consultation with Central Bank as well.

To update knowledge of corporate lawyers with upcoming developments in the sector nine trainings (212 women, 216 men) were conducted for cooperate lawyers, such as sessions on proposed amendments in the new Arbitration Bill, impact of AI on e-commerce transactions and data protection law.

Activity 3.4.2 Strengthen and improve processes of the Commercial High Court and District Courts for expeditious justice delivery for commercial matters. (UNDP)

Majority of the disputes arising from commercial transactions are being heard in Commercial High Courts and District Courts. As such, this activity was introduced to revamp and facilitate the procedures followed in the above courts are made efficient through capacity development and introducing new procedures. Hence, knowledge products such as bench books for judges were couched under this output activity. In addition, other institutions such as the ROC and BOI, which handles matters relating to companies and investments in Sri Lanka were also considered as entities that require support.

Sub-activity 3.4.2.1 Introduce rules/ manual to conduct virtual trials for commercial disputes, and use the commercial high court as a model court to familiarize staff with digitalization process.

Upon consultation of the Commercial HC judges, it was recommended that this component is better captured in the guideline that is being prepared by the Commercial HC Judges at the request of the MOJ. At the end of quarter 4 the guideline compiled by the CHC was still in preparation. The project learnt that the guideline is being supported by USAID with a data collection component as well. Hence, the project decided to await the completion of the guideline after further consultation with the then Secretary to MOJ.

Sub-activity 3.4.2.2 Enhance commercial high court registries by facilitating transcription procedures, capacity building of non-judicial officers.

This activity was identified as part of the overall strategy to enhance the administrative tasks and court related activities performed by the non-judicial officers such as stenographers. It was identified that the transcription and translation of court proceedings consume a significant amount of time. As such, consultations were held with the MOJ to identify how this can be implemented as part of the Rapid Digital Action Plan in 2024. Accordingly, facilitation of transcription facilities is aimed to be captured in phase 2 of the Rapid Digital action plan.

Sub-activity 3.4.2.3 Develop a Bench Book for Commercial High Court Judges.

As per outcome 1, it was decided that one of the key components of strategically enhancing the subject knowledge of judges and expeditious disposal of commercial disputes, is to have a standardized reference material for judges. As such, the preparation of the Commercial Law Bench Book commenced. A qualified judge was selected by the JSC in quarter 3 of 2023, to prepare the bench book. The scope for the Commercial Law Bench Book was defined in quarter 4 of 2023 in consultation with the selected judge. The bench book is designed to contain several volumes considering the number of topics to be covered. The timeline for completion of the first two volumes is set for the last quarter of 2024. The dissemination is planned to be in both print form and electronic.

Sub-activity 3.4.2.4 Strengthen regulatory proceedings of sector institutions such as Registrar of Companies (ROC) and Board of Investment (BOI) to reduce any opportunity for litigation between transacting parties.

Registrar of Companies (ROC):

Several consultations were held to identify how ROC can strategically assist in the process of expediting commercial transactions. It was identified that reformation of archaic laws in winding up rules are consuming a considerable amount of time. Therefore, the process to reform regulations was initiated. However, ROC later instructed to pause the work as a new law may capture the entire procedure on Insolvency law. As such, this activity is paused until we receive further instructions from the Registrar on the new law.

One key need has been to set up a platform for companies to settle/ mediate matters that do not necessarily require the intervention of the court. The Companies Act, No. 7 of 2007 provides for a Companies Dispute Board (CDB), which is designed to settle disputes through mediation. However, this mechanism has not been operationalized in Sri Lanka. Identifying

the specific functions conferred on the CDB requires a reading of sections 508, 509 and 510 of the Act. Accordingly, the technical support to prepare the Regulations to operate the CDB commenced in 2023.

After consultations with the ROC, the feasibility analysis to identify institutional requirements to operationalize the CDB commenced in quarter 3 of 2023 and the validation of the assessment with the ROC was completed in quarter 4 of 2023. The support to prepare Regulations will be continued in 2024, and once completed and approved by the ROC, they will be published in the Gazette. Simultaneously, facilities to operationalize will also be supplied in 2024.

Board of Investment (BOI) and regulations to support foreign investments:

The current terms and conditions stipulated in the templates used by the BOI are ineffective in encouraging potential investors. Furthermore, the existing provisions impede the smooth establishment of investments in Sri Lanka, as the terms in the existing templates prove to be unfavorable in resolving disputes between the BOI and foreign investors. The project engaged an international expert to assist the BOI reform the current templates, to ease contractual arrangements and preempt disputes between parties. The international expert commenced work on the templates in quarter 4 of 2023 and the new templates will be compiled into a manual by second quarter of 2024.

The project also provided technical guidance in quarter 3 and 4 of 2023 to the Presidential Committee on Fast-Tracking Investment in compiling the report that encompasses recommendations to streamline Standard Operating Procedures and regulatory processes to set up foreign direct investments. The report enumerated recommendations for revising regulatory procedure and SOPs in consultation with various line agencies responsible for approving investments, issuing licenses, and providing clearances. The action plan to implement the recommendations will be discussed in first quarter of 2024.

Activity 3.4.3. Support the establishment of an Investor's Court, Pre-Trial Court and Small Claims/ Standard Form Court (UNDP)

This output activity was specifically introduced to ease the case load of Commercial High Courts. Small Claims procedure and pre – trial conferencing were designed to shorten the time consumed in the court by encouraging the parties to settle the matter by using mediation and conciliation techniques.

Sub-activity 3.4.3.1 Strengthen the operationalization of newly established Small Claims court, through the model courts set up in Colombo and Kandy. Training on Small claim courts for the Judicial Practitioners, lawyers and Non-Judicial Staff.

The law on small claims introduces a novel procedure that encourages parties to settle the matter within a short period, as opposed to the regular adversarial method practiced in District Courts that consumes significant amount of time and money of parties. In addition to the support to operationalize the model Small Claims court in Kandy a series of capacity development activities were carried out for Judges, lawyers, and non-judicial staff.

The project facilitated three workshops across Waskaduwa, Negombo, and Peradeniya aimed at training judges on Small Claims Court procedure reaching 152 participants (52 women, 100 men).

Additionally, in collaboration with the Colombo Law Society (CLS), a workshop was organized to synthesize practitioners on the 'Practical Aspects of Small Claims Courts'. The workshop was attended by 98 experts (52 women, 46 men).

In relation to non-judicial officers, seven workshops were carried out in judicial zones such as Kurunegala, Ratnapura, Embilipitiya, Kandy, Badulla, Nuwara Eliya, and Kegalle, in partnership with the NJTI. These sessions were tailored for non-judicial staff. The events were attended by a total 2322 persons (1826 women, 496 men).

The capacity development workshops provided an opportunity for judges, lawyers and non-judicial staff to clarify procedural and operational difficulties on the newly introduced procedure for the small claims law.

Sub-activity 3.4.3.2 Support establishment of Pre-Trial Commercial Court / conferencing and operationalization pre-trial process

As per JURE PSC guidance held in August 2023, this activity was postponed until the laws were passed. The amendment to the Civil Procedure Code on pre-trial conferencing was passed in December 2023.

Sub-activity 3.4.3.3 Support to develop a time-management system for trial process for expeditious resolution of cases.

Implementation of this activity was stopped as USAID commenced work on a case management system. After several discussions, a decision was taken to allow the continuation of already initiated work by USAID. Therefore, further action to implement this activity ceased in quarter 3 of 2023. Accordingly, this activity will be taken out of JURE workplan.

Sub-activity 3.4.3.4 Prepare a Judges manual on pre trial conferencing and small claims courts

The judges' manual on small claims court was postponed based on the discussions with the Sri Lanka Judges' Institute (SLJI). The law on small claims court was only passed in January 2023, and it was decided by SLJI that it is too early to compile a manual. However, a follow-up training will take place in quarter 1 of 2024 with the judges to recap the issues they encountered in implementing the new procedure. As per the feedback received from judges revealing the complexity of the procedure and further needs identified by the judges, the project will resume conversations with the Institute in 2024 quarter 2 to prepare a manual/handbook.

In relation to the pre-trial conferencing, after detailed consultations with MOJ, it was decided to halt implementation of the activity until the passage of the law. The law was passed in mid-December 2023.

Similar to the small claims law, the pre-trial conferencing law is a new concept that is different to the pre-trial procedure currently practiced in court. The new procedure encourages lawyers as well as judges to actively participate in a conference modeled discussion with the aim of arriving at a settlement before the dispute moves further to the trial stage. To sensitize lawyers and judges of this practice, the preparation of manuals was postponed to 2024 as advised by the PSC. Therefore, the discussions on preparation of a manual will take place in 2024 quarter 2, in careful consideration of the need/ usefulness of a manual by the stakeholders.

Sub-activity 3.4.3.5 Develop lawyers' manual on pretrial conferencing (commercial) and small claims courts.

The law on small claims was introduced in January 2023. Upon consultations of several judges and lawyer groups, during quarter 2 and 3, such as Colombo Law Society, the need to sensitize lawyers on the new small claims law was identified as a priority.

As such, a consultancy to prepare the lawyer's manual on SCC started in quarter 4 of 2023. The preparation of the manual will be completed in 2024.

Please refer to activity 3.4.3.4 on activities pertaining to pre-trial conferencing.

Sub-activity 3.4.3.6 Support the establishment of an Investor's Court to facilitate expeditious resolution of disputes relating to foreign investments.

Activity postponed as instructed by the PSC in August 2023 as the law is yet to be passed to giving effect to the creation of an investment related special court. Once the law is passed, and upon consultation with relevant stakeholders, the action plan will be formulated.

Activity 3.4.5. Carry out legislative and institutional review/ assessment of ADR mechanisms (including commercial mediation and international arbitration mechanism), support the development of specialized ADR mechanisms and processes, and provide capacity and awareness raising support on ADR mechanisms to sector institutions/ professionals and the business community. (UNDP)

ADR mechanisms in Sri Lanka have been in practice for decades. However, due to various shortcomings, especially reasons such as knowledge gaps, adversarial system shaped by courts, and resource gaps, ADR mechanisms have not yielded convincing results as an effective alternative to courts.

In relation to commercial transactions, the commonly used ADR mechanism in Sri Lanka is Arbitration. However, despite its long existence in Sri Lanka, the system has failed to gain confidence of the sector as an efficient system to resolve disputes and is generally known as costly and a time-consuming method. One main reason is the lack of specialized practitioners in arbitration matters. Currently, majority of arbitrators and the counsels appearing in arbitrations are largely retired judges and practitioners in court as well, respectively. Hence, proceedings of arbitration are largely carried out in a court-like manner, defeating the very purpose of this ADR mechanism.

Nevertheless, the current practice of Arbitration is still considered important and relevant in Sri Lanka due to two main reasons. One is that Sri Lanka being a party to the New York Convention on Arbitration, Arbitral awards issued in foreign jurisdictions are enforceable in local courts. The other reason is that foreign counterparts to most international transactions still prefer arbitration as a neutral method than the local courts. Hence, despite the negative impression in the sector on Arbitration, it has managed to stay relevant and essential specifically for two stakeholders, i.e., the Judges and the Attorney Generals Department, which represent State in most Investor- State disputes. As such, during the year, the project extended support to various initiatives, specially to Judges and AG's Department, to develop arbitration practice in Sri Lanka through a capacity development lens.

In relation to Commercial Mediation, the project completed an inception phase by 1st December 01, 2022, in partnership with the Asia Foundation. During the project's three-month inception period, consultations were carried out with key stakeholders, including arbitration and mediation practitioners, university representatives, institutions conducting ADR activities and counterparts in other donor supported projects to validate the project approach and activities, ensure synergies with existing or planned ADR and broader justice system development projects, and agree on communications and other protocols that will ensure efficient coordination and avoid duplication of effort.

Sub-activity 3.4.5.1 Conduct a comprehensive assessment of commercial mediation from a micro as well as macro perspective.

This activity is being implemented in partnership with the Asia Foundation. The study on micro commercial mediation endeavors to capture contextual, operational, and other issues affecting commercial mediation in Sri Lanka and the current status of commercial dispute settlement and the opportunities and challenges for operationalizing commercial mediation in Sri Lanka.

The assessment covers different aspects of commercial mediation landscape in Sri Lanka, which includes the following:

- Sri Lanka's international commitments to enable commercial mediation.
- A comprehensive analysis of the legislative and policy frameworks for commercial mediation.
- An analysis of national institutional frameworks for commercial mediation.
- A critical analysis and reflection of the success and failure of commercial mediation initiatives in Sri Lanka.
- The scope of mediation in the broader justice system and specifically the ADR landscape of Sri Lanka.
- A road map for the effective introduction of commercial mediation as a viable solution for commercial dispute resolution in Sri Lanka.

The study was completed in 2023. The study is purposefully crafted as a landmark publication on commercial mediation in Sri Lanka, and, as such, the publication of the study will be more effective once the legislation is passed. As such it will be published in 2024 approximately in quarter 2 once the legislation on Commercial Mediation is presented in the Parliament and enacted. Annex 24: Study on Commercial Mediation.

Sub-activity 3.4.5.2 Develop a National Policy and Strategic Action Plan on mediation.

Initial discussions took place with stakeholders with next steps to be agreed in 2024. A meeting was held between the Asia Foundation and the Secretary MOJ on 27th June 2023. During the discussion the Secretary MOJ raised the need for a policy on mediation. Accordingly, the project is developing the preliminary concept note and the literature review required before another meeting is held with the MOJ Secretary to discuss the establishment of a Technical Advisory Committee appointed by the MOJ.

The concept note highlights the importance of defining mediation better in order to improve; access to justice by understanding users of mediation to improve accessibility; cross-sector applicability by covering a broad spectrum of disputes, ranging from commercial and property disputes to family conflicts and community disputes, and include standards, ethics, and a professional development and monitoring framework for all mediators despite the type of mediation services provided; a consolidated vision as although Sri Lanka has expanded and significantly diversified mediation services and included provisions for mediation in other statutes, they have never been connected through a national policy; greater concentration and effort towards international commitments, such as those under the Singapore Convention.

Although mediation has been successful in resolving community level disputes for over thirty years in Sri Lanka, there is no overarching policy on how it should be used as a successful measure for alternative dispute resolution. Additionally, though mediation has diversified over the years to branch out into special categories of mediation, it needs to be anchored within a unified national policy that provides a consolidated, vision, structure and strategy for monitoring and improving the journey of ADR in Sri Lanka.

Such a policy will help mitigate some of the existing incongruities within the mediation framework for Sri Lanka. Further, the Policy aims at establishing a system of principles and guidelines to strengthen the structure that exists and position the diverse categories of mediation in Sri Lanka. Further to the above, development of a national policy for mediation will strengthen the capacity and uniformity of Mediation Boards and certainly contribute towards achieving SDG No. 16: Peace, Justice and Strong Institutions.

Sub-activity 3.4.5.3 Strengthen the International ADR Centre.

During the inception study, the need for an institution to provide commercial mediation services is strongly felt by many stakeholders. Although the International ADR Center was set up in partnership with the Ceylon Chamber of Commerce and the Institute for Commercial Law and Practice in 2018, there was no dedicated space to carry out mediations. In consideration of the strategic need, the International ADR Center moved into the recently vacated premises of the International Arbitration Centre at the World Trade Centre since these premises were custom built to facilitate international mediations and arbitrations.

The project believes the institutional support to International ADR Centre through the project will create a conducive environment to increase the use of commercial mediation as a viable option for the resolution of commercial disputes and capitalize on the momentum built by the proposed new commercial mediation legislation. By June 2023 the International ADR Center moved to the 22nd floor of the World Trade Centre, and this was further embellished by the

signing of a Memorandum of Understanding (MoU) with the Port City Economic Commission (PCC).

The PCC appointed the International ADR Center to discharge the duties, responsibilities, and functions of the Commercial Dispute Resolution Centre for a period of five years commencing from June 1, 2023.

As such the project supported throughout the year to the International ADR Center to carry out services related to commercial mediation in Sri Lanka including:

- making Rules for matters relevant to the provision of ADR services;
- training for Arbitrators and Mediators and other resource persons and support staff required to provide ADR services;
- providing a system for accreditation of Arbitrators and Mediators and other resource persons required to provide ADR services;
- establishing a panel of accredited Arbitrators and Mediators;
- promoting awareness of Alternative Dispute Resolution mechanisms for resolution of commercial disputes, including through seminars and workshops;
- conducting academic courses on ADR mechanisms; and
- collaboration with any organization for the development of Alternative Dispute Resolution in Sri Lanka as necessary.

Institutional support provided by the project aims to foster an environment conducive to enhancing the utilization of commercial mediation as a feasible approach for resolving commercial disputes, thereby promoting sustainability in dispute resolution practices. This endeavor seeks to leverage the momentum generated by the forthcoming commercial mediation legislation. Additionally, the project aims to initially assist the center, ensuring its operational viability in the early years. Subsequently, the International ADR center anticipates self-financing through revenue generation, thereby ensuring long-term sustainability.

In relation to public awareness of commercial mediation, the Commercial Mediation Symposium, was conducted in partnership with International ADR Center and titled "Mediation: The Smart Option for Commercial Dispute Resolution," was successfully implemented under the project. Endorsement from the President of Sri Lanka underscored the Ministry of Justice's backing for the International ADR Center's endeavors to promote Commercial Mediation nationally.

During the symposium, attendees were acquainted with the challenges within the existing justice system pertaining to dispute resolution. Mediation emerged as a promising alternative, highlighted through a mock mediation session that provided attendees with a clear understanding of the process and the roles of legal professionals. The event significantly promoted the visibility and public standing of the International ADR Center.

Sub-activity 3.4.5.4 Development of commercial mediation related laws

The project provided technical support in partnership with Asia Foundation for two legislative enactments.

1. Act to give effect to the obligations under the Singapore Convention.
2. Act for Civil and Commercial Dispute Resolution using Mediation.

The Act to enact obligations under the Singapore Convention is in its final stages of approval as it was passed in Cabinet and published in the Gazette in October 2023 and is pending Parliament approval. The importance of this initiative lies in its alignment with the United Nations Convention on International Settlement Agreements Resulting from Mediation (Singapore 2018). This convention enables the enforcement of mediated settlement agreements across borders, particularly those with international implications. Its adoption, guided by the recommendation of the United Nations Commission on International Trade Law (UNCITRAL), signifies not only the increasing global use of mediation but also its proven efficacy as a dispute resolution mechanism. By facilitating international trade and business transactions, this initiative contributes to tangible results in fostering smoother, more efficient commercial relations.

The Mediation (Civil and Commercial Disputes) Bill is yet to be presented for Cabinet approval. The formulation of legislation highlights a commitment to achieving tangible results in enhancing the utilization of mediation for civil and commercial dispute resolution. By addressing the need for a governance regime, this legislation is geared towards establishing concrete practice standards and recognizing universally accepted principles in mediation procedures. This approach is designed to ensure effective and consistent mediation practices, ultimately leading to improved outcomes in resolving disputes within civil and commercial contexts.

Through the International ADR Center, a new set of Mediation Rules dated 11 May 2023, were drafted, reviewed and approved to be in place in accordance with new legislature and global best practices.

Sub-activity 3.4.5.5 Provide capacity and awareness raising support on ADR mechanisms to sector institutions/ corporate professionals and the business community.

Key events on arbitration were supported including the Colombo Arbitration Week 2023. This event series held over six days in its second consecutive year, brought together over 450 local and international stakeholders involved in Alternative Dispute Resolution (ADR), providing a platform to explore the latest developments, challenges, and opportunities in ADR, ultimately helping shape the future of ADR in Sri Lanka. The event was a collaborative effort including the United Nations Commission on International Trade Law (UNCITRAL). Apart from lectures and panel discussions, the sessions for young practitioners created a platform for policy discussion on the island's arbitration framework.

In addition, the Colombo Law Society held a Colloquium on Arbitration in Sri Lanka through the project to discuss the latest developments in the Arbitration landscape in Sri Lanka and internationally. Key topics such as the role of an arbitrator, global challenges in arbitration, and an analysis of the proposed Arbitration Bill were discussed at this full-day event which saw the physical participation of over 60 professionals (42 women, 18 men), as well as a live-stream through the society's Facebook account, accessed by a diverse cross-section of the legal fraternity.

The project also organized workshops in collaboration with the BASL delivering notable outcomes:

- A delegation consisting of two members from the Bar Council of the United Kingdom visited Sri Lanka, conducting two impactful workshops. One highlight was a specialized training session focused on 'Advocacy in International Litigation and ADR,' tailored for 10 young practitioners (3 women, 7 men) . The program included practical exercises simulating real court proceedings, enabling young practitioners to enhance their skills and identify areas for improvement.
- Additionally, the visit featured a keynote address by the Chair of the Bar Council of the United Kingdom. Titled "Practical Aspects of Establishing an International Legal Services Centre in Sri Lanka – the UK Experience," the workshop addressed critical topics such as attracting investments to an International Dispute Resolution Centre and future legal challenges for lawyers. Attendees included representatives from the Higher Judiciary, including the Supreme Court, the Court of Appeal, and Judges of the Commercial High Court and District Courts, along with the Hon. Attorney General and senior officers from the Attorney General's Department. Also present were officials from the Port City Commission and the Board of Investment, as well as Presidents' Counsel and other attorneys from the Bar Association of Sri Lanka, with a gender representation of Women: 64 and Men: 81. This event provided valuable insights drawn from global experiences, facilitating dialogue on the future of Dispute Resolution Centers.

The project also facilitated specialized sessions led by two distinguished King's Counsel, experts in international arbitration and commercial mediation advocacy, for a group of 100 (63 women, 37 men) officers from the Civil Division of Attorney General's Department. Held over three days, these sessions provided invaluable insights and training, significantly enhancing participants' expertise in dispute resolution practices. The judges and lawyers equally admitted regular sessions of this nature is valuable to update the knowledge on recent developments in the region as well as key decisions made by international organizations such as International Centre for Settlement of Investment Disputes (ICSID) are useful when dealing with matters relating to international investment.

Output 3.5. Established mechanisms/ platforms for improving cooperation and coordination between justice actors.

Output 3.5 has two key activities conducted with four sub-activities under them. Out of these, all sub-activities have been initiated.

Activity 3.5.1. Review and revise coordination protocols across the different actors within the sector and establish new protocols (where necessary) including IT-based protocols. (UNDP)

The impact of this activity is multifold. Protocols establish clear roles and responsibilities for each actor in the justice system, preventing confusion and duplication of efforts. This ensures a smooth flow of cases and efficient delivery of justice. Protocols also outline communication channels and procedures for sharing information between different actors, such as police, prosecutors, courts, and judicial medical officers. This fosters transparency and collaboration, leading to better case outcomes. Against this backdrop consistent procedures and best practices thus can adopted across the justice sector. This ensures fairness, reduces delays,

and improves the overall quality of justice delivery. Overall, these aspects contribute to the Outcome three in promoting improved efficiency and quality of justice.

This activity has been partially completed due to the reasons given in detail below. Overall, consultations have taken place to lay the groundwork for the coordination mechanism.

Sub-activity 3.5.1.1 *Conduct a mapping of the intra-sector coordination needs within the criminal justice sector.*

Collaboration is key in the criminal justice sector which contributes directly to enhancing effectiveness and quality of justice. The process has been initiated to map the intra-sector coordination needs within the justice sector, which will take place in 2024.

Sub-activity 3.5.1.2 *Conduct a medico-legal coordination needs assessment.*

Like the intra-sector coordination, an inter-sector coordination between the medical and legal sectors contributes to efficiency of the justice process, by expediting case-flow management within the criminal justice sector. Ongoing discussions with the MoJ, the Judicial Medical Service and the Medico-legal Association to finalize the scope and parameters of the assessment and the visualization of the coordination platform. The database for medico legal reports has also been identified as a priority within the rapid digital strategy. This will be implemented in 2024.

Sub-activity 3.5.1.3 *Support the establishment and management of a DP coordination platform.*

Coordination and information exchanges between development partners working in the justice sector is crucial to enhance justice, efficiency and prudent use of limited resources. The MOJ conducted a forum with development partners and relevant government stakeholders in the justice sector along with the Treasury Department to coordinate development projects and activities related to the Justice Sector.

Activity 3.5.2. Support sector coordination on evidence-based assessments such as sector strategy, investment plan strategic budgeting and disbursement and sectoral strategy evaluation, expenditure reviews and other related assessments and sector engagement with the parliamentary committee on Justice. (UNDP)

This activity focuses on a central coordination mechanism to foster communication and collaboration among different justice sector actors. This ensures working towards a shared vision. By coordinating stakeholder needs and plans, the mechanism also facilitates strategic budgeting and disbursement of resources. The mechanism promotes information exchange between stakeholders, allowing for a more comprehensive understanding of justice sector needs and challenges.

This activity is partially done. Accordingly, consultations have been conducted with the objective of concretizing the coordination efforts.

Sub-activity 3.5.2.1 *Support the Ministry of Justice to establish a sectoral mechanism to coordinate sector strategies, investment plans, strategic budgeting and disbursement with relevant sector stakeholders.*

Preliminary discussions were held with the MOJ on the need for a comprehensive strategic planning ahead of submitting the request for budgetary allocation for the sector. The need for a sector-specific strategic visioning exercise was highlighted to guide the sector institutions' plans and budget towards a common vision with annualized targets. A strategic planning session will be held in 2024 ahead of the preparation of the next budget plan for the sector.

LESSONS LEARNT

- Ensuring ownership of activities by partners from an early design stage helps to have a better understanding of particular activities carried out and to proactively react to upcoming needs.
- Regular coordination and continuous dialogues with the justice sector institutions (duty bearers) and communities (right holders) lead to increased opportunities and chances to integrate people's perspective in the reform process and institutional responsiveness to the people's needs.
- Due to the scattered legal and organizational framework, the justice sector in Sri Lanka is facing a serious coordination and data collection and data sharing challenge through a uniform mechanism.
- Engaging law students in clinical legal education promotes volunteerism and community learning among law students; further, they get an opportunity to connect classroom-based learning to practical realities; also they get opportunities to network with legal practitioners; it was motivational for some female students to engage in legal practice, the percentages of which are generally low.
- While it is important that harmful social norms change, lawmakers must also be prepared to champion change that is in-line with international conventions that the country is a signatory to. However, law reform in any country is an intricate process that can help to change attitudes towards regulated behaviours. In Sri Lanka, each step towards reform has proven to be complicated, with limited changes seen over a short period. The project continues to use its convening and advocacy role in law reform, including through participation in committees and stakeholder meetings, and technical support to enhance understanding of child protection systems and identify and support champions for child protection within the government.
- The ongoing economic crisis in Sri Lanka has increased the number of families requesting to place their children in institutional care, as a means of support. The Alternative Care Policy and related implementation plans served as enablers in providing timely and critical support to families to prevent institutionalization of children. The project also leveraged its strong relationships with governmental technical partners to continue critical child protection work, despite instabilities within the government during the year.

