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QUARTERLY REPORT

JANUARY – MARCH 2014

CIVIL SOCIETY INITIATIVES TO PROMOTE THE RULE OF LAW (CSI.ROL) IN SRI LANKA

Contract: AID-383-TO-13-00004

Implemented by:

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DISCLAIMER

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ACRONYMS

ABA	American Bar Association
BASL	Bar Association of Sri Lanka
CLS	Colombo Law Society
CSI.ROL	Civil Society Initiatives to Promote the Rule of Law
CSO	Civil Society Organization
DPI	Development Professionals Inc.
GA&IP	Gender Analysis and Integration Plan
GAD	Government Analysts' Department
JSC	Judicial Services Council
LAC	Legal Aid Commission
LMRB	Lanka Market Research Bureau
MOU	Memorandum of Understanding
NAITA	National Apprentice and Industrial Training Authority
NGO	Non-Governmental Organization
PC	Program Committee
PMP	Performance Management Plan
RFA	Request for Applications
RFP	Request for Proposals
SPICE	Support for Professional and Institutional Capacity Enhancement
STTA	Short Term Technical Assistance
UNDP	United Nations Development Programme
USAID	United States Agency for International Development

PROGRAM BACKGROUND

In September of 2013, the United States Agency for International Development (USAID) awarded the Civil Society Initiatives to Promote the Rule of Law (CSI.ROL) contract to Millennium DPI Partners. Millennium DPI Partners is a woman-owned business that implements rule of law reforms in developing countries. Millennium DPI's approach is to deliver rapid, effective, and innovative assistance to enable host country governments, civil society leaders, and communities to develop sustainable solutions that improve the delivery, availability, and quality of justice.

CSI.ROL is a three-year program to be implemented from September 30, 2013 to September 30, 2016.

The CSI.ROL program focuses on supporting targeted civil society organizations (CSOs) to promote the rule of law in Sri Lanka. Through the Bar Association of Sri Lanka (BASL), the Legal Aid Commission (LAC), provincial bar associations, educational and research institutions, and CSOs, the program is working to build capacity among these counterparts to:

- Engage in evidence-based advocacy for comprehensive legal reforms
- Enhance legal education and training for lawyers, judges, and non-judicial officers
- Improve access to legal services for communities in lagging regions.

CSI.ROL will provide a solid foundation for program success by focusing first on those CSI.ROL deliverables that are achievable by the BASL, the LAC, and other civil society groups within the current political environment. In the first year, CSI.ROL is focusing on building the BASL's capacity and its relationships with international bar associations by assisting in several fundamental areas of need. These include:

- developing a sustainable business platform from which BASL may raise funds
- improve services to its members, and effect positive change in the justice sector
- developing the BASL's ability to produce quantifiable, statistics-based reports about the operation of the legal system to improve the delivery of justice and inform the reform process
- developing the BASL's capacity to provide guidance and training for justice sector officials on modern court management techniques and other specific areas such as gender equality.

CSI.ROL will also assist the LAC in their efforts to expand legal assistance programs throughout Sri Lanka by building capacity and facilitating partnerships with non-governmental organizations (NGOs) and CSOs that provide legal assistance. CSI.ROL will provide funding for legal aid organizations and NGOs, partner with private sector organizations, and expand its legal assistance programs through a program embedded public-private partnership Global Development Alliance.

INITIAL AND ONGOING PROGRAM OPERATIONS

Last quarter, Millennium DPI Partners hired key program staff: Deputy Program Manager Nadee Gunaratne, Legal Advisor Vasana Wickremasana, Finance Officer Nilantha Alexander, and Monitoring and Evaluation Specialist Chaminda Kumara. In this quarter, with USAID approval, Millennium DPI Partners hired a new Program Manager, Lynn Sferrazza, a second Legal Advisor to support the program with the LAC, Mahbooba Rifaideen, and an Administrative Assistant, Ienoke Rajapakse. Business visas required by the US Embassy for short term expatriate and third country technical experts has delayed the deployment of a number of short term experts. We are hopeful that this situation will become easier in the next quarter and lead to faster deployment of short term experts.

At the outset of the CSI.ROL program, it was determined that CSI.ROL staff would co-locate with BASL staff in the BASL building. Space within the BASL building is limited and the BASL was able to offer CSI.ROL one room on the upper floor, across from the BASL Program Committee (PC) Staff. Four CSI.ROL staff moved into these premises on February 6. With the subsequent hire of an Administrative Assistant and additional Legal Advisor, this space has become cramped. In April, the LAC Chair also requested space at the BASL for future LAC program support staff. Since it would be beneficial to both the BASL PC staff and the LAC program support staff to be co-located, CSI.ROL and the BASL have agreed that the current CSI.ROL office may be used by LAC program support staff. Consequently, CSI.ROL began exploring options for alternative office space since there is no additional space within the BASL building, and staff will move into new office premises in May.

Last quarter, the Draft Year One Work Plan (October 2013–September 2014), Grants Manual, Performance Management Plan (PMP), and Branding and Marking Plan were submitted to USAID for approval. After discussions with USAID and some revisions, CSI.ROL received approval for the **Year One Work Plan** on December 30, enabling it to begin implementation of work plan activities.

Grants Manual. The Grants Manual was approved on February 6.

Branding and Marking Plan. Millennium DPI received comments from USAID on the Branding and Marking Plan and a revised version was submitted on March 14. Final approval on the Branding and Marking Plan is pending and anticipated by end of April.

Monitoring and Evaluation. The PMP was approved on January 15, 2014, with a proviso for further revisions that are due April 30, 2014. CSI.ROL retained a Monitoring and Evaluation Specialist, Jessica Gajarsa, who was approved by USAID on February 6. With the assistance of Ms. Gajarsa, Millennium DPI is incorporating comments received from USAID and drafting a revised PMP, which will be submitted by April 30 as requested.

Gender Integration. Local Gender Specialist Shyamala Gomez was approved by USAID on February 19, and Short Term Senior Gender Expert Meredith Richardson was approved by USAID on January 23. The gender specialists, together with members of the CSI.ROL team, are conducting a gender analysis for Sri Lanka and developing a gender integration plan for the project. We anticipate that the Gender Analysis and Integration Plan (GA&IP) will be submitted

to USAID for approval by mid-May. The Senior Gender Expert is also assisting in revising the PMP, discussed above, to strengthen gender indicators.

In order to ensure a mutual understanding of program goals and objectives and responsibilities for program activities, Millennium DPI Partners came to agreement on terms and signed two Memoranda of Understanding (MOUs) with the BASL and the LAC. The MOU with the BASL was signed on January 16 at an event at which BASL leadership, CSI.ROL staff, the US Ambassador, and the USAID Deputy Mission Director were present. The MOU with the LAC was signed at a meeting between CSI.ROL staff and the LAC Chair, with the BASL President present, on February 6. The LAC event was a low-profile event at the request of the LAC Chair.

To support program activities with the BASL, the BASL agreed to hire a Program Committee (PC) consisting of a Program Manager, Research Manager, Finance Manager, and Fundraiser. All positions were advertised in January and interviews for these positions occurred in February and March. Program Manager Nayomi Wickramaratne and Fundraiser Kalinga de Silva began work in February. Research Manager Umisheka Disanayaka and Finance Manager Thuraisingam Prakalathan began work in March (see Component 1 below).

The chart below details the timing of initial deliverables and ongoing program activities:

Initial and Ongoing Project Activities	Date Conducted/Submitted
Year One Work Plan approved by the USAID	Submitted November 15 and revised December 28 and approved January 15, 2014
Developed and Submitted Branding and Marking Plan	Submitted January 15 and revised March 14. Pending final approval (anticipated April 16).
Developed and submitted PMP to USAID	Provisionally approved January 15, 2014 with revision due April 30, 2014
Finalized hiring of a local gender specialist and an expat STTA Senior Gender Specialist to draft GA&IP to inform project activities	January 2014
Ongoing drafting of GA&IP	January – March. Anticipated Submission of GA&IP May 2014
Memorandum of Understanding between Millennium DPI and BASL signed	January 16, 2014
Memorandum of Understanding between Millennium DPI and Legal Aid Commission signed	February 6, 2014
CSI.ROL staff office set up in BASL	February 2014
BASL program committee staff hired	February – March 2014
National Survey RFP issued	March 7, 2014
Request for Applications for provision of legal services and public awareness campaigns issued	March 19, 2014

COMPONENT I. BUILDING INSTITUTIONAL CAPACITY

Component 1 aims to increase the ability of the BASL to perform a full array of functions essential for providing services to its membership and for influencing the development of a more effective justice system. CSI.ROL interventions under this component will increase the BASL's capacity to promote reforms and enhance its versatility to respond to the breadth of challenges confronting the profession and the legal system as a whole. A sister relationship between the BASL and the American Bar Association (ABA) will be the primary vehicle for building this capacity.

I. ESTABLISHMENT OF THE BASL TRUST AND SIGNING OF MOU

On January 10, the BASL Executive Committee approved the formation of the BASL Trust, subject to minor changes. Delegated by the BASL Executive Committee, the BASL Trust will have authority to represent BASL in the signing of contracts and overseeing the implementation of contract deliverables. The BASL Trust will be comprised of the President, Deputy President, and Secretary of the BASL, several eminent BASL members, and three Senior BASL Members (i.e., former BASL Presidents). This will streamline BASL's CSI.ROL program implementation by avoiding the need to return to the substantially larger 30-member Executive Committee body for decisions and approval.

On January 16, Millennium DPI and BASL signed an MOU that sets forth the goals, objectives, and activities of the CSI.ROL program and CSI.ROL partners' roles (see Attachment A, MOU between BASL and Millennium DPI).

2. BASL/CSI.ROL PROGRAM COMMITTEE

Last quarter, the BASL agreed to hire a Program Committee comprised of four full-time professionals — a Program Manager, Research Manager, Finance Manager, and Fundraiser — who will be responsible for implementation and oversight of BASL Program Activities. In January, the BASL advertised for these staff positions in an open and competitive hiring process. CSI.ROL staff assisted the BASL to draft terms of references for the positions, screened resumes and took part in interviewing qualified candidates. Upon joint decision by CSI.ROL staff and the BASL President and Secretary, Ms. Nayomi Wickramaratne joined BASL as PC Program Manager on February 15, Mr. Kalinga De Silva joined as PC Fundraiser on February 20, Ms. Umisheka Dalpatadu joined as PC Research Manager on March 20, and Mr. Thuraisingam Prakalathan (Praba) joined as PC Finance Manager on March 15.

CSI.ROL staff held a team building and work planning retreat with the BASL PC Staff on April 8, during the time of Program Manager Lynn Sferrazza's visit to Sri Lanka. During this time, CSI.ROL staff and BASL PC staff discussed the challenges the program faced and the best approaches for achieving its objectives.

3. RELATIONSHIP WITH STATE BAR ASSOCIATION

Last quarter, Millennium DPI contacted a number of US State Bar Associations in an effort to identify an appropriate American bar association to partner with BASL. Many of these bar associations are prohibited either by charter or as self-regulatory organizations in their respective states from undertaking activities outside their mandate, and therefore were unable to take part in this program. After further search, Millennium DPI determined that the ABA may be a better

partner for many of the activities envisaged under CSI.ROL. Throughout January and February, Millennium DPI and the ABA discussed the proposed scope of work and associated budget. When the ABA estimated that their budget for carrying out activities under Component 1 would approach \$300,000, Millennium DPI sought a waiver for grants under contract to US NGOs, as the maximum allowable grant is \$100,000. USAID granted this waiver on February 19. Millennium DPI and the ABA negotiated a grant agreement, and USAID approved this sub-award on April 10.

CSI.ROL is seeking visas for two representatives from the ABA to visit Sri Lanka to negotiate an MOU with the BASL and begin the initial capacity assessment. We hope that the ABA can conduct this first visit in May.

4. BASL AND AUDITORIUM

In a December 31st meeting with USAID, CSI.ROL, and the BASL, the President of the BASL informed the group that 50 percent of the cost of the BASL auditorium refurbishment has been pledged as a donation from the family of the late first president of the BASL, subject to the BASL raising the remaining 50 percent from other sources. In that context, the BASL President requested that USAID consider funding the balance for the refurbishment of the auditorium through the CSI.ROL program. Refurbishment of the auditorium will aid financial sustainability of the BASL, as the BASL will be able to use the auditorium for legal education programs and other events for which it can charge a fee. USAID approved this expenditure in the December 31st meeting and on February 11 informed Millennium DPI that no formal environmental review is necessary for the refurbishment.

In March, the BASL advertised for bids on the refurbishment of the auditorium. Bids were received in April, and CSI.ROL anticipates awarding a sub-contract to the BASL for the renovation in late April or early May.

COMPONENT 2. PROMOTING THE DELIVERY OF MORE TRANSPARENT AND HIGH-QUALITY JUSTICE

Component 2 focuses on enabling Sri Lankan justice sector actors to collect and use performance data to improve legal system operations and efficacy. The compilation, analysis, and publicizing of caseload and other justice sector statistics will allow stakeholders to identify the barriers and bottlenecks hindering the efficient functioning of the courts and legal system. This information should also provide an impetus for stakeholders to coalesce around needed reforms. Assisting the BASL to develop and sustain the capacity to gather and analyze statistical data will allow justice sector actors to determine whether changes to policies, resource allocation, training, or other inputs can positively impact the delivery of justice.

I. DEVELOPMENT OF RESEARCH AND POLICY UNIT

In March, the BASL hired Research Manager Umisheka Dalpatadu as part of the BASL Program Committee. Ms. Dalpatadu is the first member of the BASL's new Research and Policy Unit and will lead BASL efforts under Component 2 to gather data on court caseloads and management and other justice sector information. Ms. Dalpatadu will also be actively involved in the launch of the National Survey on Perception of Justice Sector under Component 4.

Ms. Dalpatadu is developing a plan for submission to the BASL President on the means of gathering justice sector data. We anticipate that the BASL President will approve this plan in late April after the court holidays. In the first step in the plan BASL will approach the Ministry of Justice and/or the Judicial Services Council (JSC) to seek cooperation on data collection and data sharing with the JSC.

COMPONENT 3. STRENGTHENING THE TECHNICAL KNOWLEDGE OF JUDGES, LAWYERS, AND NON-JUDICIAL OFFICERS

Component 3 aims to expand the delivery of technical, management, and administrative training to lawyers, judges, and other court personnel such as court stenographers. Under this component, the BASL — alone and in collaboration with universities, training institutes, and NGOs — will conduct legal education programs to bolster the knowledge and skills of justice sector actors and improve their responsiveness to court users.

I. LEGAL EDUCATION PROGRAMS FOR JUDGES AND LAWYERS

In this quarter, the BASL launched several legal education programs and began planning for the next quarter.

PROGRAMS HELD THIS QUARTER

Young Lawyers Orientation Program and Seminar Series

On February 8, the BASL conducted a Young Lawyers Orientation Program for newly inducted members of the Bar. One hundred and thirty nine (139) new lawyers (57 male, 82 female) attended the program, which addressed topics including: social responsibility of the legal profession, professional ethics, legal practice and emerging trends, access to justice, gender based violence and the Committee on the Elimination of all forms of Discrimination Against Women (CEDAW), and the role of the BASL.

This orientation was followed by a series of 12 seminars, held at the BASL auditorium throughout February and March. The seminar series addressed the following topics:

- Preparation for a criminal trial
- Consumer protections laws
- Bail applications and jurisdiction for bail in different courts
- Debt recoveries law
- Role and function of Securities Exchange Commission, and employment opportunities in corporate sector
- Rights and duties of share holders and directors
- Civil procedure
- Civil trial
- Cross examination
- Information Communications Technology (ICT) law and computer evidence
- Notarial practice

- Expert evidence.

There was strong interest in the seminar series, as evidenced by the high level of participation, demonstrating that there is desire among young lawyers for more and better training. The table below shows the level of participation for each seminar.

Name of training Program	Number of Male Participants	Number of Female Participants	Total
1. Preparation for criminal trial	78	116	194
2. Consumer protection laws in Sri Lanka	85	102	187
3. Bail applications and jurisdictions in different courts	57	70	127
4. Debt recoveries law – in Municipal Court and District Court	73	92	165
5. (I) Role and function of Securities and Exchange Commission (II) Employment opportunities in corporate sector	85	93	178
6. Rights and duties of shareholders and directors — oppression and mismanagement	78	105	183
7. Initiate a civil case — summary and regular procedure	68	78	146
8. Civil Trial	79	63	142
9. Art of cross examination and criminal trial	85	80	165
10. (I) ICT law and computer forensic and digital evidence (II) Software protection and e-commerce in IPR	62	78	140
11. Notarial practice	55	76	131
12. Experts evidence and cross examination	63	75	138

National Law Conference

On March 21–23, the BASL hosted its National Law Conference, the largest formal assembly of senior legal practitioners in Sri Lanka. The Conference was attended by 300 participants (138 male, 162 female) and panel discussion sessions were held on the following topics: Notarial Law and Conveyancing, Industrial Law, Electronic Transactions Act, Banking and Finance Law, Jurisdiction and Procedure — Provincial High Courts, Intellectual Property, Court Craft, Company Law, Civil Law, Environmental Law, and Fundamental Rights.

PROGRAMS PLANNED FOR NEXT QUARTER

Labor Law Symposium

The BASL Labor Law Symposium is scheduled for May 3–4 and will cover topics such as emerging trends in labor law, labor tribunals, security issues regarding night work for women, gender equality in the workplace, and overtime.

Forensics Training

The BASL will host a training program on the use of forensics in criminal cases for lawyers who practice criminal defense work. Professor Ravindra Fernando from the University of Colombo Department of Forensic Medicine and Toxicology is organizing and conducting the training, with additional speakers from the Attorney General's office and the Government Analyst's Department (GAD). The training will take place on two consecutive Saturdays — May 31 and June 7 — and will cover the following topics: crime scene investigations, physical examinations, documents, firearms and ballistics, pathological evidence, forensic analytical examinations, forensic toxicology, fingerprints, and DNA. This training will introduce the new DNA capabilities of GAD to educate lawyers on DNA testing and its use and limits in court.

CSI.ROL will use this first forensics training as a pilot with the aim of rolling out this program, or a modified version of it, to judges and prosecutors, as it is essential that all members of the legal professional understand the capacity of the GAD and the use of forensics in the legal system.

National Conference on Labor Migration and Trafficking in Persons

The BASL plans to co-host a national conference on labor migration, forced labor, and trafficking in persons, together with the Solidarity Center. With other National Endowment for Democracy funds, the BASL and the Solidarity Center are holding trainings for provincial bar association lawyers in April through June. The BASL and Solidarity intend to bring these lawyers together at the National Conference on Labor Migration and Trafficking in Persons, which will address international legal frameworks on labor migration, national law on labor migration, and international and national law on trafficking in persons. The conference is tentatively scheduled for August.

2. SCHOLARSHIP PROGRAM TO THE UNIVERSITY OF COLOMBO'S MASTERS OF LAW PROGRAM

In February, the BASL selected seven BASL Trustees to sit on a Scholarship Committee to select recipients of the scholarship to the University of Colombo's Master of Laws program. The BASL Trustees include: Mr. Yasantha Kodagoda, DSG; Mr. Sarath Jayamanne, DSG; Mr. Prasanna Jayawardena, Deputy President, BASL; Mr. S. Kaluarachchi, AAL; Mr. Sandamal Rajapaksha, AAL; Ms. Bimba Thilakaratne, DSG; and Dr. Deepika Udagama. The BASL has contacted the University of Colombo for their appointment of two committee members and is awaiting a response. The Committee will draft scholarship qualification criteria in April and will advertise for scholarship applications in May. CSI.ROL anticipates supporting 20 scholarships.

3. TRAINING FOR COURT STENOGRAPHERS

In March, the LAC Chair obtained the approval of the Chief Justice to train court stenographers. The Chief Justice suggests that Appellate Court stenographers be the target of the first trainings and that the training should focus on legal English. The Chief Justice notes that appellate level cases take place in English and stenographers are less capable in English and Legal English than in Tamil and/or Sinhala. The trainings will take place through the National Apprentice and Industrial Training Authority (NAITA). CSI.ROL staff is working with the LAC Chair and NAITA to determine how participants will be selected, dates of training, trainers, and development of course curriculum.

COMPONENT 4. ESTABLISHING PARTNERSHIPS FOR THE BAR ASSOCIATION OF SRI LANKA TO INCREASE THE EFFICACY OF THE LEGAL SYSTEM

Component 4 focuses on strengthening the BASL's leadership in promoting evidence-based legal and policy reform, particularly with regard to improving case management, gender integration in the legal profession, and the protection of human rights. CSI.ROL and the BASL will initiate discussions with universities, CSOs, the private sector, and civil servants from select government ministries to begin research that will reveal how effectively (or ineffectively) the justice system is working. It is hoped that the reports and information that emerge from this collaborative process will broadly engage policy-makers and end-users in advocacy for change.

I. NATIONAL SURVEY

A first step in the process of developing data for research and analysis is conducting a national survey on public perception of the legal system. Millennium DPI has retained a short term consultant, Christine Quirk, to assist with developing technical specifications for the local survey firm, drafting of survey instruments, working with the local survey firm to train surveyors, overseeing and ensuring quality control of pre-testing and launch of the field survey, and drafting of the final analytic report.

In February, CSI.ROL staff and Ms. Quirk drafted a Request for Proposals (RFP) for bids on conducting the national survey, with technical specifications for survey size, demographics and methodology. With the approval of USAID, the RFP was not branded due to the sensitive nature of the survey. The BASL PC Program Manager released the RFP on March 7 through email communication to seven local survey firms, identified by Ms. Quirk as firms meeting a required level of experience and demonstrated sound methodology. Bids were due on March 19. Only one survey firm responded — Lanka Market Research Bureau (LMRB). The BASL Program Manager followed up by telephone with the other firms, but many stated they are not interested due to the sensitive nature of the survey. However, LMRB appears to be very qualified and has a long list of private sector and public sector clients, including the Asia Foundation, the United Nations Development Programme (UNDP), Glaxo SmithKline, Nestle Lanka, and others. We are proceeding to contract with LMRB through the BASL.

2. COLOMBO LAW LIBRARY

For more than a decade, the BASL's main source for legal research, the Colombo Law Society (CLS) Law Library, has fallen into disrepair as several key library subscriptions have been allowed to expire, and the CLS Law Library has become a book repository, rather than a thriving home of BASL legal research. To improve the research and policy analysis capacity of the BASL, the CLS Law Library requires upgrading. Accordingly, the BASL will use a portion of its funding to purchase key research materials, select commodities, and limited library refurbishments designed to return the CLS Law Library to a level of quality sufficient to support solid research-based advocacy within the BASL.

In March, the BASL and the CLS advertised for bids for upgrading books, bar coding existing books, equipment, and other renovations. The BASL is continuing to collect bids, which are expected in late April.

COMPONENT 5. IMPROVING ACCESS TO LEGAL SERVICES FOR MARGINALIZED COMMUNITIES

This component aims to improve access to legal services for marginalized communities and populations, build the capacity of the LAC and other legal aid service providers, and promote public awareness of basic rights and the availability of free legal services.

1. MOU WITH THE LEGAL AID COMMISSION

Following the agreement to have a MOU between Millennium DPI and the BASL, the LAC Chairman also requested an MOU with the Millennium DPI. This MOU was signed on February 6 in a meeting between the CSI.ROL staff and the LAC Chair with the BASL President attending, and it sets out the goals and activities to be undertaken by the LAC and CSI.ROL (see Attachment B, MOU between the LAC and Millennium DPI).

2. LAC LEGAL OFFICERS TRAINING AND ANNUAL REVIEW MEETING

The LAC held their annual training of the legal officers and review meeting on April 5–7. The Legal Officers from the 78 legal aid filed offices, approximately 120 in total, attended this training. The Chief Justice opened the training, discussing the need for fair trial in the criminal justice system and the role of legal aid. Trevor Hublin, USAID Director of the Office of Governance and Vulnerable Populations, also gave opening remarks. Topics presented included: Sexual Harrassment (delivered by Justice Shiranee Thilakawardane), the Role of the Attorney General (delivered by the Attorney General), Medical Negligence, Labor Law, Consumer Protection, Evidence and Cross Examination in Accident Claims, State Land, and Electronic Evidence.

3. SUBGRANTS TO NGOS TO SUPPORT THE PROVISION OF LEGAL AID SERVICES

On March 19, CSI.ROL released a Request for Applications (RFA) for provision of legal aid services and public awareness campaigns about civil rights, access to court systems and legal services. The RFA specifically focuses on services and campaigns aimed at populations that have difficulty accessing or are underserved by the legal system, including criminal defendants, internally displaced persons, women and children, female-headed households, victims of gender-based violence, hill country plantation communities, residents in urban slum areas, migrant workers, and the disabled.

The RFA was emailed to NGOs, donors, and the international community. At the request of USAID, the RFA was not publicized or branded. Applications are due April 21. CSI.ROL will continue to coordinate with the USAID-funded Support for Institutional Capacity Enhancement (SPICE) program to ensure there is no duplication in funding.

4. INSTITUTIONAL AND HUMAN CAPACITY BUILDING FOR LAC

Millennium DPI has retained Isaac Robinson as a short term consultant to assist with institutional and human capacity building for LAC. Mr. Robinson formerly worked with Norwegian Refugee Council and was instrumental in the set up of the LAC field offices in the North and the Program Support Unit at LAC for the northern offices. Mr. Robinson will visit Sri Lanka in late April or early May (depending on the issuance of his visa) and will conduct a capacity assessment of LAC; provide recommendations for structuring a program support unit for southern and central

regions; and provide training to LAC staff on proposal development, program management, reporting, and fundraising. Prior to this trip, Mr. Robinson is conducting a desk review of reports and lessons-learned documents on the LAC, including donor evaluations and assessment reports. Mr. Robinson will also assist in developing the curriculum for the LAC officers court skills training, discussed below.

5. LEGAL OFFICERS COURT SKILLS TRAINING PROGRAM

The CSI.ROL team is assisting the LAC staff to develop a project proposal for a Legal Officers Court Skills Training program, to be conducted in each of the nine provinces. This training will focus on the skills needed by legal officers in their every day practice: issue framing, evidence, witness testimony, and court pleadings. The LAC Chair has identified two senior attorneys — Mr. Kandiah Neelakandan and Mr. Kalinga Indatissa — who will develop the course manual over the next two months with the assistance of Isaac Robinson. We anticipate that the training will roll out in July, after development of course materials. LAC has tentatively selected the following people as trainers.

Sinhala language training panel:

Kushan De Alwis, PC
Kaushalya Nawaratne
Anil Obesekara, PC, DSG
Harsha Soza, PC

Tamil language training panel:

Kandiah Neelakandan
Kang-Iswaran, PC
N. Pulitharan
Arul Pragasam

6. OTHER LAC TRAININGS AND OUTREACH

The LAC and CSI.ROL staff held a team building and work plan meeting on April 9, at which the LAC team and CSI.ROL team discussed support for other LAC program activities. Future programming activities included:

1. Public awareness and outreach to migrant workers and families
2. Mediation skills training for legal officers
3. Remand and bail legal services support
4. Plantation workers' legal awareness and outreach
5. Stenographer training (see Component 3 above re: stenographer training)
6. LAC administrative staff training on IT and administrative processes.

The CSI.ROL team is assisting the LAC staff to develop these project proposals and budgets.

**ATTACHMENT A:
MOU BETWEEN THE BASL AND MILLENNIUM DPI**

MEMORANDUM OF UNDERSTANDING

BETWEEN
BAR ASSOCIATION OF SRI LANKA
AND
MILLENNIUM DPI PARTNERS, LLC

THIS MEMORANDUM OF UNDERSTANDING is entered into on this 16th day of January 2014 between Bar Association of Sri Lanka (hereinafter referred to as the 'BASL'), located at No. 153, Mihindu Mawatha, Colombo 12, Sri Lanka and Millennium DPI Partners, LLC (hereinafter referred to as the 'Millennium DPI') located at Two Boar's Head Place, Suite 130, Charlottesville, Virginia 22903, USA.

WHEREAS Millennium DPI has been awarded contract number AID-383-TO-13-00004 by USAID to implement the Civil Society Initiatives to Promote the Rule of Law Program (hereinafter referred to as the "CSI.ROL" or the "Program") in the Democratic Socialist Republic of Sri Lanka during the period of October 2013 to September 2016;

AND WHEREAS the BASL and the MILLENNIUM DPI are desirous of fostering a sustainable institutional relationship as part of the implementation of the CSI.ROL Program in Sri Lanka:

IN PURSUANCE OF THE AFORESAID, THE BASL AND MILLENNIUM DPI AGREE AS FOLLOWS:

1. To support the implementation of the institutional capacity development within the Sri Lankan justice sector through the CSI.ROL Program in partnership with the BASL by building the institutional capacity of the BASL so that it may (a) improve and/or strengthen the Justice Sector's delivery of transparent and high quality justice; (b) enhance the technical knowledge of lawyers and judges; (c) establish partnerships to increase the efficacy of the Legal System; (d) improve access to legal services for marginalized communities and to uphold the Rule of Law and democratic values.
2. To build the institutional capacity of the BASL by establishing a technical cooperation partnership between a United States national or state bar association and the BASL which shall lead to:
 - (i) The selected US bar association and the BASL developing a sustainable partnership to strengthen the institutional capacity of the BASL;
 - (ii) The BASL developing its strategic plan by incorporating all stakeholders including the judiciary, government officials, academics, the legal profession and the donor community;
 - (iii) Professional knowledge transfer through study tour programs, training and technical assistance and advisory engagements by the US counterpart;

- (iv) Millennium DPI will facilitate an annual study tour that will consolidate the partnership between the BASL and the partner US bar association. It is understood that the USAID anticipates that the US partner bar association will travel to Sri Lanka to provide a broad range of mentoring services that include strategic planning, training and technical assistance;
 - (v) Millennium DPI will facilitate a relationship(s) with other international bar associations that would strengthen the BASL's capacity and exposure to multiple roles and functions that Bars carry out throughout the world.
 - (vi) Develop law libraries, procure law books and possibly develop a laws database of Sri Lanka laws and up to date printed texts of Sri Lankan law to further the development of the legal profession in Sri Lanka.
3. To improve the BASL's capacity to promote the delivery of transparent and high quality justice through research-based advocacy by:
- (i) Promoting the improvement of case management and administrative processes within the legal system;
 - (ii) Gathering and analyzing caseload and other justice sector stakeholder data to justify and plan for proposed improvements;
 - (iii) Planning initial delay reduction efforts in civil and criminal cases;
 - (iv) In partnership with research institutions and other justice sector stakeholders, to develop a curriculum to train the lawyers, judiciary and court administrators in the principles of modern case management; and endeavor to implement a training program in case management for High Court Judges, District Court Judges and Magistrates.
 - (v) The BASL producing annual reports and case digests leading to:
 - (a) Improved data gathering about the Sri Lankan legal system promoted by partnering with the justice sector stakeholders to publish annual reports with statistical data, analysis and explanatory narrative about the operations of the legal system; and
 - (b) Data being shared with the public, government officials and justice sector stakeholders to raise awareness about the barriers to improved case management in the Sri Lanka legal system.
 - (vi) Planning for modernization of the case management processes by;
 - (a) Designing an action plan - in partnership with other justice sector stakeholders - to promote and implement a modern and efficient case management system that will include modern procedural codes, laws and information and communication technologies to provide up-to-date information to judges, lawyers, and administrative staff; The draft action plan will be launched at a national conference and be open for public comment;

- (b) Having Millennium DPI assist the BASL to synthesize the comments and suggestions received from stakeholders and members of the public, the legal profession, the judiciary and the government; and Millennium DPI will assist the BASL to finalize the advocacy and action plan.

4. To strengthen the technical knowledge of lawyers and judges by:

- (i) The BASL designing and implementing a Continuing Legal Education (CLE) program for lawyers, facilitated in partnership with the selected US bar association. Separately training programs for judges will also be developed;
- (ii) Designing curricula for CLE courses;
 - (a) Endeavoring to conduct an assessment to identify Sri Lankan trainers and their skill gaps for the legal education program;
 - (b) Conducting a 'training of trainers' program for the CLE program;
 - (c) Implementing a continuing professional development program for the legal profession;
 - (d) Designing and implementing a specialized training program for legal English;
 - (e) Identifying eminent jurists from common law jurisdictions in the region and other international experts to conduct specialized training programs.
 - (f) Providing Millennium DPI support to a scholarship program implemented by the BASL for lawyers and judges to attend the University of Colombo's Master of Laws program. The selection criteria for the scholarship program will be determined jointly by the BASL and Millennium DPI.
 - (g) Identifying eminent jurists from common law jurisdictions in the region and other international experts to conduct specialized training programs.
 - (h) Providing Millennium DPI support to a scholarship program implemented by the BASL for lawyers and judges to attend the University of Colombo's Master of Laws program. The selection criteria for the scholarship program will be determined jointly by the BASL and Millennium DPI.
 - (i) The BASL will design and implement a training program for non-judicial officers and court staff in partnership with the selected US bar association.

5. To establish partnerships to increase the efficacy of the legal system by:

- (i) Supporting a national survey on the public perception of the legal system;
- (ii) Establishing a partnership with a survey firm to design and implement a national survey to assess public confidence in the rule of law, the legal system, the judiciary and the legal profession. The parties agree that the design of the survey instrument is a collaborative process between the legal profession, universities, civil society and the private sector;
 - (a) The national survey to be conducted in selected areas and the resulting data to be analyzed by an indigenous survey organization / firm; and made use of to remedy short comings which are identified;

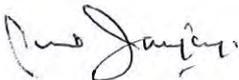
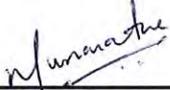
- (b) Improving the research and policy analysis capacity in the BASL and makerecommendations to the Law Commission, Ministry of Justice and the Executive by;
 - (iii) Establishing a consortium of research organizations led by the BASL to research analyze and report on a target set of issues;
 - (iv) Ensuring that consortium research informs the design of the BASL's training program for lawyers and judges and improves the design of the BASL's advocacy campaigns to promote human rights, the rule of law and the improved management of the legal system; and
 - (v) Committing BASL funds to, and establishing a research unit in the organization.
 - (vi) Engaging with key stakeholders to develop a strategic plan to modernize and reform the legal system:
 - (a) Establishing a consultative process to develop a strategic plan to modernize the Sri Lankan legal system,
 - (b) Promoting and implementing a case management system and procedural reforms to simplify civil and criminal procedure which is acceptable to stakeholders.
6. To improve access to legal services for marginalized communities and work towards upholding the Rule of Law and democratic values by:
- (i) Ensuring that appropriate legal aid delivery contracts and/or grants funded by CSI-ROL are concluded between the parties so that BASL resources (i.e. Legal Aid Foundation (LAF), and Provincial Bar Associations) may provide legal aid in a manner that complement's legal aid delivered by the Legal Aid Commission (LAC) and other Civil Society Organizations;
 - (ii) Providing BASL-led training and technical assistance to the Legal Aid Commission (LAC) to improve the quality and delivery of legal aid services and management of the LAC's caseload;
 - (iii) Endeavoring to support possible implementation of a Duty Officer program in police stations by the LAC;
 - (iv) Supporting the LAC's migrant workers' desk and training programs for migrant workers and provide assistance to families left behind; and

- (v) Supporting the LAF, Provincial Bars, and/or civil society partners to provide legal advice and representation, for gender based violence, women's rights, child rights, labor rights, and land restitution cases.
- (vi) Implementing public awareness campaigns through the LAC, the provincial bar associations and other civil society organizations on campaigns that increase public awareness about the legal system, access to justice and the availability of legal aid services. The campaigns will include information about the jurisdiction of the courts and tribunals, accessing government services and how to access the legal system.
- (vii) Implementing a legal awareness program in target regions that includes but is not limited to training civil society leaders, government officials and civic education programs in schools.
- (viii) Exploring the possibility of training community-based paralegals.

IN PURSUANCE OF THE AFORESAID, THE BASL AND MILLENNIUM DPI FURTHER AGREE AS FOLLOWS:

- (A) That, Millennium DPI and the BASL will work together to implement the BASL related activities and deliverables as outlined above by concluding a series of fixed fee contracts under and in terms of which the BASL will deliver CSI.ROL activities with the support of CSI.ROL staff and consultants, the U.S. Bar Association and others as appropriate. In exchange for these deliverables, Millennium DPI will ensure that the BASL receives payment of the USAID/CSI.ROL funds in the amounts specified in such fixed fee contracts.
- (B) That, the BASL will establish a CSI.ROL Program Committee (PC) or Unit that will be comprised of appropriate full-time professionals responsible for managing the delivery of CSI.ROL Program deliverables which have been contracted to the BASL under the aforesaid fixed fee contracts and the costs of operating such PC or Unit shall be paid for with USAID/CSI.ROL funds referred to above.
- (C) That, the PC or Unit shall be comprised of professionals capable of fostering the development of a sustainable business platform from which BASL may raise funds, improve services to its members, and effect positive change in the justice sector;
- (D) That, the officers hired by the BASL with CSI.ROL Program funds will be hired pursuant to an open, competitive staff selection process that adheres to standard operating employment procedures established by the BASL and approved by Millennium DPI.
- (E) That, the BASL may set up a Special Project Vehicle (SPV) to oversee, coordinate and/or facilitate the implementation of the CSI.ROL Program as stated in these presents.

THIS MEMORANDUM OF UNDERSTANDING SHALL BE EFFECTIVE IMMEDIATELY UPON SIGNATURE OF THE PARTIES.

Signed Date: 16 th January 2014	Signed Date: 16 th January 2014
 <hr/> Upul Jayasuriya, President Bar Association of Sri Lanka	 <hr/> Natalija Stamenkovic, President Millennium DPI Partners, LLC
WITNESSES;  <hr/> Prasanna Jayawardena, PC Deputy President BASL	 <hr/> Nadee Gunaratne, Deputy Program Manager CSI.ROL Program  <hr/> Sanjaya Gamage, Secretary - BASL

**ATTACHMENT B:
MOU BETWEEN THE LAC AND MILLENNIUM DPI**

MEMORANDUM OF UNDERSTANDING

BETWEEN
LEGAL AID COMMISSION OF SRI LANKA
AND
MILLENNIUM DPI PARTNERS, LLC

THIS MEMORANDUM OF UNDERSTANDING is entered into on this 6th day of February 2014 between Legal Aid Commission (hereinafter referred to as the 'LAC'), located at No. 129, Hulftsdorp Street, Colombo 12, Sri Lanka and Millennium DPI Partners, LLC (hereinafter referred to as the 'Millennium DPI') located at Two Boar's Head Place, Suite 130, Charlottesville, Virginia 22903, USA.

WHEREAS Millennium DPI has been awarded contract number AID-383-TO-13-00004 by USAID to implement the aforesaid Civil Society Initiatives to Promote the Rule of Law Program (hereinafter referred to as the "CSI.ROL" or the "Program") in the Democratic Socialist Republic of Sri Lanka during the period of September 2013 to September 2016;

AND WHEREAS the LAC and MILLENNIUM DPI are desirous of fostering a sustainable institutional relationship as part of the implementation of the CSI.ROL Program in Sri Lanka:

IN PURSUANCE OF THE AFORESAID, THE LAC AND MILLENNIUM DPI AGREE AS FOLLOWS:

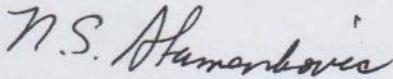
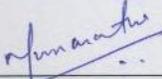
1. To support the implementation of the institutional capacity development within the Sri Lankan justice sector through the CSI.ROL Program led by the Bar Association of Sri Lanka (BASL) by building the institutional capacity of LAC so that it may improve access to legal services for marginalized communities and to uphold the Rule of Law and democratic values.
2. To improve access to legal services for marginalized communities by:
 - a) LAC coordinating with BASL and CSI.ROL to enhance pro bono delivery of legal services;
 - b) LAC conducting workshops for legal officers, on its own or in coordination with the BASL, to enhance the capacity of legal officers to provide legal advice and representation, including for example, workshops on trial practice, case management, gender issues, and specialized legal topics;
 - c) LAC providing free civil and criminal legal advice and representation in selected regions, which may include: hill country plantation communities, residents in urban slum areas, migrant workers, the disabled, female-headed households, and victims of gender-based violence.
 - d) Millennium DPI providing assistance to LAC to support legal aid for indigents accused of crimes through a donor-supported legal defense fund established under the CSI.ROL, or through sub-grants and/or subcontracts.

- e) Millennium DPI providing technical assistance to the LAC in reporting and monitoring and evaluation, or other grant management functions. Millennium DPI may also procure commodities that may be necessary to enhance LAC's ability to provide efficient and effective services or to comply with reporting and monitoring and evaluation requirements.
3. To train community-based paralegals by:
- a) Expanding paralegal training to build the outreach capacity of the LAC.
 - b) Organizing and conducting a training of trainers program for approximately 20 participants and the launch of two, community-based training programs in Colombo and in the North.
 - c) LAC providing scholarships for a broad range of public officials – teachers, community health workers, leaders from cooperative societies and/or civil society staff from target regions that may include the North, the East and the hill country – to take part in trainings.
4. To train Court Stenographers by:
- a) Facilitating through the LAC the administrative approvals from the Judicial Services Commission and other relevant government institutions necessary to deliver training to court stenographers.
 - b) Facilitating the delivery of training to court stenographers in introductory English, advanced English, Sinhala, Tamil, and computer and information technology to enable them to better produce transcripts of court proceedings.
5. To implement public awareness campaigns by:
- a) Implementing campaigns concerning the legal system, access to justice, the availability of legal aid services, and advocacy issues that arise out of other CSI.ROL project components.
 - b) Ensuring that the type and delivery of public awareness campaigns will be tailored to the region and the audience, and sensitive to literacy levels and gender implications, based on an assessment of current public awareness efforts to be undertaken in early 2014.
 - c) During these campaigns, the parties to take into consideration the way women and men respond to different types of messages, whether they watch television, listen to radio, or read certain publications.
 - d) Ensuring that public awareness campaigns will also help set higher expectations for service delivery by the courts.

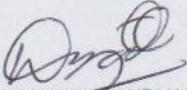
IN PURSUANCE OF THE AFORESAID, THE LAC AND MILLENNIUM DPI FURTHER AGREE AS FOLLOWS:

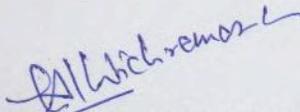
(A) That, Millennium DPI and the LAC will work together to implement the LAC related activities and deliverables as outlined above by concluding a series of fixed fee contracts under and in terms of which the LAC will deliver CSI.ROL activities with the support of CSI.ROL staff and consultants, and others as appropriate. In exchange for these deliverables, Millennium DPI will ensure that the LAC receives payment of the USAID/CSI.ROL funds in the amounts specified in such fixed fee contracts.

THIS MEMORANDUM OF UNDERSTANDING SHALL BE EFFECTIVE IMMEDIATELY UPON SIGNATURE OF THE PARTIES.

Signed	Signed
Date:	Date:
 <hr/> Rohan Sahabandu, President's Counsel Chairman Legal Aid Commission	 <hr/> Natalija Stamenkovic, President Millennium DPI Partners, LLC  <hr/> Nadee Gunaratene, Deputy Program Manager CSI.ROL Program

WITNESSES


.....
Damayanthi Dissanayake,
Chief Legal Officer
Legal Aid Commission


.....
Vasana Wickremasena
Senior Attorney
CSI.ROL