



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of
Discrimination against Women**

**Concluding observations on the combined fifth to seventh
periodic reports of Sri Lanka***

Addendum

**Information provided by Sri Lanka in follow-up to the
concluding observations ****

* Adopted by the Committee at its forty-eighth session (17 January-4 February 2011).

** The present document is being issued without formal editing.



[23 September 2013]

1. Having considered the combined fifth, sixth and seventh periodic reports of Sri Lanka under the Convention on the Elimination of All Forms of Discrimination against Women on 26 January 2011, the Committee on the Elimination of All Forms of Discrimination against Women made its Concluding Observations on these reports at its 48th session, which was held from 17 January-4 February 2011.
2. In the Concluding Observations, the Committee has referred to the 'participation of women in political and public life' in paragraph 30 and 'impact of conflict on women' in paragraph 40 and made certain recommendations in this respect in its paragraphs 31 and 41 respectively. The Committee has requested the Government of Sri Lanka to inform the steps taken to implement these recommendations within 2 years. The Government of Sri Lanka therefore wishes to present this report containing the required information.
3. Paragraph 31 deals with measures to increase the representation of women in politics and public life at the local, provincial and national levels. It may be noted that the Constitution of Sri Lanka, in its Chapter III, Article 12 provides the right to equality of men and women and there are no discriminatory or unequal standards based on gender with regard to any matter. Economic, social, political and other opportunities remain open equally for men and women.

The situation of women in Sri Lanka has improved remarkably over time as is demonstrated by higher levels of attainment in education, health and economic empowerment all of which have been made possible due to increased sensitivity to women's issues and firm Government policies that seek to empower women and address their issues. Attitudinal changes that favour the position of women in society have been possible largely due to high levels of educational attainment and women being thereby recognized as equal partners and valuable contributors to the development process. Today, women represent themselves voluntarily in political and public decision making bodies in Sri Lanka.

Women in Sri Lanka, for over 60 years, have continued to enjoy the benefits of universal free education system from primary to tertiary levels, which has contributed significantly to their empowerment, equal participation in the labour force, as well as increased engagement in decision-making processes. In this regard it is noteworthy that Sri Lanka ranked 16th in the world for gender equality in the Global Gender Gap Index In 2010, ahead of many developed countries. According to the Global Gender Gap Index Sri Lanka is among the top ten performing countries on the enrolment in tertiary education and the number of years with a female head of state. Sri Lanka is also one of the five countries from the region that have closed the health and survival sub index. Moreover, according to the Human Development Index 2013 of the UNDP, Sri Lanka ranks as a High Human Development nation with regard to the Gender Inequality Index.

With regard to the political life of women, the Government of Sri Lanka wishes to emphasize that the establishment of universal adult suffrage in Sri Lanka in 1931 gave the right to vote for women from that year, again ahead of many developed countries. Sri Lanka also produced the first democratically elected woman Head of State in the world in 1960, when the late Mrs Sirimavo Bandaranaike became the Prime Minister of then Ceylon. Sri Lanka has a significant record of women's overall participation in national and local legislative bodies. The

majority of women exercise their political rights as voters or campaigners during election times.

Women continue to enjoy rights equal with men, both in political and public life. However, the number of women participating in active leadership roles in the political arena remains low. Although a larger number of women have assumed supportive roles, the number of women standing for election to, and being elected to, National, Provincial and Local Government bodies indicate reluctance on the part of women to engage in active political work. As a result, women are underrepresented in National, Provincial and Local Government bodies. Women representation in Parliament has always been low (less than 10%). Although an attempt has been made to reserve a mandatory quota in the nomination list exclusively for women and political parties have been advised to consider this principle, women still seem to be reluctant to enter politics. The highest number of women contesting at a Parliamentary election was seen at the 2004 General elections where, out of 6,060 candidates, 375 (6.2 %) were women. However, of this number only 13 were elected to a Parliament of 225 members. The figures at Provincial level are similar — in the 2004 Provincial Council elections in 7 Provinces, 373 out of 4,863 candidates (7.7%) were women and 19 of these (5.0%) were elected to Councils, which had a total of 380 seats in the 7 Councils. In 2006, at elections to Local Authorities, the successful women candidates amounted to a mere 1.9% of the total elected. However it must be noted that cultural and social factors appear to be the prime reasons for the lack of women taking to active politics and it's certainly not due to any form of discrimination in favour of their participation in politics.

The Government of Sri Lanka continues to encourage women's active participation in politics. To this end, a Diploma course on political participation of women at grassroots level to motivate women to enter politics was conducted in 2011 by the Ministry of Child Development and Women's Affairs with the aim of benefitting women leaders at grassroots level. Another similar course commenced in December 2012. The response, on the part of women to these educational endeavours appears to be encouraging. The Ministry has also held consultations with leaders of various political parties on the possibility of introducing a quota for women candidates and on the experience of other countries on women's participation in politics. However, given a choice, women in Sri Lanka seem to prefer to opt for professional services than selecting politics as a career presumably due the factors referred to in the preceding paragraphs.

Despite the low number of women political representatives, women's participation in the formulation of government policy, holding public office and performing public functions at all levels of the Government is formidable and continuously increasing. Women are represented at the senior level in the administrative structure as Secretaries to Ministries (8 out of 55 as at April 2008), as Heads of Diplomatic Missions (increase from 2.9% in 1992 to 11.3% in 2006) and in the judiciary 4 of 11 Judges on the apex court, the Supreme Court of Sri Lanka). Women in decision making positions has increased significantly — in the Sri Lanka Administrative Service (SLAS) from 17.1% in 1993 to 35.4% in 2007, in the Sri Lanka Scientific Service (SLSS) from 18.9% in 1993 to 37.5% in 2006, in the Sri Lanka Planning Service (SLPS) from 28.8% in 1993 to 29.2% in 2006 and in the Sri Lanka Foreign Service (SLFS) from 29.7% in 2004 to 33.1% in 2009. The appointment of the first ever woman Secretary General of Parliament and a woman

as a Governor of a Province took place during this period. With a strong gender neutral recruitment policy backed by Constitutional guarantees of equality, an increasing number of women are entering all sectors of Government cadres. With time, they receive due promotions and make an increasingly prominent presence in the higher echelons of the several Government services.

It is apparent from the above, that when it comes to professional services, women participation is increasing, but it is purely based on merit, not by quotas for gender; meaning that it is by choice. On the other hand, politics does not seem to be a preferred choice by majority of women. For instance, it is pertinent to note that women have held key positions both in the public administration and the judiciary. The former Chief Justice, the former Attorney General, the Legal Draftsmen of Sri Lanka and the Secretary of the Ministry of Justice are all females. The Supreme Court today is constituted of four female Judges. More than 80 officers of the Attorney General's Department which consists of officers at the level of State Counsel, Senior State Counsel, Deputy Solicitor General and Additional Solicitor General and Senior State Attorneys, State Attorneys and Assistant State Attorneys are women, which is nearly 50% of the cadre of the professional (legal) staff.

4. Paragraph 41 of the Concluding Observations deals with protection of women affected by prolonged conflict, including women IDPs and ex-combatants.

Protection of women affected by conflict including those internally displaced

At the outset, the Government of Sri Lanka wishes to state that with complete normalcy returning to the areas affected by the conflict, the issues related to the protection of women affected by the conflict have less relevance today. The last batch of the IDPs was resettled in their villages in Mullaitivu on 24 September 2012. A total of 1,186 persons from 361 families were thus resettled. With this last batch of IDPs, the Government has resettled a total of 242,449 IDPs.

A further 28,398 have chosen to live with host families in various parts of the country, a choice that they are free to enjoy. At the conclusion of resettlement, 7,264 IDPs had left the camps on various grounds and did not return while a further 1,380 sought admission to hospitals. 803 IDPs died due to natural causes during the time they were awaiting to be resettled.

When the conflict reached an end, that is in May 2009, a total of 295,873 IDPs were in the care of the Government. One of the principal challenges the Government of Sri Lanka faced in the aftermath of the end of conflict was the resettlement of the persons displaced by the conflict. The Government established five Welfare Villages: four in the *Vavuniya* District, including *Manik Farm*, and one in *Mannar*. It was also ensured when allocating shelter in these Welfare Villages that families were kept together. Cases of separation were swiftly addressed. The Government made all efforts to take care of these IDPs spending approximately 1 million USD per day for food of the IDPs at the peak.

Each Welfare Village was provided with facilities such as electricity, kitchens, toilets, bathing areas and child friendly spaces. Food and nutrition and sanitary facilities for IDPs were provided by the World Health Organization (WHO). Extensive healthcare facilities and adequate medical supplies were also provided in the Welfare Villages under the Ministry of Health. Special facilities for psychiatric care, including support for individuals with Post Traumatic Stress Disorder, were

provided within the Welfare Villages. Psychosocial support, including counselling programmes were provided. Many efforts were taken to promote religious, spiritual and cultural activities, and towards this end, places of worship such as Kovils, Churches and Mosques were established through community consultation, and special facilities were provided for all clergy. Community centres and common areas were reserved for adults, and young adults were provided with career counselling. Vocational training centres were also established in each Welfare Village for capacity building and empowerment. IDPs were assisted in setting up home businesses. Special public administrative services were provided, including facilities to reconstruct legal documents and issue temporary Identity Cards. ‘*Happiness Centres*’ were established for children, and various activities including art, music, drama, yoga and sports were conducted. Schools were established from Grade 1 to 11 in all the Welfare Villages, and special Advanced Level classes were conducted at the Kadirgamar Village, and Menik Farm camps.

Providing security and protection of women and children in the Welfare Villages was recognised as an utmost priority. Preventive measures were initiated to ensure protection against gender based violence, domestic violence and child abuse. The Ministry of Child Development and Women’s Affairs established Units to assist in dealing with issues related specifically to women and children.

A Presidential Task Force for Reconstruction and Resettlement was appointed on 7 May 2009 to expedite IDP resettlement and reconstruction in parallel with the demining efforts in the North. While every effort was being made to resettle persons in their original habitat, in instances in which this is not possible, they were given alternate land.

Prior to commencement of the resettlement, the Government spearheaded a rapid restoration of infrastructure through its 180-Day Programme. Initially, priority was given to essential infrastructure. The priorities were determined by the Government to ensure effective delivery of services to the displaced civilians upon resettlement.

The process of resettling of IDPs would have been executed much faster if not for the extensive mining of the area by the LTTE. Arrangements have also been made to resettle IDPs hitherto living with host families with their consent and such a batch, consisting of approximately 200 families have been resettled in Mulaitivu, in their original habitats, in September 2012.

The resettlement process has been voluntary, involving informed choice of the displaced family/person through facilitation of “*go and see visits*” prior to resettlement. Assistance for construction of housing and livelihood development is also being provided. An initiative by the Government in constructing over 78,000 new houses in the North and East has been launched, including houses constructed with donor assistance. As of July 2012, 27,983 permanent houses have been constructed.

The resettlement of the final batch of IDPs marks a day of historic significance as the resettlement is now complete and there are no more IDPs or IDP welfare centres in the island. This makes the achievement reached within the short period of three years remarkable, when compared with similar situations in other parts of the world. The Government’s resettlement policy ensured that the process is voluntary, dignified and safe.

Protection of women ex-combatants from human rights violations

Following the end of the conflict, the Government of Sri Lanka adhered to a policy of treating all surrendered ex-combatants including women and children who had been forcefully conscripted by the LTTE, as victims and not perpetrators. Every possible effort was taken to look into their welfare and future. Having appreciated the circumstances under which most of them were compelled to take arms, the Government made a strong commitment to re-integrate them with the civilian society after a suitable rehabilitation programme.

As regards rehabilitation and reintegration of ex-combatants, from approximately 12,000 persons, as at 4 March 2013, 369 beneficiaries (350 male and 19 female) are undergoing rehabilitation, and 202 are under legal proceedings (under judicially mandated custody, remanded or bailed out).

As of 4 March 2013, 11,528 (9,275 male and 2,253 female) persons, which included 594 LTTE child soldiers have been rehabilitated and reintegrated into society. 212 youth who were previously pursuing tertiary education were re-inducted into the university system to follow their undergraduate studies. The rehabilitation programmes are carried out with the assistance of UNICEF, IOM, NAITA (National Apprenticeship and Industrial Training Authority) and some NGOs. In view of the need to make the rehabilitated women ex-combatants employable, special vocational training programmes were organized for them in fields such as bridal and hair dressing, modelling, beauty and make up, nursery management, and Juki machine operations. Some of them were given on the job training to make way for absorption into permanent cadres in their respective institutions. Some opted for foreign employment after requisite training.

The “Uthuru Wasanthaya” (Northern Spring) and “Neganahira Navodaya” (Eastern Reawakening) programmes are designed to facilitate development works in the North and the East, and are being implemented by the Government of Sri Lanka to provide, inter alia, livelihoods for persons particularly women in the conflict affected areas. Already 15,373 beneficiaries out of targeted 35,000 families have been selected as eligible for receiving cash grants. Out of them, 4,144 beneficiaries have been paid with the first instalment as at 15.01.2013, whereas 1,057 of them have received the second payment as well.

Investigation of acts of violence including acts of sexual violence by private actors as well as armed forces

There have been repeated attempts to draw a non-existent correlation between the presence of the military in the North and insecurity of women and girls in that region. A comprehensive study undertaken of incidents of sexual offenses in the North has revealed the following:

Sexual Violence in the Northern Province

- a. Cases reported during the conflict period — 119 (125 accused), 1 January 2007 to 18 May 2009.
- b. Cases reported in the post-conflict period — 256 (307 accused), 19 May 2009 to 31 May 2012.

During the conflict period (January 2007-May 2009), 7 Security Forces personnel were reported to have been involved in 12 incidents of sexual violence in North and East areas.

In the post conflict period (May 2009-May 2012), 10 Security Forces personnel were reported to have been involved in 6 incidents of sexual violence in the North. This is out of a total of 307 persons accused in 256 incidents in the entire Northern Province.

The involvement of Security Forces personnel as a percentage of the total accused stands at 5.6% in the conflict period and 3.3% in the post conflict period. This decline demonstrates that the allegation that the presence of the security forces in the North contributes to the insecurity of women and girls is a myth.

Legal action has been taken by the Government in all of the above cases in which the Sri Lankan Security Forces personnel have been involved. The military has taken strict action to either discharge or award other punishments to these personnel. Furthermore, cases have also been filed in civil Courts, some of which are pending in Courts and with the Attorney General's Department. In two such cases which ended in successful prosecutions, three security forces personnel were handed down terms of prison sentences ranging from 12 years to 14 years by the High Court, and in one of the cases, the conviction and sentence has been affirmed by the Court of Appeal.

It is worthwhile to note that only 18 incidents out of a total of 375 reported incidents during the conflict and in the post conflict periods (January 2007-May 2012) can be attributed to the Security Forces. Therefore, the inference that the presence of the military contributes to insecurity of women and girls in the former conflict affected areas is baseless and disingenuous.

As regards the comment of the Committee that the Ministry of Child Development and Women's Empowerment is not a member of the Consultative Committee on Humanitarian Assistance (CCHA) which consists of representatives of relevant Ministries, it may be noted that the CCHA which was constituted for coordinating humanitarian assistance during the conflict, does not function anymore.

Establishing counselling centres for women

The Ministry of Child Development and Women's Affairs is in the process of setting up counselling centres in selected districts to provide counselling for victims of violence. Counselling and psychosocial support were given to number of women at the Poonthottam rehabilitation centre at Vavuniya District. Furthermore, awareness programs have also been conducted for the Counselling Officers attached to the Ministry of Social Services and Social Welfare and the Ministry of Child Development and Women's Affairs on the Domestic Violence Act.

Providing adequate infrastructure for women IDPs and returnees especially housing and health facilities, water and sanitation

The first priority accorded by the government in resettlement of IDPs was to provide shelter. The interim solutions for shelter after the end of the conflict included providing temporary shelter and transitional shelter as well as permanent houses. Action was taken to provide cash grants and shelter material as an

immediate solution. Having provided temporary and transitional housing to the returnee families, the Government commenced upgrading permanent houses with minimum basic standards. An initiative by the Government in constructing over 78,000 new houses in the North and the East has been launched, including houses constructed with donor assistance. By July 2012, 27,983 permanent houses have been constructed.

With the end of the conflict, the Government lost no time in meeting the formidable challenge in restoration of the health services. The priority included restoration of curative and preventive health facilities by restructuring infrastructure and increasing human resources to ensure effective delivery mechanism. The Government's contribution in development of the health sector in the North is highlighted by the fact that per capita capital allocation made by the Government for years 2009-2011 stands at Rs 2598 compared to Rs 801 for the rest of the country.

With the development activities in the Northern Province, the number of functioning healthcare institutions and the number of hospital beds available for the population have steadily increased. In 2010, Northern Province had the highest number of patient beds per population compared to the national level. In 2009 only 63.7% of cadre positions had been filled due to shortage of all categories of staff. Now, 91% of the approved cadre has been filled.

The influx of IDPs to the Welfare Villages a few days after the end of the conflict posed a number of challenges such as the need for shelter, drinking water and sanitation facilities. The National Water Supply and Drainage Board with the assistance of other agencies undertook the task of providing safe water and sanitation to the IDPs as a precautionary measure to prevent an outbreak of water borne diseases. Within a short period of time, it was possible to provide more than 20 litres of water per person a day for drinking, cooking and other needs which was later increased to 40 litres per person. It is noteworthy that the volume of water supplied to the IDPs exceeded the WHO standard of water requirement at 7.5 to 15 litres per person per day.

In all five Districts of the Northern Province, 8,421 existing wells have been cleaned or rehabilitated by the National Water Supply and Drainage Board. In addition to cleaning the wells, uninterrupted water supply was ensured through the use of mobile water tankers. The supply of water has been carried out from the commencement of the return process and that served as an impetus to stabilize the return process. The NGOs that operated in the Province also supported water and sanitation activities by cleaning around 9,000 wells and undertaking repairs to about 8,900 toilets.

Inclusion of provisions for economic and social rights in post-conflict reconstruction including through the adoption of temporary special measures

In collaboration with the Ministry of Economic Development, the Ministry of Child Development and Women's Affairs has developed programmes targeting the widows and female-headed households in the conflict affected areas. This joint programme is designed as a component of the 'Divi Neguma' (Life Upliftment) programme of the Ministry of Economic Development.

The objectives of this programme are as follows;

- Introduce new projects at the community level for income generation targeting the women headed families and widows;
- Enhance and promote the self employment schemes which already exist;
- Provide vocational training and entrepreneurship training for women identified under the 'Divi Neguma' programme;
- Set up markets under the 'Divi Neguma' programme for women who have already commenced self employment;
- Monitor the implementation of above programmes through the officers at the field level who are attached to the Ministry and other women societies set up by the Ministry.

Both financial and technical support for the above programmes is provided by the Ministry of Economic Development under the 'Divi Neguma' programme.

Freedom of movement of internally displaced women and the population's access to humanitarian aid

As regards the freedom of movement of internally displaced women, there are absolutely no restrictions on travel today in the North and civilians enjoy complete freedom of movement. From August 2010 to August 2012, more than 77,000 foreign passport holders have visited Sri Lanka and travelled to the North. This is testament to the freedom that exists throughout the country. Reduction in the numbers of security barricades, roadblocks and checkpoints in the North and East is also significant. In 2009, there were approximately 2,000 checkpoints, sentry points and roadblocks in the North and the East; in 2012 it was reduced to about 50. As at March 2013, this has been further reduced to the minimum required.

Similarly, there are no hindrances to the population's access to humanitarian aid. Even during the height of the conflict, people were never deprived of access to humanitarian aid. It may also be noted that nearly four years after the end of conflict, and with almost all IDPs resettled, people are engaged in livelihood activities at present without much dependence on humanitarian aid.