

Draft

**NATIONAL POLICY ON GENDER EQUALITY
AND WOMEN'S EMPOWERMENT
SRI LANKA
2023**



Ministry of Women, Child Affairs and Social Empowerment

CONTENTS

INTRODUCTION

RATIONALE

POLICY STATEMENT

KEY PRINCIPLES AND POLICY COMMITMENTS

Thematic Area 01: Identity and Autonomy

Thematic Area 02: Economic Empowerment and Productive Employment

Thematic Area 03: Social Equality and Empowerment

Thematic Area 04: Environment and Disaster Management

Thematic Area 05: Equality in Decision-making

Thematic Area 06: Access to Justice, Peace and Security

Thematic Area 07: Freedom from Gender-based Violence

Thematic Area 08: Children – with special focus on The Girl Child

Annex: Key considerations of thematic areas

GOVERNANCE, IMPLEMENTATION AND PARTNERSHIPS, AND RESOURCE MOBILIZATION

STRATEGIC ACTION PLAN (2023 – 2025)

INTRODUCTION

Sri Lanka recognizes the inherent right to gender equality and women's empowerment and places equality between women, men, girls, boys and gender minorities as a key aspect of development. Women comprise 51% of the population of Sri Lanka. Girls make up similar numbers among children under 18 years of age. There is no national level data available on gender minorities.

Sri Lanka commits to the empowerment of women and girls recognizing inherent inequalities, marginalization and discrimination faced by women and girls in all spheres of life. Women's status in Sri Lanka is complex displaying positive achievements and negative situations. As a result Sri Lanka is being placed 75th among 132 countries in the world Gender inequality index which measures gender disparity in countries.

Article 12(2) of the Constitution of Sri Lanka promulgated in 1978 sets out the principle of non-discrimination on the ground of sex. Article 12 of the Constitution guarantees the right to equality before the law and equal protection of the law for all persons, and commits that no citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds. The Constitution further provides for affirmative action committing that Constitutional provisions on equality shall not prevent special provision being made, by law, subordinate legislation or executive action, for the advancement of women, children or persons with disabilities [Article 12(4)].

Sri Lanka is signatory to key United Nations (UN) Conventions and International Human Rights Treaties which have committed to gender equality and women's empowerment. Sri Lanka, in 1981 ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Sri Lanka is also signatory to a number of other international Conventions including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights which clearly distinguish discrimination on the grounds of sex as a violation of human rights. In 1993 Sri Lanka signed the Vienna Declaration on the Elimination of Violence Against Women setting out the country's focused commitment to combat gender based violence. Sri Lanka's commitments to the United Nations UN Security Council Resolution 1325 and the Child Rights Convention has advanced the country's commitments to gender equality and the empowerment of women and girls. Sri Lanka further commits to the attainment of Sustainable Development Goals adopted by the United Nations in 2015 as a universal call to action to end poverty, protect the planet, and ensure that by 2030 all people enjoy peace and prosperity.

The State commitment to issues particular to women came about during the United Nations Decade for Women (1975 to 1985) and specifically as a result of the International Women's Year in 1975. The key policy document on women's empowerment in Sri Lanka is The Women's Charter formulated in 1993. The Sri Lanka Women's Charter was drafted and adopted by the State in March 1993 and is the main policy statement by the State regarding the rights of women, expressing the States' commitment to remove all forms of discrimination against women and address crucial areas relevant to women.

Since 1978 Sri Lanka has ensured a ministerial portfolio committed to women's empowerment. The most significant introduction to State machinery to work towards the rights of women made by the Charter was the setting up of the National Committee on Women (NCW) as the monitoring arm of the Charter. The National Committee on Women, a Presidential Committee, is facilitated by the provisions of the Charter. The mandate of the NCW falls into three broad categories, to entertain, scrutinize, and take action against,

complaints of gender discrimination, to promote research into gender issues and to advise the Minister in charge of Women's Affairs when advice is sought or when the National Committee on Women considers it necessary. However, the lack of statutory recognition of the Women's Charter denies it the legal, administrative and authoritative recognition and the rightful power to effect and monitor implementation.

The purpose of the gender equality and women's empowerment Policy is to establish a framework to guide and standardize the development of laws, policies, programs and mechanisms. The policy aims to ensure equal rights and opportunities for Women and girls in all spheres and structures of government as well as in the public and private workplace, community, family and within the civic space. The Policy recognizes to achieve gender equality the participation and engagement of men and boys is critical in addressing development challenges

A number of national policies and action plans impact on gender equality and women's empowerment. Gender considerations integrated in these policies provide the policy framework to achieve gender equality and women's empowerment. In addition to the Women's Charter, other women focused policies and actions plans include the National Plan of Action on Women (1996) stemming from the *Beijing Platform for Action*, the Policy Framework and National Plan of Action to address Sexual and Gender-based Violence in Sri Lanka (2016), the Plan of Action Supporting the Prevention of Domestic Violence Act (2005) and Chapter on Women's Rights in the National Human Rights Action Plan (2017-2021). Key policies that integrate gender equality and women's empowerment include the National Policy on Decent Work in Sri Lanka (2006), the National Labour Migration Policy (2009), and the Legal Aid Policy (2016). All these policy frameworks and action plans are in the process of being reviewed.

The legal system in Sri Lanka comprises a collection of codified and uncodified forms of law comprising a combination of Roman-Dutch law, English law, and personal laws (Kandyan law, Thesavalamai and Muslim law). The Penal Code recognizes several specific instances that strengthen the State's protection of the physical integrity of women and girl children. Laws governing labour and employment, laws governing marriage and family relations, laws on land and property are largely gender neutral with selected gender responsive positive provisions. However, despite affirmative constitutional guarantees of gender equality, the legal framework taking a predominantly gender-neutral approach, with a few proactive legislations that addresses issues of gender equality and women's empowerment, most laws contain no special measures to ensure gender equality and women's empowerment, and have at times served to overtly discriminate against women and gender minorities.

RATIONALE

Gender equality is a fundamental human right which is also a necessary foundation for a prosperous, peaceful, and sustainable country. The Government of Sri Lanka recognizes the need for commitment and bold actions to accelerate progressive development of the country. As such, affirmative action is needed to ensure the enjoyment of human rights and fundamental freedom on the basis of equality. The Policy shall guide the transformative shift required to ensure rights are a reality for all equally and in addressing issues in all its facets, capturing emerging challenges and making women and men equal partners of sustainable development which is critical for the future of Sri Lanka.

It is noted that gender inequalities are deeply rooted, and gender-stereotyping continues to be reflected in the roles, responsibilities and identities of women and men. In this context the Policy aims to create an enabling environment in which women and gender minorities can fully enjoy their rights while contributing to national development.

Significant changes have occurred in the field of technology and the economy which has transformed the socio-cultural milieu of the country having positive and negative impacts on women and gender minorities. Consequently, new gender issues have emerged especially for women affected by the war, along with environmental issues such as natural disasters which have great bearing on their empowerment and enjoyment of equal rights.

The National Gender Equality and Women's Empowerment Policy will establish a framework to guide and standardize the development of laws, policies, programs and mechanisms. Furthermore, the policy aims to ensure equal rights and opportunities for women in all spheres and structures of government as well as in the public and private workplace, community, family and within the civic space.

Vision:

The National Policy on Gender Equality and Women's Empowerment is to create a country that provides for and guarantees gender equality, equal opportunity and equitable justice for all.

Mission:

The National Policy on Gender Equality and Women's Empowerment is to promote gender equality and ensure the protection for all women, men, girls, boys and people of non-binary gender identities from all forms of discrimination.

POLICY STATEMENT

The National Gender Equality and Women's Empowerment Policy envisions a just society where equality of women and men and gender minorities is upheld, all women, men and gender minorities enjoy fundamental rights and freedoms, and both women, men and gender minorities are able to realize their full potential and participate equally and equitably in and benefit from democracy and development both in public and private life.

The National Gender Equality and Women's Empowerment Policy aims to create a culture of non-discrimination and respect for human rights by eliminating all forms of discrimination against women, girls, men, boys and gender minorities and to ensure equal enjoyment of human rights and fundamental freedoms in the political, economic, social, cultural, and all other spheres.

Therefore:

The National Gender Equality and Women's Empowerment Policy shall ensure the adoption of policy, legislative and institutional frameworks for gender equality and women's empowerment;

The National Gender Equality and Women's Empowerment Policy shall ensure the de-jure and de-facto enjoyment of all human rights and fundamental freedom by women on equal and equitable basis with men in all political, economic, social, cultural, civil and all spheres;

The National Gender Equality and Women's Empowerment Policy shall ensure the recognition, addressing and redressing of all forms of discrimination against women including the strengthening of legal systems aimed at the elimination of all forms of discrimination against women;

The National Gender Equality and Women's Empowerment Policy shall ensure the equal and equitable access to participation and decision making of women and gender minorities in social, political and economic life of Sri Lanka;

The National Gender Equality and Women's Empowerment Policy shall ensure the equal and equitable access of women and gender minorities to health care, quality education at all levels, career and vocational guidance, productive employment, engagement in entrepreneurship and businesses, equal remuneration, occupational health and safety, recognition of women's role in care work, social security and public office;

The National Gender Equality and Women's Empowerment Policy shall ensure the changing of discriminatory, disempowering and exclusionary societal attitudes and community practices through active participation and involvement of both men and women;

The National Gender Equality and Women's Empowerment Policy shall ensure the mainstreaming of gender and women's empowerment perspective in all spheres of development in Sri Lanka;

The National Gender Equality and Women's Empowerment Policy shall ensure the building and strengthening of partnerships with all relevant stakeholders including civil society actors, and national and international development partners to ensure equal and equitable benefits;

The National Gender Equality and Women's Empowerment Policy shall recognize the impact on and responses for women during instances of disaster and other unforeseeable circumstances and shall ensure gender equality and women's empowerment and the protection and welfare of the marginalized communities of women and girls and gender minorities in disaster risk mitigation and management;

Ultimate outcome:

The National Gender Equality and Women's Empowerment Policy shall ensure the realization of the vision and commitments of the Policy through timely, strategic interventions at all levels, within all sectors, and through multi-sectoral collaboration to address thematic areas relevant across sectors.

The National Gender Equality and Women's Empowerment Policy recognizes 'gender' as a concept that encompasses masculinities and femininities, creates identities of women and men, the relations between these identities, and the structural context that create and reinforce power relations.

The overarching focus of the National Gender Equality and Women's Empowerment Policy will be on **Non-discrimination** and the promotion of **Substantive Equality** through ensuring equality of opportunity, equality of access to opportunity, and equality of benefits, results and outcomes that facilitate equal power distribution, ensure freedom and protection from violence in the personal, social, political, economic and cultural spheres and strengthen women's agency.

KEY PRINCIPLES

GENDER EQUALITY AND NON-DISCRIMINATION:

The National Policy on Gender Equality and Women's Empowerment of Sri Lanka is founded upon the fundamental principle of *Equality for All* enshrined in the Constitution of Sri Lanka, commitments to international convention, treaties and national policies and action plans, and recognizes gender and gender equality within the broad framework of equality of rights and respect for human dignity.

- The National Policy on Gender Equality and Women's Empowerment aims to promote substantive equality through a dual approach of gender mainstreaming in all areas and strategic action on empowerment, and the advancement of women, girls, marginalized men and gender minorities, to ensure that all persons enjoy fundamental human rights and rewards of democracy on a basis of equality of women, men and gender minorities which include Temporary Special Measures and Affirmative Action.
- The National Policy on Gender Equality and Women's Empowerment commits to the principle of Equality, the Principle of Non-Discrimination, and the Principle of State Obligation and takes a conceptual stand on equal voice, equal participation and agency of all women, men and gender minorities.
- The National Policy on Gender Equality and Women's Empowerment commits to the principle of multi-sectoral collaboration given the nature of the issue being crosscutting and all sectoral policies and programmes in development and humanitarian settings need to ensure gender equality and equity.
- The National Policy on Gender Equality and Women's Empowerment commits to ensuring that all laws, policies, programmes and interventions challenge harmful social and gender norms and enforce equitable power relationships.
- The National Policy on Gender Equality and Women's Empowerment commits to the principle of effective and efficient governance mechanism and adequate resources and budget allocations for implementation of the policy to advance the rights of women and gender minorities.
- The National Policy on Gender Equality and Women's Empowerment commits to the principle of a whole-of-Government approach to advance gender equality and women's empowerment. Realizing gender equality needs to ensure the responsibility and accountability of all sectors across all structures.

POLICY COMMITMENTS

The National Policy on Gender Equality and Women's Empowerment provides a framework for policy commitments for ten (10) years from 2023-2033 with immediate objectives (2023-2025), intermediate objectives (2026 - 2030) and long-term objectives (2023 - 2033) to ensure:

- The realization of the government’s commitment to ensure an enabling policy environment for gender equality and women’s empowerment.
- Gender equality and women’s empowerment considerations, standards and norms are effectively integrated into all aspects of national policies, programs and projects.
- Elimination of all forms of discrimination against women and gender minorities by strengthening legislation, policies programs, institutions and communities.
- Increase women’s participation in the social, cultural, political and economic spheres, including the institutions of governance.
- Transform discriminatory societal attitudes, behaviors and values in relation to eliminating gender-stereotypes.
- Strengthening institutional frameworks for the advancement of the status of women as well as achieving gender equality.

The National Policy on Gender Equality and Women’s Empowerment is presented under seven key thematic areas.

Thematic Area 01: Identity and Autonomy

Thematic Area 02: Economic Empowerment and Productive Employment

Thematic Area 03: Social Equality and Empowerment

Thematic Area 04: Environment and Disaster Management

Thematic Area 05: Equality in Decision-making

Thematic Area 06: Access to Justice, Peace and Security

Thematic Area 07: Freedom from Gender-based Violence

Thematic Area 08: Children – with special focus on The Girl Child

Annex: Key considerations of thematic areas

Each thematic area mainstreams the following issues: aged women, women living with disabilities, gender minorities and women with non-binary identities, rural women, women of all marital status and women heads of households.

Responding to COVID-19 and economic crisis: Situations of disaster affect women and men differently, further exacerbating existing inequalities faced by women and girls and other marginalized groups such as persons with disabilities and those in extreme poverty. The COVID-19 pandemic and economic crisis (2022) in Sri Lanka have a serious impact on human rights. Prolonged disrupted movement, access to food and healthcare, education and other spheres of people’s lives has severely affected people with anxiety, depression, illnesses, malnourishment of all including children, pregnant women and lactating mothers and increase in gender based violence especially domestic violence during prolonged periods of being confined to homes have created multiple needs of all people, especially women, girls and gender minorities that have to be urgently addressed.

Thematic Area 01: Identity and Autonomy

Policy Commitments

- Ending gender-based stereotyping, cultural and religious prejudices and institutionalized discrimination impacting on women's identity and autonomy.
- Enabling equal rights to citizenship and nationality.

Policy Objectives

- To ensure the prevention of discrimination faced by women and girls, and gender minorities due to gender stereotyping and cultural and religious prejudices and the institutionalizing of such through legislation and administrative practices.
- To ensure that women share the equal right to acquire, change and retain nationality, confer nationality on children and freedom to exercise franchise.

Strategies

1. Create awareness on discriminatory gender ideologies and patriarchal beliefs and attitudes for transformative change towards equality of women and gender minorities.
2. Promote law reform to change discriminatory laws that deny equality for women and discriminate against gender minorities.
3. Revise administrative procedures to enable the transfer of nationality to marriage partners by women and men.

Thematic Area 02: Economic Empowerment and Productive Employment

Policy Commitments

- Ensuring equal participation of men, women and gender minorities in the country's economic development and equal enjoyment of equitable benefits from economic engagement and empowerment.

Policy Objectives

- To increase women's participation in the formal employment sector and recognize the contribution of women working in the informal sector and women's role in care work.
- To ensure equal opportunities and benefits, legal safeguards, access to training, skill development and digital innovation, special protections and access to social security for all women and gender minorities in the formal and informal employment sectors including, estate, migrant domestic and home based workers.

Strategies

1. Implement all gender equality provisions enshrined in all labour related policies including the National Decent Work Policy.
2. Adopt monitoring, grievance redressal and remedial mechanisms to address all forms of gender-based discrimination against women and gender minorities.
3. Adopt legislation and resultant legal and rights protection for workers in the informal economy in Sri Lanka and for migrant workers.
4. Create awareness including legal awareness among women and gender minorities leading to activism and advocacy on labour and employment rights to change discriminatory gender ideologies, practices and patriarchal beliefs and attitudes that marginalize against women and gender minorities in the workplace.
5. Improve national data and statistics to include the informal sector work as productive work, placing a monetary value on the contribution to the economy.

Thematic Area 03: Social Equality and Empowerment

3.1. Education

Policy Commitments

- Ensuring equal, equitable and gender responsive access to education for women and girls including adult education

Policy Objectives

- To ensure a gender responsive education system comprising of institutional mechanisms, curricular and teaching techniques from primary to higher education and vocational education in all sectors.
- To ensure vocational education and training for women and gender minorities.
- To ensure access to adult education for women.
- To ensure the elimination of disadvantages faced by women due to poverty, geographic location, ethnicity, religion, disability and gender stereotyping.
- To ensure the inclusion of comprehensive sexual and reproductive health education as part of general education.

Strategies

1. Conduct a gender assessment of resource and implement the General Education Sector Development Plan (2020 - 2025).
2. Conduct a Gender Equality Review of education curricular including textbooks and teaching methods to actively incorporate aspects that change stereotyped gendered norms and attitudes in society including the current curricula for adult education, vocational education and comprehensive sexual health education
3. Review functional literacy centres, community learning centres and vocational training centres to increase access to women and gender minorities through proactive measures to promote adult learning for all.

3.2. Health

Policy Commitments

- Enabling universal access to the highest attainable standard of health care information and services including preventive and curative services to ensure the physical, mental, nutritional and reproductive health of all women throughout their lifecycle.
- Enabling women's right to control their reproductive and bodily integrity.
- Enabling the sexual and reproductive health and rights of all persons, free of coercion, discrimination and violence.

Policy Objectives

- To ensure universal access to health care information and services, including reproductive health services, mental health services and services related to addressing communicable and non-communicable diseases.
- To ensure holistic interventions to improve women's overall health and wellbeing to enrich their quality of life by considering complex and evolving social norms and emerging challenges.

Strategies

1. Improve health policies and family policies to ensure a lifecycle approach which focus equally on men and women and ensure men's involvement in the promotion of gender equality and the wellbeing of women, family, and the households.
2. Initiate health policies that recognize the importance and limitations in access to health by gender minorities and implement such to ensure access to sensitive health services for all.
3. Promote opportunities for women for a healthy lifestyle, recreation, leisure, and overall wellbeing practices to ensure mental, physical, and social wellbeing.
4. Integrate gender concerns and reproductive health and rights into national strategies and programmes addressing education, health, disability and employment.
5. Create support mechanisms to ensure universal access to sexual and reproductive health rights education, information and services in a scientifically accurate, age appropriate, gender and culturally sensitive manner.
6. Promote law reform to ensure women's right to their bodily integrity and sexual and reproductive health rights. To prohibit harmful practices such as female genital mutilation/cutting and decriminalize the abortion seeker to enable access to safe legal abortion under medical supervision not only in cases in which the life of the pregnant woman is threatened, but in all cases of rape, incest, and severe foetal impairment.
7. Strengthen physical and mental health sector response to address all forms of gender-based violence and violence against women across all ages.
8. Establish social care systems to respond to issues of aging women for long-term care, palliative treatment, mental health services and psychological support.
9. Ensure multi-sectoral engagement in addressing health issues including nutritional issues, and communicable and non-communicable diseases.
10. Create awareness on the removal of harmful gender and social norms that negatively impact on the health and wellbeing of the population.

3.3. Basic Needs

Policy Commitments

- Ensuring the right to basic needs for a full and productive enjoyment of life.

Policy Objectives

- To ensure measures to eradicate poverty.
- To ensure food security.
- To ensure access to clean water and optimal levels of sanitation and hygiene.
- To ensure adequate housing and address land issues including land ownership and landlessness.

Strategies

Poverty

1. Review and engender the State poverty alleviation policy to ensure equality for all women, men and gender minorities devoid of political patronage.
2. Strengthen the government's capacity to analyze the situation and respond to the needs of poor women, men and gender minorities.
3. Support the government's efforts to collect monitoring and evaluative data on the impact of poverty alleviation and poverty reduction programs on women and gender minorities.
4. Promote the development of self-employment schemes for women and for gender minorities, especially rural women already working in agriculture, women living in urban poor areas and gender minorities relegated to selected areas of employment and income generation to augment income levels.
5. Enable access to credit along with initiatives to improve financial literacy for women and gender minorities.

Food security

Mainstream women and gender minorities in terms of decision-making, access to benefits and equal and equitable participation in the government's food security programmes especially during economic crises.

Water, sanitation and hygiene

Conduct a gender and social inclusion analysis of sector-specific strategic documents such as the National Drinking Water Policy, the National Sanitation Policy, and the Rural Water Supply and Sanitation Policy and provide technical guidance to ensure strategic mainstreaming of women and excluded communities.

Shelter - housing and landlessness

1. Conduct a gender and social inclusion analysis of the National Housing Policy and provide strategic recommendations to include women and excluded communities at all levels including at the decision-making level.
2. Identify lagging sectors and provide affirmative action through dedicated approaches to ensure access to land and housing ownership and access to related services of decent living conditions, access to safe water and sanitation and access to credit to facilitate land and housing ownership to all excluded communities.

3.4. Media

Policy Commitments

- Enabling the full participation and access of women to media and information and communication technologies, as well as their impact and use as an instrument for the advancement and empowerment of women, girls and gender minorities.

Policy Objectives

- To ensure equal enjoyment of all forms of gender-sensitive and gender-responsive media.
- To promote the full participation and active engagement of women in media including in careers and institutions.

Strategies

1. Create a National Policy on Women and Media that takes a holistic approach to increase women's voice, participation and role in all forms of media, address stereotyping and exploitation of women and create formal strategies to address violence against women in the media.
2. Revise and implement the Charter for Gender Equity for Media and Journalism in Sri Lanka (adopted in 2006) as an annex to the National Policy on Women and Media.
3. Enhance women's access to mainstream and social media as equal active participants through awareness raising, training and affirmative action.
4. Sensitize all media institutions with widely accessible sensitization programmes for social media, on gender equality and empowerment of women, girls and gender minorities through research led evidence based curricular development, expert technical guidance and collaborations with educational institutions and non-governmental actors including women's organisations.
5. Provide access to the media industry for rural and urban women through vocational skills training in the media including in technology for digital media.
6. Mandatory and regular training for all media personnel on legal literacy, gender ethics, gender responsive language to ensure equal portrayal of women across all media platforms.

7. Establish/Strengthen a media watchdog mechanism at the National Committee on Women to monitor gender discrimination in media reporting.
8. Mechanism to ensure compliance of the advertising industry in safeguarding the dignity of women and girls in all advertising material and to minimize gender stereotyping.
9. Legislation guaranteeing cyber safety for women with strict penalties for online harassment of women, the criminalization of fake online accounts and unauthorized online disclosure and dissemination of content (photographs, memes, emails etc.) shared privately between individuals.
10. Strengthening redress agencies (ex. The Sri Lanka Computer Emergency Readiness Team) to record and robustly respond to cyber harassment of women.
11. Guidelines to cyber-crime criminal investigative agencies on gender ethics such as confidentiality, witness protection, and non-discrimination of women and gender minorities on the basis of ethnicity, class and sexual orientation.
12. Use of the media to increase public awareness on cyber safety for women, citizen rights, and mechanisms of redress in cases of cyber harm.

Thematic Area 04: Environment and Disaster Management

Policy Commitments

- Enabling the voice and full participation of women, girls and gender minorities in the protection and management of the environment.

Policy Objectives

- To ensure gender responsive management of the environment, disaster management and climate action.
- To ensure the full and active participation of women, girls and gender minorities in all aspects related to the environment.

Strategies

1. Develop a national plan on the inclusion of women, gender minorities and other marginalized people in all policies, action plans and initiatives on environment management, climate action and energy management ensuring voice and full engagement at all levels including at decision-making levels.
2. Ensure women's participation in all levels of decision making on environmental issues including in planning and environmental conservation strategies, disaster management, risk reduction, rehabilitation and response and resettlement processes.
3. Integrate gender-responsive climate adaptation and mitigation policies and ensure initiatives take into account both the impact of climate-related events such as natural disasters on women's livelihoods and their specific contributions to climate adaptation
4. Ensure that existing and emerging climate finance mechanisms equally benefit women at all levels.
5. Strengthen response for sexual and gender-based violence for women and girls during preparedness, response and recovery during natural disasters.
6. Promote equal participation of women in decisions on land, forest and biodiversity management to strengthen gender-responsive conservation.
7. Develop strategies that link conservation and sustainable use of ecosystems with economic empowerment of women.
8. Strengthen the participation of women in the fisheries sector and harness their knowledge and skills for marine and coastal conservation.

Thematic Area 05: Equality in Decision-making

Policy Commitments

- Ensure women's full and effective participation and equal opportunity for leadership at all levels of decision-making in political, economic and public life.

Policy Objectives

- To take affirmative action and adopt supportive national measures to ensure systemic support for equal representation of women at the decision-making level in all sectors.

Strategies

1. Expand legislative quota systems at national and provincial level to increase women's political participation.
2. Conduct wide-spread awareness and education programmes including voter education programmes reaching all parts of the country including rural areas that include the recognition and promotion of shared work and parental responsibilities between men and women to participate in public life.
3. Support and strengthen the Women Parliamentarians Caucus to identify and remedy gaps and challenges to women's increased participation in the political sphere.
4. Conduct qualitative studies on women's participation at decision making in all spheres of public life and address the gap between the positive outcomes of women's participation in education and health and work carried out on women's empowerment with the inadequate numbers of women in power and decision-making.

Thematic Area 06: Access to Justice, Peace and Security

6.1. Access to Justice

Policy Commitments

- Ensuring equal and equitable access to justice and dispute resolution.

Policy Objectives

- To promote equal and equitable access to justice through legislative, structural and procedural reform.
- To provide support sensitive systems for women, girls and gender minorities to access justice to remedy discrimination and gender-based violence faced by them.
- To create wide-spread awareness of rights and justice remedies among women, girls and gender minorities.

Strategies

1. Enable the effective implementation of the National Human Rights Action Plan.
2. Create special measures to enhance access to justice for women, girls and gender minorities to navigate the complex and intimidating justice process.
3. Strengthen additional and alternatives avenues to access justice for women, girls and gender minorities.
4. Conduct education and awareness raising in law schools and in continuing legal education programmes for judges, prosecutors and lawyers on access to justice for women, girls and gender minorities
5. Raise awareness on legal rights and access to justice among women, girls and gender minorities with special focus on intersectionalities such as ethnicity, religion, disability and place of residence.
6. Adopt and implement with adequate resources and accountable oversight, a national plan on the rights of prisoners including specific provisions on women and gender minorities.
7. Strengthen the legislative framework and normative obligations to prevent and respond effectively for human trafficking.

6.2. Peace and Security

Policy Commitments

- Ensuring the protection of women, girls and gender minorities and marginalized and vulnerable men during times of war and conflict addressing protection and their full participation in peace building and reconciliation.

Policy Objectives

- To ensure equal protection according to humanitarian norms in times of international or internal armed conflict.
- To promote equal leadership in formal and informal peacebuilding and post-conflict mechanisms.
- To enhance women's role in conflict prevention, mediation, resolution and reconciliation.

Strategies

1. Review and revise Lessons Learnt and Reconciliation Commission (LLRC) of 2011 to identify areas that need to be implemented.
2. Resource, implement and monitor the National Action Plan on Women, Peace and Security 2021.
3. Review and revise the National Framework for Women Headed Households to identify areas that need to be implemented and ensure implementation with adequate resources and oversight.
4. Ensure equal representation and consultation of women in reconciliation, transitional justice and conflict resolution mechanisms.
5. Identify strategies to empower women with disabilities who were impacted by the long-term war and conflict particularly under transitional arrangements with the end of armed conflict.

Thematic Area 07: Freedom from Gender-based Violence

Policy Commitments

- Ending all forms of sexual and gender-based violence against women and girls in the private, public, professional and digital spheres.

Policy Objectives

- To ensure adequate preventive measures are taken to educate and raise awareness on gender-based violence and gender norms that perpetuate violence.
- To ensure the availability, accessibility and affordability of survivor friendly medical, legal, psychosocial, shelter and emergency support services to respond to survivors of gender-based violence.
- To ensure prevention of gender-based violence due to harmful gender norms, gender stereotyping and socio-cultural beliefs and the institutionalizing of such through legislation and support services.

Strategies

1. Develop and implement the second iteration of the National Action Plan to address Sexual and Gender-based Violence (SGBV) 2016-2020.
2. Allocate adequate resources to ensure a coordinated and effective implementation of national policy and programs to address gender-based violence with stringent mechanisms for monitoring and evaluation.
3. Promote law reform to address lacunas in the law and remove outdated and gender stereotyped provisions that are inadequate to respond to real issues faced by all survivors of gender-based violence.
4. Strengthen multi-stakeholder and inter-ministerial responses to provide holistic services to victims of sexual and gender-based violence.

Thematic Area 08: Children – with special focus on The Girl Child

Policy Commitments

- Ensuring all appropriate legislative, administrative, social and educational measures to protect children with special focus on the girl child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Policy Objectives

- To prevent and redress harmful practices, mental and physical violence, abuse, neglect, and exploitation of children with special focus on girl children.
- To enable the full enjoyment of educational, health and recreational rights of children with special focus on girl children.

Strategies

1. Formulate a policy document that highlights current needs for the protection and empowerment of children with special focus on the girl child with comprehensive redressal strategies and a realistic timeline in line with the International Convention on the Rights of the Child, involving all relevant institutions.

GOVERNANCE, IMPLEMENTATION AND PARTNERSHIPS, AND RESOURCE MOBILISATION

GOVERNANCE

The governance structure of the National Policy on Gender Equality and Women's Empowerment recognizes the different state institutions, their mandates, and their interrelationship that impact on the full realisation of women's rights and gender equality. It relies on the State institutional architecture impacts on gender equality and women's rights in ensuring that the State respects, assures and protects gender equality and women's rights and prevents the violation of rights by third parties and that the State is obliged to implement policies and programmes in relation to gender equality and the rights of women, men and gender minorities.

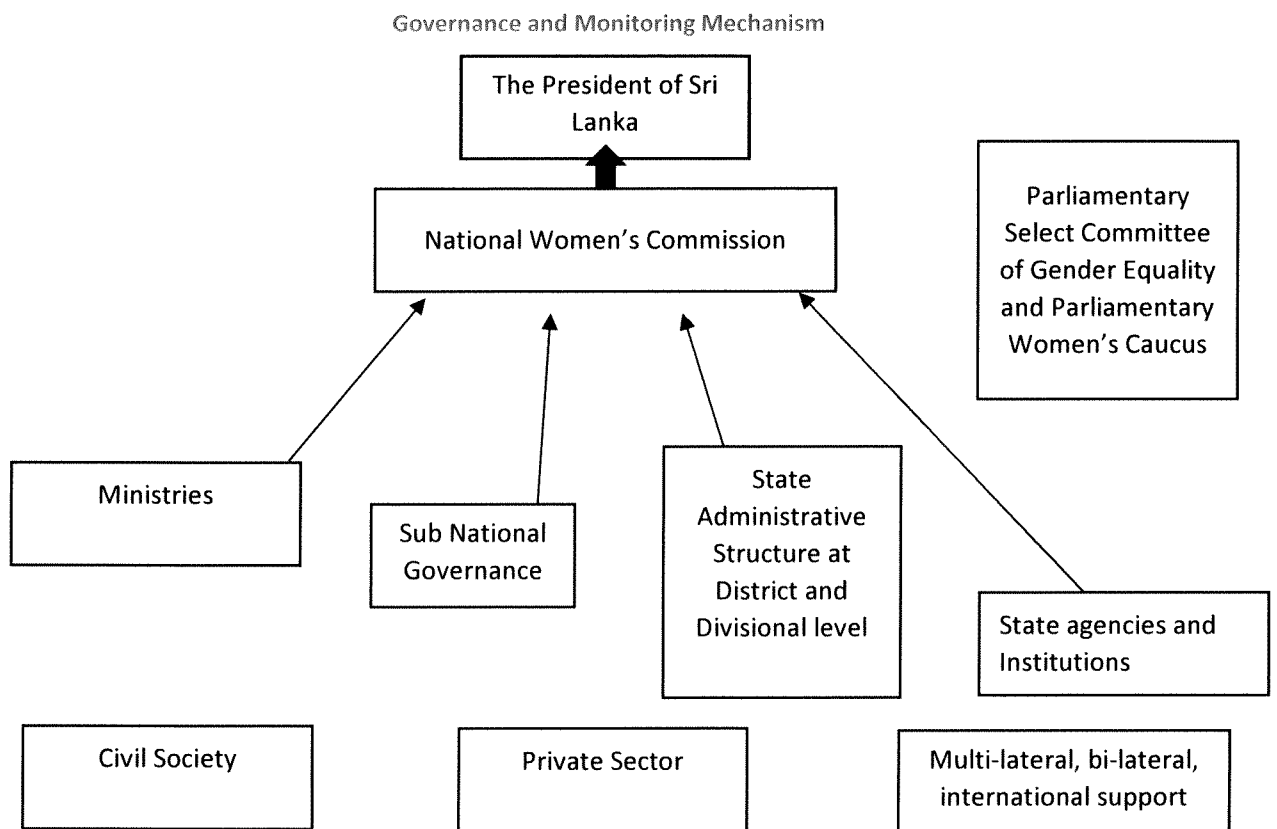
For the successful implementation of the National Policy on Gender Equality and Women's Empowerment, assuring the appropriate framework that will guide, review and monitor the policy in line with changing contexts is of utmost importance.

The governance of the National Policy on Gender Equality and Women's Empowerment will rest with the National Women's Commission envisaged by the Act on Gender Equality and Women's Empowerment -2022 and Ministry of Women, Child Affairs and Social Empowerment

IMPLEMENTATION AND PARTNERSHIPS

The implementation of the National Policy on Gender Equality and Women's Empowerment will be led by the relevant ministries with oversight from the Parliamentary Select Committee of Gender Equality and the Parliamentary Women's Caucus with participation on all government, non government, civil society and private sector stakeholders. Implementation will ensure a supportive and coordinated approach with the key line ministries, institutions of sub national governance, District and Divisional level State structures and all State led agencies, non government sector and civil society and the private sector.

The National Policy on Gender Equality and Women's Empowerment will ensure mainstreaming strategic partnerships between government, civil society and grassroots organizations, private sector, the United Nations and development partners as essential to ensure that priorities outlined in the policy will be achieved through effective and holistic implementation that will ensure adequate resourcing, sustainability and reach.



RESOURCE MOBILISATION

The Government of Sri Lanka will ensure the full resourcing of the National Policy on Gender Equality and Women's Empowerment with monetary budget allocations through gender budgeting processes, human resources and raising of external financial, technical and human resources.

The Ministry of Finance, Economic Stabilization and National Policies with the oversight of the Parliamentary Select Committee on Gender Equality and Parliamentary Women's Caucus will be key in ensuring the periodic monitoring and review of implementation, capacitating implementation, systematic data collection and periodic reporting on a quarterly basis.

Annex:

Thematic Area 01: Identity and Autonomy Key Considerations

- Gender ideologies that impact adversely on women are still predominant in Sri Lanka resulting in negative sociocultural values about women. Patriarchal values and attitudes prevail, placing women in a secondary position leading to discrimination against women including gender-based violence against women.
- Patriarchal values continue to influence gender relations in Sri Lankan society and the economy but women in their central role as mothers and as economic producers have often de facto powers in the family. Women's role in marriage and family is highly stereotyped where women are seen as the primary caregivers and men as the head of the family and the primary income earners. Women continue to be seen as "dependent wives" or "supplementary earners" to be used as a labor reserve. This reflects in women bearing the burden of reproductive roles and a restricting of participation and decision making over marriage and family matters and their productive engagement in the labour force and in society. Men are discriminated in being confined to taking on productive roles resulting in denial of participating in domestic and child rearing roles that can enhance men's participation in the family and lessen the domestic burden on women.
- The general laws of Sri Lanka offer equality to women and men in marriage, recognize the age of majority as the age for marriage and right to equal custody of children and ownership of marital property. Dissolution of marriage is offered equally to women and men within the legally permitted forms of dissolution of marriage. However, personal laws governing those of the Islamic faith discriminate against women on the age of marriage and equality in marriage rights and dissolution. Personal laws governing women of Tamil origin subject to Thesawalamai law, discriminate against women in ownership and disposal of marital property without the written consent of her husband.
- Traditionally, the man is recognised as the head of the household despite there being no legal affirmation of this. Women are recognised as head of the household only in the physical absence of an adult male in the family and is thereby placed in a secondary position to male heads of households. This adversely impacts on women's access to decision making, access to resources and recognition as a formal head of a household equal to a man.
- Women's unpaid care work in the domestic sphere is wholly unrecognized in Sri Lanka and is not valued socially and uncounted for monetarily. Unpaid care work includes caregiving, home management and contribution to family enterprises. This results in women who are not in the formal labour force being absent in national statistics on their contribution to development.

- Gender minorities are not accepted and discriminated against stemming from not being officially recognized in Sri Lanka's commitments to gender equality and furthermore, the Penal Code criminalizing of same sex relationships.
- Sri Lankan women and men have the equal right to acquire, change and retain nationality and citizenship, and confer nationality and citizenship on children by law. However, the regulatory and administrative processes do not recognize the inherent right of women and men to transfer citizenship on marriage.

Thematic Area 02: Economic Empowerment and Productive Employment

Key Considerations

- The continuous low labour force participation rate of women in Sri Lanka is a critical developmental issue, despite the country's high levels of educational attainments and other social indicators. Women comprise half of the male labour force participation and are hidden in sectors uncaptured by national data and statistics. The labour force participation rates for women in significantly low at 35.4 percent which is half of that of men's labour force participation. 87% women engage in unpaid care work and this includes girls over the age of ten years.
- Differences in employment rates can be attributed to the deep-rooted gender roles based on the women's reproductive role and marital status, societal norms leading to private and public patriarchy and structural barriers defining the involvement of women in the labour market. Hence, limiting their aspirations towards decent employment. Furthermore, the legislative framework governing employment in Sri Lanka imposes many barriers to women and are outdated in terms of addressing the rapid changes in technology and working models.
- Women continue to be a large majority of the working poor in the country, they earn less income, and are affected by long-term unemployment than men. This is mainly due to the socio-economic disadvantages triggered by gender-based discrimination and the double burden placed on their role at home and work. Women often have less access to productive resources, education, skills development and labour market opportunities. The limited entrepreneurial and innovation skills, mass engagement in the informal sector and the predominant representation of women in subsistence farming challenge the realization of full economic empowerment. Integration of gender considerations to employment promotion is key to ensure decent and productive income opportunities and to increase female labour force participation.
- Deep-rooted gender roles based on the women's reproductive role and marital status, societal norms leading to private and public patriarchy and structural barriers defining the involvement of women in the labour market result in the low levels of women's participation in the labour force and women's invisibility in diverse forms of productive labour.
- Insufficient vocational educational and training programs to bridge the transition from education to employment is a factor that affects both men and women, yet the gendered implications of these are exacerbated due to social norms and gender stereotypes that challenge women from accessing information and job opportunities.
- Women are the highest contributors to the national economy working in the plantation sector, in the industrial sector (largely the export processing factories) and as migrant workers. Women represented in large numbers within these sectors are largely confined to low skilled and low paid work with minimum social security, legal protection and opportunities for career advancement.

- Women continue to be a large majority of the working poor in the country, they earn less income, and are affected by long-term unemployment than men. This is mainly due to the socio-economic disadvantages triggered by gender-based discrimination and the double burden placed on their role at home and work. Women often have less access to productive resources, education, skills development and labour market opportunities. The limited entrepreneurial and innovation skills, mass engagement in the informal sector and the predominant representation of women in subsistence farming challenge the realization of full economic empowerment.
- The rapid developments in technology related fields have not adequately included women at decision making or professional levels of employment.
- Women in the private sector face diverse levels of gender-based discrimination in recruitment, placement, wages, promotions, conditions of service, and job security and benefits including lack of enjoyment of progressive yet fundamental maternity benefits and parental benefits.
- Occupational segregation based on outdated social norms and gender stereotypes lead to many sectors providing employment opportunities for women that are considered socially appropriate or ones that reflect their traditional gender roles, resulting in women losing out on employment opportunities that are available to men, with better wages and conditions of work.
- Gender-based wage disparities are a hidden issue, where equal pay for equal work is not always followed with gender-based discrimination, seen in certain formal sector employment and widespread in informal sector employment.
- Lack of rights and legal protection for women working in the formal sector in agriculture and homebased work including as contributors to family enterprises, domestic work, the cleaning industry, construction and small business establishments, and the criminalizing of commercial sex workers, has placed women in the labour force in a vulnerable and marginalized situation.
- Women's care work in the private and domestic sphere is not economically valued and the care work contribution is not reflected in national data or in national revenue statistics.
- Women face gender-based discrimination in the medium and small-scale enterprise sector with lack of access to credit and investment, skills and training, and markets, creating difficulties to sustain such enterprises and depriving them of the opportunity to scale up enterprises.
- Occupational and safety issues faced by women in the formal and informal employment sectors include perilous physical work environments, sexual harassment at the workplace and inadequate information and means for grievance redressal.

Thematic Area 03: Social Equality and Empowerment

3.1. Education:

Key Considerations

- Sri Lanka's efforts to increase access to education over the last 70 years has increased gender parity in primary, secondary and tertiary education and has resulted in creating more opportunities for women and girls in the country. The extension of educational opportunities in Sri Lanka is perceived as a "success story" in the region. Sri Lanka's literacy rates are high at 92 percent with gender parity in rates of literacy. The average literacy rate is only marginally lower for women at 91.6 percent for women to 92.5 percent for men and educational attainment for all people is high with equal rates for women and girls.
- However, the gender parity achieved in education has not contributed to achieving substantive gender equality in Sri Lanka. Among the many issues within the sector faced by girls and boys and persons of non-binary gender identities - the invisible disparities of functional literacy; participation and survival in education; gender stereotyping in general education in both curriculum and teaching; gender disparities in subject choice at collegiate level; underrepresentation of women in science, technology, engineering, and mathematics (STEM), and gender stereotyping in vocational training are considered key issues in the sector impacting on women and girls as well as men and boys and gender minorities.
- While information and communication technology (ICT) is an enabler to facilitate sharing of knowledge, economic development, political and social justice, it is a sector where pre-existing social and gender divides exist, in usage, access, availability and infrastructure. Women and girls have less access to the internet, are less active in using internet-based knowledge and interaction and access ICT related education less than men and boys. While only 52.8 percent of young people can access the internet, girls comprise only 33 percent of this population.
- Sri Lanka has a shortage of qualified and experienced teachers, largely because of issues with training, recruitment, and deployment. Women in Sri Lanka consider teaching a preferred career option and addressing the issue of shortage of teachers, especially in rural areas has not adequately addressed enabling environments for women teachers.
- While adult education opportunities are visible in academic and professional spheres, nonacademic and functional adult education opportunities are minimal in Sri Lanka. Women are further disadvantaged in this due to gendered roles and societal pressures placed on adult women gaining basic education including literacy.
- Perpetuation of gendered norms and stereotypes is ingrained in educational curricular, teaching methods, teachers and educational institutions and negatively impact on women's access opportunities, as well as lead to reinforcing negative gender attitudes, perceptions and practices in society.
- The lack of availability and access to comprehensive sexuality and reproductive health education for adolescent girls and boys and for adults, results in unwanted pregnancies, neglecting of sexual health, vulnerability to sexually transmitted diseases, unsafe and illegal abortions and sexual abuse including intimate partner sexual violence.

- Due to the provision of state supported comprehensive access to education from primary to graduate level, accessed equally by girls and boys, there is little discourse on the right to education in Sri Lanka hampering the proactive recognition of access to education including lifetime education by girls, women and gender minorities marginalized by poverty, lack of mobility, disability, sexual identities, geographical situation, negative attitudes and those affected by restrictive provisions in personal laws.

3.2. Health:

Key Considerations

- Post-independence social policies introduced especially in relation to health care have had a positive impact on the health and well-being of women across the island in almost all socio-economic strata. This is evident as Sri Lanka leads on many health indicators in Sri Lanka. Life expectancy is higher for women at 79.6 years compared with 72.4 years for men. With reference to maternal health 99% of ever-married women receive antenatal care from a skilled healthcare provider and the maternal mortality rate for 2015 has been 30/100,000 live birth which indicate quality and coverage of services.
- Thus, women enjoy a high and equal access to health services with access to women specific health services such as maternity health. Gender minorities also enjoy a certain level of health care provision.
- However, there is need for women's health and wellbeing to be analyzed through a lifecycle approach across all sectors to ensure holistic interventions to enrich quality of life and achieve universal health coverage. This relates to issues beyond health services for disease prevention to promoting healthy lifestyles through opportunities for women for recreation, leisure, and healthy lifestyle practices to ensure mental, physical, and social wellbeing.
- Despite achievements in women's health, family planning and reproductive health have assumed socio-cultural, political and religious overtones that run counter to the rights of women and pose dangers to the health of the woman and family.
- Health issues of aged women are not comprehensive as ageing postmenopausal women have specific issues related to health that range from osteoarthritis, osteoporosis, and fractures to dementia and end-of-life issues. Appropriate health, financial, and social support is currently inadequate to recognize and meet these needs.
- Younger women face fertility issues beyond the optimal age of the third decade, thus facing the inherent anxiety, stigma, financial burden, and social issues related to infertility.
- Women are at greater risk for obesity and excess body fat that impact directly on their reproductive hormones, as well as multiple metabolic risks such as high blood pressure, high blood sugar, hyperlipidaemia (collectively called the Metabolic Syndrome), and obstructive sleep apnea. Such women are at greater risk of premature atherosclerosis, along with diabetes mellitus and its complications, heart attacks, strokes and kidney disease—all of which are categorized as chronic non-communicable disease that cause chronic disability and dependency.
- In promoting women's health and wellbeing there are stereotyped undertones that can prevent women who do not fit into stereotyped roles from accessing available health services. At present, women's instrumental value as reproducers, caregivers, sexual outlets and

agents of a family's wellbeing and prosperity are highlighted in promoting women's health and wellbeing. Sexual and reproductive health of women need to be considered broadly and not in the limited context of motherhood and sexually transmitted infections and diseases. Single women are equally important as married women and should have the freedom to make choices, pursue their lifestyles, and have equal access to healthcare and support services. Engagement of men in the recognition of the right to health of women is of vital importance to break these gender discriminatory attitudes.

- Men and boys are affected by harmful gender norms that promote ideas of "manhood" that are based on taking risks, being strong, not seeking help and health assistance, feeling entitled, and exerting dominance over women. Such norms contribute to negative health outcomes for men including higher rates of suicide, homicides, substance abuse, unsafe sexual practices, road traffic accidents and delayed health seeking behaviour for other communicable and noncommunicable diseases. Harmful gender norms placed on men also directly impact women's health and wellbeing as they increase the likelihood of men's perpetration of violence against women and children and control over a woman's sexual and reproductive decision-making. Men's limited involvement in childcare, unpaid domestic work and care giving also has wider implications for the health and wellbeing of the family, placing a disproportionate burden of care work on women and limiting their time for self-care, rest, recreation and leisure.
- Recognising the link between women's empowerment and women's nutrition and the nutrition of the family is largely lacking in current policies and programming efforts. Efforts to increase maternal and child nutrition have been in place while nutrient requirements and information for menstruation, adolescent girls and elderly women have been neglected, making it difficult to break intergenerational cycles of nutritional issues.
- The health impacts of gender-based violence are many and far reaching, affecting women's physical health, mental health and reproductive health, and their self-esteem, self-worth and productivity, which will lessen their valuable contribution in all other spheres (social economic, cultural, political) as well as the health and wellbeing of their offspring. This link in health care provision is visible but gender based violence is not adequately recognized as a life-threatening issue with grave health consequences and medical, psychosocial, rehabilitative and shelter services for victims remains inadequate.
- Female genital mutilation/cutting is a hidden issue in Sri Lanka with victims suffering from physical and psychological health complications which may lead to long-term consequences. While there are no known medical benefits of the practice, it is attributed by some to religious and cultural reasons. Other traditional or cultural practices seen in some limited contexts such as virginity testing, lifecycle/puberty rituals, early marriage and son preference, also have a range of effects on the physical health and mental wellbeing of women and girls.
- Termination of pregnancy is criminalized in Sri Lanka, unless to save the pregnant woman's life. While its legal status does not prevent women from seeking termination of pregnancy, it prevents women from seeking immediate medical assistance when complications occur and puts them at the risk of being charged for procuring illegal termination of pregnancy. As such, septic abortion has been one of the leading contributors to maternal deaths in Sri Lanka.
- Despite services, legal barriers continue to prevent women and persons with different sexual orientations and gender identities from accessing essential and life-saving health services. The basic health needs of LGBTIQ+ people and the general population are the same, yet their sexual orientation and gender identity acts as a barrier in accessing health related information and services, including reproductive

health. They often avoid or delay receiving health care, receive inappropriate or inferior care, face discrimination and prejudice when accessing services and may not be treated with confidentiality in health care settings. Yet, there is greater visibility of LGBTIQ+ persons in HIV/AIDS and sexually transmitted disease prevention intervention programmes, which poses a barrier to recognizing their need for general health and reproductive health services and may also reinforce negative stereotypes.

- Sri Lanka is classified as a country with a low prevalence level of the HIV/AIDS epidemic in the South Asia region and has in place policies to address the nondiscrimination of people living with HIV. Female sex workers and their clients, men who have sex with men and injecting drug users are considered as vulnerable persons.
- Young people in Sri Lanka have little knowledge of scientifically accurate information devoid of myths and misconceptions on matters related to their own sexual and reproductive health and on skills to make informed decisions about their life, relationships, sexuality, health, education and future. Although essential, comprehensive sexuality and reproductive health education is considered a taboo and not recognized as an important tool to address increasing issues on adolescent sexual and reproductive health such as engaging in sexually active at an early age, teenage pregnancy and motherhood, coercion, violence and abuse within adolescent relationships and engaging with multiple sexual partners and in risky behaviour that may lead to contracting a sexually transmitted disease.
- Sri Lanka has robust demographic and health data that drives the delivery of evidence-based healthcare in Sri Lanka. However, there are several gaps in data that prevent accurate, updated, targeted and timely health care information and services to be provided. Data disaggregated by sexual orientation and gender identity to clarify problems faced by the LGBTIQ+ community is currently lacking as data is generated almost entirely in the male-female binary, except in the instance of HIV prevention. Data on issues such as the health consequences of gender-based violence and harmful traditional practices including female genital mutilation/cutting is also lacking leading to challenges in responding to these issues.

3.3. Basic Needs

Key Considerations

Poverty

- Feminization of poverty in Sri Lanka has not been fully explored and addressed at official levels. 14.2% of women live below the poverty line, a rate similar to that of men. 23% out of 1.1 million households in Sri Lanka is woman headed. Poor women, especially those who are heads of households or aged among other specific groups of women, face enormous hardships and must struggle to ensure their family's economic survival. Macro data and micro studies indicate that their quality of life and employment conditions have deteriorated as a result of, among other factors, increased living costs, which pushed women into low-skilled, low-paid jobs.

- Sex disaggregated poverty-related data considering intersectional issues such as ethnicity, residence, disability, marital status, gender identities and age is not freely available making it difficult to compare female and male poverty quantitatively or to state definitively the degree to which it is increasing or decreasing making it difficult to present a clear picture of those living below the official poverty line.
- Poverty levels experienced and the reasons for such among women and gender minorities is not reflected in national level information. Focused research shows poverty among women as a result of women's low levels of labour force participation, wage disparities in the informal labour sector, lack of adequate access to poverty alleviation programmes, limited access to enterprise development, credit and investment as well as patriarchal attitudes that restrict women's access to and decision-making power over income and women's economic contributions being often subsumed in family incomes utilized for family subsistence and children's expenses. Thus, women's poverty is closely linked to prevailing norms of social obligations toward their families and place additional burden and expectation on women, not only to fulfil household duties and their role as nurturers, but also often compel women to continuously look for income earning work to ensure the survival of the family and household.
- Poverty alleviation strategies use a highly gendered conceptualising of the family-based household. The demarcations of the responsibilities and participation of women and men remain largely un-acknowledged; men's role in society is seen to be situated outside the family unit in terms of the family's immediate welfare needs. Women are seen to be more responsible, accountable and hence better clients of poverty alleviation schemes.
- The government's poverty alleviation programmes that often benefit women are critiqued as marginalizing women facing acute poverty due to their inability to participate in these programmes that involve more than welfare support and include community participation, a certain level of literacy and accumulation of savings. They are also critiqued in their selection of members, politicization and of feeding into systems of power in the community.
- Independently administered poverty alleviation systems in the shape of small-scale savings and credit schemes have empowered women around the country but have yet to reach a large number of women in poverty due to their inability to meet the specific criteria expected by these programmes such as active participation and the ability to save and manage credit. The self-employment programmes by such schemes are further hampered by the lack of critical inputs such as access to technology, vocational skills development, management training, and market information, which are necessary for optimal credit utilization.
- The nexus between poverty and gender-based violence against women is clear in Sri Lanka with poverty being a contributory factor to the expression of gendered violence, especially domestic violence.

Food security

- Nearly 30 percent of Sri Lanka's population is food-insecure due to facing the brunt of economic and food crises. Food inflation is at an alarming 57.4 percent severely crippling the ability to ensure sufficient and nutritious food, including basic staples. Coping strategies such

as eating less preferred and less nutritious food and reducing the amount of food being eaten has resulted in two in five households not consuming adequate diets. Short term crisis or emergency livelihood coping strategies are being used which negatively impact on people's medium to long-term capacity for income-generating activities and food security.

- Poverty data and information is largely classified according to income levels and areas of residence but do not adequately capture intersectionalities such as ethnicity, religion, disability and sexual orientation.
- Women play key roles in the four pillars of food security; availability, access, use and stability, as food producers, gatekeepers, income generators and decision-makers of household food and nutritional security and as managers of the stability of food supplies in times of economic hardships. These roles burden women in their gendered roles as carers of the family, often at the expense of their own food security and nutrition.
- The gender disparity of ownership of, access to and control over livelihood assets such as land, water, energy, credit, knowledge and labour, negatively affect women for production, control and voice over decision-making. This is exacerbated among women affected by acute poverty, employment in informal and low wage occupations, working as unpaid family workers and care givers and due to their place of residence especially rural women, women heads of household, aged women and women living with disabilities.

Water, sanitation and hygiene

- Ninety percent of Sri Lanka's population has access to water. Those who are deprived of safe water and sanitation facilities are socially or economically marginalized women, girls and gender minorities, primarily those living in the estate sector and rural areas, and those marginalized by acute poverty and disability. Only 43 percent of those in the estate sector, which includes tea plantations have such access to adequate water, sanitation and hygiene facilities.
- The 10 percent of the population without access to water rely on unimproved sources of water, including rivers, tanks, streams, springs, unprotected wells, and other unsafe water sources. In addition to the source of water, accessibility (measured in time to reach safe drinking water) also plays a key role in relation to safe drinking water as women are most often tasked with sourcing water as part of their traditional household duties.
- Sri Lanka's water, sanitation and hygiene sector is almost completely owned and operated by government entities with a growing reliance on non-governmental organisations including community-based organizations to manage water, sanitation and hygiene especially in deprived areas. Yet, there is a lack of mainstreaming of gender issues, women in the decision-making and service provision aspects and in gender budgeting in the sector, especially in government entities.
- In sanitation and hygiene, most families have access to toilet facilities either within their homes, outside in their own compounds or public toilets. While disaggregated data on those without access is not easily available, but the enjoyment of these is different to women, girls and gender minorities especially transgender and intersex people due to issues of lack of privacy and protection afforded by outside

- and public toilets. The estate sector is the most marginalized in terms of success to sanitation affecting both men and women. Women who are the sole breadwinners of families are also less likely to have a private toilet at home due to the cost of construction of such.
- Menstrual hygiene is a serious issue in terms of access to sanitary towels due to high costs, use of outside and public toilets not equipped with accessible water and the hygienic disposal of sanitary towels. Adolescent girls are likely to have worse educational outcomes because schools lack provisions for menstrual hygiene. Although the vast majority of Sri Lanka's schools have separate toilets for girls, more than half of adolescent girls miss school when they are menstruating. There are also cultural taboos that view menstruation and menstrual blood as impure resulting in girls and women, especially female students being discouraged from disposing of menstrual hygiene products in public places including schools.
- Women are less likely to be in leadership positions in the water and sanitation sector and more likely to face social consequences if they are in such positions. Although community-based organizations and water user associations serving communities especially in rural and estate areas, provide the space for employing women, they are usually excluded from leadership positions.
- Solid Waste Management while managed effectively in most parts of the country, are still in need of improvement in rural and marginalized areas such as estates. Women's participation in these areas at national and sub national decision making level is not adequate.

Shelter - housing and landlessness

- In Sri Lanka, women and gender minorities can obtain land through private purchase, granted by the State, or through inheritance and have the equal right on par with men to own houses. However, gender equality in legislation to own land and housing may not necessarily guarantee gender equality in actual ownership of land and housing. A woman's legal right to own land or housing is affirmed by law, but this may be merely a formality if the woman is unable to make decisions over the land and housing or if the family does not bequeath any land to her, but favour the male heirs. Right to land and housing can be conditional due to the impact of personal laws affecting women of certain ethnicities and religions. Land and housing rights are further negatively impacted by gendered norms and attitudes. Patriarchal practices can favour sons over daughters in traditional patrilineal communities and few women inherit land, and usually do so under restricted conditions. Sri Lankan women's perceptions and aspirations related to land are diverse and nuanced, with women considering land to be an important asset that can render them strength and leverage, especially in times of economic crisis and in cases of abandonment, yet not all women seem to believe that they ought to have legal ownership of land.
- Out of the six million families living in Sri Lanka, only 5.2 million have some form of housing and there is a serious lack of gender disaggregated data on land and housing ownership in Sri Lanka. Land and housing ownership by women and gender minorities is absent.
- Poverty and landlessness are key issues that result in lack of access to land and housing. Land and housing ownership by women, gender minorities and marginalized men have been seriously affected by the conflict, especially communities in the Northern and Eastern provinces of the country, those living in plantation communities, those in urban low-income areas and those living in disaster prone areas. Where there is housing available there are issues that hamper decent living including deplorable conditions, temporary structures, poor

ventilation and inadequate access to clean water and safe sanitation. Lack of access to land and proper housing is further seen among women headed households, persons living with disabilities and among the aged.

- Several aspects of the general and customary laws allow for unequal inheritance and land ownership practices to continue and limit women's access to land and housing. Personal laws and gendered attitudes to marriage create differential treatment towards women especially regarding dowry property. The idea of "guardianship" of the women and their assets by men in these personal laws is a major hurdle for women's empowerment and their right to land ownership and inheritance for women. Families often view their daughter's dowry, given to her husband and his family, as her inheritance. Dowry is not expressly prohibited by law and is a practice that remains prevalent in varying expressions and degrees.
- Despite schemes for people in State run poverty alleviation schemes such as the Samurdhi scheme, micro credit programmes and special programmes for migrant workers, access to formal financial facilities to purchase land and build houses is a severe impediment to low-income earners especially women. It is reported that only 20 percent of low-income populations have access housing loans, due to financial constraints and irregular employment. Lack of legally acceptable title to land is a severe impediment to accessing available credit facilities.
- Information of granting of State land to the landless, credit facilities for the poor and access to dispute resolution including title disputes is not widely known.

3.5. Media

Key Considerations

- The media landscape in Sri Lanka is vibrant with significant changes with the advent of new information and communication technology. It has a greater potential in contributing to the advancement of women through the full participation of women and the positive portrayal of women leading to eliminate gender stereotyping.
- Women's participation in all forms of media as journalists, reporters, social media creators and influencers is visible in Sri Lanka. Yet, there remains a gender divide in terms of numbers and equal voice. While a few women hold senior decision-making positions in formal media institutions and oversight and monitoring bodies, the numbers are small in comparison to men.
- It is estimated that there are approximately 4,000 journalists working for the mainstream media including part time and freelance journalists. National statistics on women working in the mainstream media is not known. The only available study on the gender dimensions in media is a 2011 survey¹ conducted by the Sri Lanka Press Institute. The survey found that women accounted for 29.3 per cent with marginally higher percentages in the electronic media-radio (35.3 per cent) and television stations (33.3 per cent). While the highest number of women was in English language newspapers (33.4 per cent) there was only 25.7 per cent in the Sinhala print and electronic media and 28.8 per cent in the Tamil stream. There were two women among the 14 member Board of Directors of the Press

¹ of 656 journalists

Council, Sri Lanka College of Journalism and the Sri Lanka Press Complaints Commission women in decision making positions were 13 percent in newspapers, 14% in radio and 6% in television. The Charter for Gender Equity for Media and Journalism in Sri Lanka (2006) has not been operationalized.

- The National Media Policy addresses gender only minimally. Out of 26 of its strategies, only two are related to gender. It does call for media practices that ensure fair and just treatment in matters of gender as a principle, but its strategies for implementation, although important, are limited to training and awareness raising among media personnel on refraining from publications that uphold crime and violence against women, or broadly understood as upholding the rights of women and children. Moreover, the policy has not been implemented and as of 2015, was in abeyance.
-
- Non-discriminatory and responsible reporting on violence against women and sexual and gender-based violence remain central areas of concern related to women and media. Media's power to contribute to eliminate gender-based violence through sensitive reporting of incidences and making the public to realize their role in contributing to eradicate violence is not fully realized.
- Discriminatory language and hate speech against women and gender minorities is a concern in all forms of media.
- Policies on ethical treatment of women and gender minorities and the negative portrayal of women and gender minorities in media and within media institutions have been formulated but not implemented.
- Codes of Ethics addressed to consider issues of gender discrimination in media have not been fully utilized and remain paper commitments.
- Knowledge and awareness about the constitutional rights to freedom of speech and the right to information enabled by the Right to Information Act is not widespread among women resulting in women not enjoying the right and advocating for greater enjoyment.
- The role of media in furthering the rights of women and gender minorities is not explored sufficiently and the gaps in this role played by media towards positive reinforcement of gender equality is not adequately utilized.
- Digital technologies are utilized to promote gender equality and women's empowerment and provide space for women's expression but in the space where the private becomes the public it reinforces patriarchal discriminatory and violent structures, making women and girls and gender minorities more vulnerable to sexual exploitation, violence and marginalization.
- Women journalists have been the targets of violence and harassment against all media personnel and have been exposed to increasing violence through gender-based harassment and abuse.
- Portrayal of women continue to reinforce cultural conditioning. The use of women's image for commercial purposes with a view to maximize profits by media organizations has been a long-discussed issue yet to be addressed and remedied.
- Gaps exist in education and training aimed at women's full participation in media as a career where the opportunities for women's careers and career advancements in media are not strategically linked to the education and training opportunities available. The selection of careers in media continue to be negatively impacted by stereotyped gender roles and expectations placed on women that enter the fields of media especially mainstream media.

- Women's use of diverse media is lower than that of men. High literacy rates among women make them equal consumers of mainstream media on par with men, yet women's media interactions are lower than that of men due to negative gendered roles and expectations placed on women.
- There is a strong participation of women's non-governmental and civil society organisations in the media as contributors, users, watchdogs and advocates of women's rights and the positive portrayal of women in media.

Thematic Area 04: Environment and Disaster Management

Key Considerations

- Gender is among the main determinants, defining not only the degree of dependence on environment but also the degree of vulnerability to and severity of impacts of environmental degradation and disasters.
- Environmental crises and discourses tend to alter conventional gender relations within a society. As reiterated within the international commitments and local legislation, it is crucial that gender concerns and perspectives be considered for sustainable development, and strengthening or establishing mechanisms at the national and regional, levels to assess the impact of development and environmental policies on women.
- Policies to date have not identified the gender-based differences in experiencing the impacts of climate change as well as the gender-responsive nature of adopting strategies for adaptation and mitigation.
- Key issues such as deforestation and forest conservation; disaster, displacement, and resettlement; human-wildlife conflicts; waste; effects of agrochemicals; indoor air pollution, need to be addressed taking into consideration the interconnectedness of these issues, which further aggravates the impact on women.
- Women's participation in responses to environment disaster risk reduction, climate change mitigation, management of renewable energy and access to technology for environmental protection are areas where there is gender disparity.

Thematic Area 05: Equality in Decision-making

Key Considerations

- The political, economic and socio-cultural context within Sri Lanka in recent years have seen an ebb and flow in commitments to power sharing and increasing women in decision-making.

- Women and men gained the right to universal franchise in Sri Lanka in 1931. Yet, while women are actively engaged in voting and political activities, they are scarce in actual representation in political office.
- Historically women's participation in the political processes in Sri Lanka has been minimal, despite women constituting more than 50 percent of the population. At present the country has the lowest representation in parliament in the region. Women's representation has never exceeded 6 percent throughout the history of women's politics in Sri Lanka.
- The 2016 amendment to the laws that govern local governments resulted in the legislative allocation of a 25 percent quota for women in local government, which is a historic victory for women after the achievement of universal suffrage. Despite the entry of a significant number of women into local government, issues on women's meaningful representation where decision-making power, voice and meaningful participation in political decisions, the relegation of women to roles and responsibilities according to stereotyped gender roles still prevail.
- Despite individual women have occupied decision-making positions in the highest positions including the position of President and Prime Minister, these individual achievements cannot be considered to reflect a general improvement of women's power in society. The majority of women who have occupied such positions of decision making, primarily in politics is due to the strength of support networks of privilege and influence in society. Some have benefitted from political favour. These positions have even worked negatively on women as a whole since even women who have achieved certain position in society are viewed as having done so not through their own merit but due to some unfair advantage, privilege or favour, displaying the patriarchal views of society that rejects a woman's individual capability to achieve high positions of power due to entrenched gender stereotypes, gendered norms and values that see the role of women as repositories of the nation's morality and respectability and has led to increased scrutiny of women's virtue and character.
- Due to the absence of women in politics and decision-making levels in certain sectors, there is a need for proactive awareness raising and education, including voter education and dialogue that engenders these patriarchal structures and attitudes to create the space for women to strive for participation at high levels of political and other office where women are seen in small numbers.
- Further, the advancement of education in the country has been unable to make strides in creating gender parity in the political sphere. The institutional and structural impediments for women to engage in politics are many. Among which gendered roles/stereotypes in relation to the reproductive role of women, financial factors, violence and muscle power associated with politics, the reluctance of political parties to nominate women; backlash against women political activists: undue criticism on their behaviour, decisions and performance and minimal investment in their skills and education have impacted women from gaining political representation.
- Whilst numerous trainings and capacity building programmes are conducted for women to improve their understanding of the political processes, and the issue of minimal representation of women in political office continues in a system which lacks a party-political culture that is not determined by meritocracy and the lack of a gender neutral political culture.
- The role played by political parties in preparing women to enter decision-making levels in politics, nominating women and working towards ensuring their elections is linked to the low numbers of women representatives in all political bodies. Despite concerns, political parties

have not prioritised increasing women politicians. The reasons for minimum participation of women in this field are complex. Such reasons include the traditional role vested upon Sri Lankan women, acceptance of male leadership, rigid electoral systems and laws where affirmative action to bring in women is a long drawn out and contested process, increasingly violent atmosphere in politics and resultant gender based violence against women, and limitations on nominating women by highly centralized political parties when candidates are selected.

- Outside the sphere of politics, women in Sri Lanka have demonstrated considerable leadership in public office, in specific sectors like education and the justice sector as well as in community and informal organisations. However, women have struggled to access power and decision-making positions in the private sector due to either a voluntary choice on the part of women to keep away from top levels of corporate governance or an outcome of a glass ceiling that male heads of the private sector have carefully established in order to prevent women from taking over their positions.
- Women's participation in the peace processes in decision-making and leadership in the post war setting in the country has been minimal.
- In new and merging sectors such as the information technology sector, women make up less than five percent of the overall ICT workforce with women tending to be concentrated in lower skilled ICT jobs. There is also a gender difference across all salary bands amongst ICT professionals due to the low participation of women, with a larger percent of women than men in the lower pay bands.
- In the field of media including social media, women's participation is considerable but not at decision making level.
- Women's participation in civil society organizations, in non-governmental organisations and community-based organisations differ according to sector. Women participate actively in organisations working on welfare and savings and credit schemes for women and in organisations led by and made up of women working to further women's rights while integration of women in non-women focused organisations is small.

Thematic Area 06: Access to Justice, Peace and Security

6.1. Access to justice

Key Considerations

- The Constitution of Sri Lanka endorses that men and women are equal before law and does not permit discrimination based on sex. The domestic legal framework provides both constitutional and other mechanisms that identify rights of women and mechanisms for redresses when these rights are violated.
- The Constitution further provides that any person, whose right to equality is violated by either executive or administrative action, can seek redress from the highest courts of law. The Constitution also recognizes that a special provision to promote substantive equality can be made by law, regulations, or administrative action for the advancement of women.

- Despite constitutional guarantees and a strong justice system, marginalized and vulnerable women, men, girls, boys and gender minorities fail to access and navigate the formidable justice system in Sri Lanka thus depriving them of their constitutional right to access to justice.
- Sri Lankan laws are complex in nature as well as in its application. While the Constitution remains as the higher law, the legal system constitutes of general law and personal laws consisting of Muslim law, Tesawalamai law and Kandyan Law that in certain instances contravene the right to equality recognized in the Constitution.
- The Penal Code was amended in 1995 and 1998 to strengthen the criminal law in protecting the physical integrity of women (and children). These included amendments to rape laws, recognition of statutory rape, and offences such as procurement of any person for illicit sexual intercourse, anti-trafficking laws, criminalization of sexual violence including sexual abuse and sexual harassment, recognition of incest as an offence, and the prohibition of the publication of details which reveal the identity of victims of sexual crimes. Archaic laws such as the Vagrancy Act expressly discriminate against women. In contravention of the rights of gender minorities, the Penal Code criminalises same sex relationships through what is ambiguously described as "carnal intercourse against the order of nature" and providing for a penalty of up to ten years in prison. Gender based crimes are further recognized in the Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act (1998) which criminalizes sexual harassment, grievous hurt, hostage taking, unlawful confinement and ragging by any person within an educational institution, and the Torture Act (1994) provides protection against torture and other cruel, inhuman or degrading treatment or punishment which in interpretation, includes gender based violence. Protective legislation is enshrined in the Prevention of Domestic Violence Act (2005) and the Victim and Witness Protection Act (2015).
- Within the legal structure land has been an issue of national importance, further deprivation of right to land, housing and property related issues need to be addressed through a gender perspective. Such deprivations and discriminations have been caused due to diverse factors, such as the armed conflict, natural disasters, judicial and administrative misinterpretations and lack of access to justice and legal illiteracy, the impact has been discriminatory and disadvantageous for women.
- Delays in the Administration of Justice in Sri Lanka is one of the most crucial issues that have impacted women adversely. Laws delays are seen widely and such delays especially impact negatively on women and gender minority victims of gender-based violence.
- Lack of gender sensitivity and gender responsiveness in the justice system including in the judiciary, Attorney General's Department, among lawyers and law enforcement, has resulted in fear and lack of faith in the formal justice system especially for victims of gender-based violence. Access to justice is further hindered by the lack of facilities, capacities, the right to minimum standards in providing justice services, insensitive judicial officers and the lack of special procedures such as specialized courts.
- For women and gender minorities, especially victims of gender-based violence, internal fears and inhibitions about the justice system prevents reporting of incidences of violence resulting in low levels of reporting to law enforcement. Due to society often placing blame on the woman, many women fear the social repercussions of seeking legal redress and are intimidated by the legal redressal process.
- Lack of criminal convictions, fear of retaliation and exacerbation of violence, and the normalizing of gender-based violence create a culture of impunity which further prevents victims of gender-based violence from having faith in the justice system.
- Discriminatory provisions in personal laws that mandate special processes for justice are not sensitive to the rights and needs of women, girls and gender minorities, especially victim survivors of gender-based violence.

- Lack of an overarching grievance redressal mechanisms such as a Women's Commission or Ombudswoman hamper access to justice for marginalized and vulnerable people as the only option for justice becomes the formal justice system. Access to alternative mechanisms of dispute resolution, primarily mediation, is widely available in Sri Lanka. Yet these systems cannot redress serious violations of rights and further, the levels of sensitivity to women and gender minorities in these systems are weak and thus do not create conducive environments for women and gender minorities to access equal and equitable justice.
- Available victim and witness protection mechanisms lack integration of gender responsiveness thereby preventing women and gender minorities the access to avail such protective mechanisms.
- Legal aid is available for needy people including women and gender minorities in Sri Lanka. There is a need for proactive legal aid services for women and gender minorities, especially for victim survivors of gender-based violence that create a conducive space for such populations to freely access legal aid that provide more sophisticated services such as representation and protection of victim survivors.
- Other critical concerns that impede women's access to justice include the lack of awareness on the rights women have and how to assert their rights, unfamiliarity with bureaucratic processes, and general unawareness such as what laws apply to them, what constitutes a legal document or even the need for such a document.
- The rights, treatment and detention conditions of prisoners including women prisoners fall far below the threshold of rights of prisoners. There are extensive gaps in basic living standards, overcrowding of prisons, provision of services to which prisoners are entitled, including access to healthcare and opportunities for rehabilitation. Violence against prisoners is high leading to physical and mental distress and the high risk of breeding criminality, corruption and recidivism. The effective social re-integration of reformed prisoners has not been prioritized.

6.2. Peace and Security

Key Considerations

- The impact of conflict on women, girls and gender minorities and vulnerable men is devastating. Poverty, gender-based discrimination, multiple responsibilities of women, limited support structures, insecurity, vulnerable forms of employment, and the extent of trauma undergone converge to form multiple types of exploitation and vulnerability. These are exacerbated by structural discrimination as well as the lack of comprehensive long-term focus on post conflict issues.
- Sri Lanka has made several commitments to peacebuilding, reconciliation and good governance in keeping with commitments to the United Nations Security Council Resolution on Women, Peace and Security (Number 1325 of 2000), which addresses the impact of war on women and the importance of women's full and equal participation in conflict resolution, peacebuilding, peacekeeping, humanitarian response and in post-conflict reconstruction. The resolution also calls for special measures to protect women and girls from conflict-related sexual violence. More specific commitments are further outlined in United Nations Human Rights Council Resolution 30/1 on promoting reconciliation, accountability and human rights in Sri Lanka.

- Since 2015, Sri Lanka has made several commitments to peacebuilding, reconciliation and good governance – as outlined in the UN Human Rights Council Resolution 30/1. To further these commitments, a Consultation Task Force recommended women’s full and equal representation and participation in transitional justice and post-conflict reconstruction; and the development of the Sri Lanka Peacebuilding Priority Plan, jointly by the Government and the UN, which emphasised women’s meaningful and effective participation and contribution to peacebuilding.
- The Chapter on Women’s Rights in the National Human Rights Action Plan (2017-2021) includes many provisions to address issues such as law reforms, war-affected women, employment and enhancing institutional mechanisms. The cabinet paper and the subsequent draft of the National Action Plan for Women Headed Households (2019 - 2021) seeks to improve the socio-economic situation of women affected by the conflict. The Government is also presently drafting a National Action Plan on Women, Peace and Security.
- Women are especially negatively impacted due to war becoming female heads of households. Both women who have lost spouses and grown children to the war and internal conflict as well as widows of soldiers have resulted in the increase of female headed households in Sri Lanka. The National Framework for Women Headed Households was introduced specially to improve the socio-economic situation of women affected by the conflict. Services were provided such as credit facilities for enhancing livelihood development activities for galvanizing the national policy for eradication of poverty. There have also been efforts to encourage girls from such families to enter into technological fields which provide opportunities in accessing the labour market. But the Framework’s timeframe has lapsed, and it has not been revised. In addition to the traumas experienced, female heads of households continue to be negatively impacted due to war related issues including disappearances of bread winners, poverty, lack of access to land and property post conflict, security concern and high levels of violence against women and girls.
- Though women’s peace activism was considerable in Sri Lanka during the conflict, women have been largely left out of the decision-making forums for building a post conflict society. This includes women’s insufficient participation at decision-making level in ending conflict and reconciliation and lack of women’s full and equal representation and participation in transitional justice and post-conflict reconstruction and reconciliation processes, related law reforms, security and employment related institutional mechanisms.
- Women’s participation in lasting peace building creates a strong connection between the inclusion of women in peace processes and more durable and stable peace. There is more to be done to enhance women’s meaningful and effective participation and contribution to peacebuilding including effectively addressing ethno-religious tensions and violence that pose specific challenges to the rights of women and girls making them more susceptible to greater levels of violence and discrimination both within and outside their communities.
- Civil society engagement including with the participation of women and women’s groups, has been strong in the post conflict discourse and action. The structural, legal and procedural limitations placed on civil society as well as the suspicion and distancing of civil society and its work, prevents the comprehensive engagement of civil society in reconciliation and peace building.
- Inadequate understanding of and thereby insensitive and ineffective responses by the justice sector and law enforcement, deny access to grievance redressal and unfair treatment of sections of society impacted by conflicts.

- There is a need to ensure judicial mechanisms, truth commissions, and the active involvement of the Human Rights Commission in addressing post war and reconciliation issues considering redressal for long felt grievances of those affected by internal conflicts.
- Long term engagement to consider views, wishes and expectations of women, girls, gender minorities and marginalised men and boys on post war recovery and reconstruction, and the addressing of long felt grievances of directly and indirectly affected populations, have often been neglected by structures and processes aimed at post war recovery and reconstruction and in ensuring transitional justice.
- The need to raise awareness on peace and security remains in order to prevent a relapse into war and to safeguard the rights of all people in all parts of the country including women, girls and gender minorities.

Thematic Area 07: Freedom from Gender-based Violence

Key Considerations

- Women in Sri Lanka experience all forms of sexual and gender-based violence including violence in the private, public, professional and digital spheres immaterial of their age, religion, class, education, disability, sexual orientation, gender identity or geographical location. In recent times, domestic sphere and digital violence has risen in alarming proportions exacerbated by the Covid-19 lockdowns and the current economic crisis that has forced many to be confined to their homes impacted by diverse stresses created by these crises.
- The National Women's Wellbeing Survey (2019) on women's lifetime experiences of SGBV indicates that one in four women (24.9%) has experienced physical and/or sexual violence since the age of 15 by a partner or non-partner. On intimate partner violence the survey finds that one in five (20.4%) ever-partnered women have experienced physical and/or sexual violence by an intimate partner in their lifetime. Non consensual sex and underage pregnancies are two of the main forms of SGBV suffered by girls. There is a serious lacuna in reporting on SGBV against gender minorities and more so on the intersectional analysis of victims and survivors.
- Domestic violence or intimate partner violence is one of the most pervasive and prevalent forms of violence against women in Sri Lanka. However, victims suffer in silence for many years, sometimes up to decades before seeking help through informal means. Socio-cultural norms force women to keep family disputes and violence within the private sphere, discouraging victims from reporting and seeking formal means of redress through the police and justice sector.
- Sexual harassment while using public transportation is the most prevalent form of violence against women in Sri Lanka. While this is one of the main factors affecting women's participation in the labor force and women's mobility, little to no action is taken against perpetrators, either by victims themselves, bystanders, or authorities.
- Data on other forms of sexual and gender-based violence including rape, statutory rape, marital rape, gang rape, grave sexual abuse and incest are scarce and not uniformly collected. The shame of having been sexually exploited has devastating and marginalizing effects on victims, preventing most from reporting such violence or seeking medical or psychosocial assistance and legal redress.

- Trafficking of women and men occurs within and across Sri Lanka's borders, especially for forced labor and sexual exploitation. Limited understanding of the issue by victims and authorities hampers proper screening and identification of victims, investigation and prosecution and further limits access to services.
- Societal pressure, fear of stigmatization and outdated socio-cultural norms, myths and misconceptions that puts the onus on women to stay safe, be patient and tolerant, often justify and trivialise the violence they face and deter victims from coming forward to report gender-based violence. Therefore, most incidents of gender-based violence remain unreported and not reflected in official statistics. In the event of reporting crimes, the justice chain institutions from the Police to the formal courts of law can be intimidating and discriminatory to victims and many choose to by-pass these formal avenues.
- Sexual abuse of boys while prevalent in the context of sex tourism, schools, care homes, religious establishments, detention/incarceration, and other similar settings is severely underreported. Rigid gendered norms and notions on masculinity which place men as invulnerable to abuse and exploitation, prevent men from reporting violence, seeking redress and accessing limited services geared towards responding to sexual violence faced by men.
- Lesbian Gay Bi-sexual Transgender Queer and Intersex (LGBTQI+) individuals are also often overlooked as victims of gender-based violence. Given the ambiguity in the law and punitive lens adopted by law enforcement against them, LGBTQI+ individuals and even commercial sex workers are cast outside of the regulated framework to access legal, medical and other support services.
- Sri Lanka has a robust legislative framework to respond to most gender-based violence and crime. Yet, outdated gender norms, gender stereotypes and cultural beliefs are reflected in several laws and others remain inadequate to address present day changes and future challenges. Current rape law does not recognize men as victims of rape nor recognize marital rape as an offence unless in cases of judicial separation. Current domestic violence law only enables protection orders and does not create a criminal offence of domestic violence, as such, there is no provision to address the offender. Abortion is criminalized unless the woman's life is at risk, even in cases of rape and incest. There are also inadequate laws to address cyber violence and threats, violence and intimidation through digital and social media platforms that have been increasing with rapid technological advancements.
- There are many key actors from various sectors such as health, security, justice, education and media to effectively respond to victims of gender-based violence, yet there is little coordination, sustained commitment and sensitivity among them. Support services to address gender-based violence are inadequate and not uniformly available across the country. These include but are not limited to the lack of adequate counselling, legal aid, shelters, and victim friendly courts; shortages in female cadre in the police stations and courts and trained officers for interrogation and investigation; insufficient resources and training for prompt action; and lack of service providers in local languages. Reintegration support for communities and victims and follow-up on families also remains low due to lack of proper guidelines, processes and limited resources.
- There is lack of recognition that the formal justice system has an important role to play in addressing sexual and gender-based violence against women, especially as it is the only system that can hold perpetrators accountable to the acts of violence and crime they have committed and enforce legal remedies. Lack of sensitivity and tact among justice sector personnel and service providers (from judges,

lawyers, prosecutors, court staff, police, child protection officers, medical and educational officials, counsellors, mediators and those in welfare services); impunity and suspended sentences given for perpetrators of violence, discriminatory attitudes that minimize or discount access to justice, inordinate delays in prosecuting cases of sexual violence against women, often time consuming, intrusive and intimidating trial processes often causes serious emotional, psychological and economic repercussions to the victim and make justice a victim's last resort.

- There is a lack of formal training and sensitization of service providers, law enforcement, justice sector personnel and other officials in the response chain to prevent and respond to gender-based violence. Therefore, most continue to have patriarchal attitudes, outdated knowledge, insensitive responses and little understanding of the mental, physical, social, economic and generational impacts of gender-based violence to provide victim-friendly assistance. Therefore, most responses to address gender-based violence remains gender blind and not responsive to the real experiences and needs of women and girls who survive such violence.
- The education sector remains an underutilized resource for the prevention of gender-based violence. On one hand, to empower potential victims as most are unaware of their rights, laws that protect them and the services available, and on the other hand, to deter potential perpetrators as men and boys are also not aware of the rights and laws they are violating, have internalized notions of gender and masculinity and are not exposed to non-violent and alternative skills to cope with their emotions.
- Perpetrators of domestic violence and other forms of sexual and gender-based violence enjoy impunity from their crimes, benefit from suspended sentences and get away with little to no compensation. There are inadequate awareness programs, rehabilitation or support services for perpetrators and the absence of any form of registry for sex offenders leaves space for perpetrators to continue offending.
- Recent evidence is showing the deep-rooted causes, multi-faceted effects and the evolving nature of gender-based violence and violence against women. Intimate partner violence has been linked to untimely and unnatural deaths of women and violence during pregnancy has shown to lead to negative pregnancy outcomes including miscarriages, still births and maternal deaths. Wider socio-economic costs of violence and loss of economic productivity due to violence is also being calculated.
- External shocks, emergencies and disasters as experienced in Sri Lanka over the past few decades (including the protracted war, tsunami, COVID-19 pandemic, socio-political and economic crisis) have shown to contributed to and exacerbate violence against women. While women's vulnerabilities increase, little priority and resource allocation is made to address gender-based violence in such circumstances.

Thematic Area 08: Children – with special focus on The Girl Child

Key Considerations

- The child population in Sri Lanka shows an equal distribution of girl and boy children as well as female and male adolescents.
- Sri Lanka was one of the first member states to sign the Convention on the Rights of the Child becoming a signatory in 1990, ratifying the instrument in 1991 and formulating the Children's Charter in 1992. The National Child Protection Authority (NCPA) was established with the full powers of a legal enactment in 1998.

- Educational enrolment of both girls and boys is high at 99 percent in Sri Lanka. Women participate equally with men in higher education with some gendered disparities in fields of education.
- Despite these commitments, there is yet to be an overarching policy framework drafted for the strengthening or reform of the entire child protection system that brings together all relevant state institutions working together with civil society.
- The legal age of employment in Sri Lanka is 16 years. Despite this, labour exploitation of girl and boy children where children work as low paid or unpaid workers takes place especially in the areas of domestic work, work in small industries, factories and as unpaid workers in family enterprises and agricultural activities to the detriment of education and rest.
- Gender role stereotyping from children is seen with girl children relegated to traditional gendered roles of care givers, stereotyped behaviour expected of girls thus depriving the full enjoyment of opportunities available. This impacts on boy children to conform to gender stereotyped masculine roles and prevents the full enjoyment of life as well but gender role stereotyping is more restrictive of girl children.
- The legal minimum age of marriage in Sri Lanka for almost all women and girls is 18 except those governed by certain personal laws that recognize a lower age of marriage for girls. These personal laws contravene the universal rights of girl children exposing them to marriage for which they are mentally and physically unprepared for. Despite the legal age for marriage for most girls, underage relationships and unions that are not recognized by law exist, thus making such girls disempowered to the rights within a marriage. Underage marriage is often a result of teenage pregnancies. Teenage pregnancies are seen in all parts of the country resulting from lack of comprehensive sexuality and reproductive health education, sufficient parental protection and guidance and also as a result of crimes of statutory rape and incest. Teenage mothers are stigmatized and abandoned and the State and civil society led care for teenage mothers is insufficient.
- Violence against girl and boy children is a serious issue in Sri Lanka. This includes sexual violence and sexual exploitation of children – statutory rape, incest, sexual abuse and sexual harassment including commercial sexual exploitation, trafficking and technology facilitated gender-based violence. Victims of such violence under the age of 18 years often face added challenges and discrimination and do not have the adequate protection and support to continue with their education.
- Bullying is a widespread form of violence against girl and boy children. The practice of bullying, or aggressive behavior by children to other children, is a widespread and serious issue across the country. Creating an atmosphere of anxiety, fear and insecurity created by bullying which undermines children's mental and physical wellbeing and the quality of education, recreation and deriving children of the full enjoyment of childhood. Gender differences in victimization and perpetration of bullying shows that rates were consistently higher amongst boys in comparison to girls. However, this did not mean that girls were exempt from victimization or perpetration. Bullying is common in educational institutions, sport and even in homes perpetrated by children and by adults including parents, teachers and sports coaches. Cyber bullying adds another phenomenon to this issue where children are active on virtual spaces and social media platforms.
- Corporal punishment is still an accepted norm in Sri Lanka and often portrayed as a necessary means of bringing up and educating children. Corporal punishment is often justified by reason and severity without concern on the mental impact of corporal punishment on children. The issue is serious where it is normalized even among children.

- Neglect of girl and boy children on the one hand due to diverse reasons used to justify neglect such as poverty, the over protection of children, and the pressures on children to perform in education, sports and extracurricular activities and to conform to unreal images of 'good children' by parents, teachers and society at large, are two sides to an issue of practices that are harmful to girl and boy children.
- Access to justice and grievance redressal is either widely unavailable or unknown with children themselves having little access to such. Children in contact and conflict with the law have to navigate a formal justice system even in the systems created for juvenile justice with insufficient sensitivity and use of available processes and procedures for children engaged in crime, victims of crime and witnesses to crime. The incarceration of children is rife with systems that are wholly unsuitable and rarely addressed in proactive and practical ways by the State despite commitments.
- Alternative care for children is primarily focused on institutional care for vulnerable and marginalized children over foster care. These institutions are categorised into many types as remand homes, certified schools, state receiving homes, training and counselling centres and one-third of these homes are located in the Western Province. Institutionalization is not globally recognized as the ideal alternative care arrangements for needy children and foster care systems that help integrate children back into society are the preferred options which are not in place in Sri Lanka. The environments in institutional care systems have sometimes been reported as being violent where children have been subjected to physical, psychological, and sexual abuse.
- Stress and anxiety are reported among girl and boy children in Sri Lanka due to diverse reasons including poverty, pressures of high performance, conformity to socially accepted and often gendered roles. This has been exacerbated due to COVID 19 and economic crisis related issues including lock downs and the lack of ability to attend school physically or engage in recreational activities as well as increased domestic violence against children, mental health issues and even suicide. Thus, there is a need for a comprehensive, child friendly and accessible mental health and wellbeing and psychosocial support systems for children.
- Education of children has been severely hampered by COVID 19 and economic crisis impacts with children having to resort to home based online education causing children to be confined to their homes, restricting interaction with peers and limiting opportunity for school based extracurricular activities. Access to online education during the Covid 19 epidemic was limited by many factors including lack of mobile phones, laptops and desktop computers largely due to unaffordability, poor broadcasting signals, and inconsiderate broadcasting schedules. and rural children were more disadvantaged than those in cities and suburbs.
- Gender-based educational segregation continues to be seen in the country with girl children expected to follow gendered subjects, perform gendered roles and at times protective measures that prevent girl children from enjoying the full benefits of free education as well as their right to choice and movement.
- Water and sanitation take on a special importance when girls reach puberty, and issues of menstrual hygiene and privacy prevail. Poor water and sanitation facilities in schools is currently one of the primary reasons for school absenteeism among young girls. This issue is only made worse by the social stigma attached to menstruation, poor access to female teachers and low awareness of proper menstrual hygiene in school and at home.

- Girl and boy children have little awareness of and access to sexual and reproductive health and rights, and issues closely correlated to poverty, education and lack of access to proper sources of information including media. This negatively affect children's physical and emotional wellbeing as well as leads to unwanted pregnancies and sexually transmitted diseases.
- Nutritional needs of adolescent girls are an issue of concern where obesity, undernutrition and malnutrition are widespread among adolescent girls.
- Substance abuse (alcohol and drugs) and lack of information on substance abuse and its impact from a scientific and not a righteous perspective is another neglected area when it comes to girl and boy children. There is little understanding and sex disaggregated information of substance abuse among children.
- Poor children, rural children, street children and children affected by conflict are especially vulnerable to all forms of negative impacts set out above.