SRI LANKAN WOMEN’S AGENDA ON PEACE, SECURITY AND DEVELOPMENT

A joint project of AWAW, Columbia University’s Peace building and Rights program and Peace is Loud.
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<td>CEDAW</td>
<td>Convention on Elimination of all forms of Discrimination Against Women</td>
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<td>CSO</td>
<td>Civil Society Organization</td>
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Sri Lankan Women’s Agenda on Peace, Security and Development

We, women of Sri Lanka committed to peace, security and development in Sri Lanka:

Recognizing that ensuring women’s inherent dignity and equal rights is the foundation for peace, security and development in Sri Lanka;

Noting that disregard of women’s rights in the postwar context has resulted in lack of women’s participation in the reconciliation, reintegration, and development processes and in political decision making bodies;

Considering that women in Sri Lanka reaffirmed their faith in Article 12 of the Constitution of the Democratic Socialist Republic of Sri Lanka guaranteeing the equal rights of men and women;

Noting that three years have passed since the conclusion of the war, but still there are serious security, equality and economic concerns for women in the areas of recovery, resettlement, reconstruction, and reintegration in Sri Lanka;

Reaffirming the equal rights and human dignity of men and women enshrined in the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Child Rights Convention;

Noting the importance of the submissions made by women to the Lessons Learnt and Reconciliation Commission (LLRC) and the importance of implementing the recommendations on women made by the LLRC;

Reaffirming the principles of equality and rights articulated in the Women's Charter of 1993 and promises made in the Development Policy Framework of Sri Lanka, “Mahinda Chintana”;

Considering the obligations of the government of Sri Lanka to implement the Concluding Observations of the Committee on the Elimination of Discrimination against Women, especially paragraphs 40-41 with regard to the impacts of conflict on women;

Noting that Sri Lanka committed to ensuring the equal rights of women in the areas of economic, social, cultural, civil and political rights in the National Action Plan for the Protection and Promotion of Human Rights;

Emphasizing that the United Nations Security Council Resolution 1325 on Women, Peace and Security and its subsequent Resolutions 1820, 1888, 1889 and 1960 have put in place an international legal framework for women's equal participation and full involvement in the prevention and resolution of conflict and peace building;

Bearing in mind that any forms of undue exclusion of women amount to violation of the principles of equality;

Taking into account that involving women in decision making, governance, and post conflict reconstruction, and ensuring women's needs and rights are keys to creating sustainable peace and development in Sri Lanka;

Now, declare that, the Sri Lankan Women's Agenda on Peace, Security and Development is a common standard of expectations that reflects the aspirations of all Sri Lankan women for the realization of justice and gender equality, especially in the post war context, and that urges the government to adopt a gender sensitive approach to the recovery and rebuilding processes in our country;

We have agreed on the following:

Women’s development in Sri Lanka commenced with the grant of universal adult franchise and with equal access to education and health facilities. These developments were further enhanced by policy reforms, legislative changes, and the introduction of institutional mechanisms and empowerment of women through participation in social and economic development programs at all levels.

Women constitute over 53 percent of the population. They constitute one third of the labor force, contributing a large share to the national economy. Awareness-raising on gender equality issues has contributed to the current visibility of the multiple roles played by
women. This has resulted in the acquisition of basic rights for women and increased access to justice.

Despite these achievements, women are still underrepresented at decision making levels in governance and employment and subjected to economic exploitation as well as physical, sexual and psychological violence with impunity. Marginal attention is paid to issues of women affected by the armed conflict and women are underrepresented in national development planning. Women’s groups have advocated policy changes, especially during the last two decades, but without success in the absence of adequate representation of women in governance and at decision making levels.

The country’s gender dialogue is now focused towards protecting rights and ensuring equality of women affected by the armed conflict. Even with the attention paid by the government, civil society organizations, and donors to the recovery of these communities, much more attention is required to enable them to re-establish their lives. Having ratified CEDAW and having accepted UNSC Resolution 1325, the government is accountable for the improvement of the situation of women and for guaranteeing the protection and promotion of women’s rights. The Report of the Lessons Learnt and Reconciliation Commission emphasized the welfare needs of the war affected women and woman-headed households as a major conflict challenge that needs to be addressed as a matter of priority. Both the National Action Plan of the National Framework Proposal for Reintegration of Ex-combatants into Civilian Life in Sri Lanka and the National Action Plan for the Protection and Promotion of Human Rights have specific sections addressing the topics of women’s advancement and protection.

Women were the part of the population most affected by the conflict. For many, repeated displacements, loss of loved ones, property, livelihoods and insecurity have made them very vulnerable. Their lives have never been the same even with the recent resettlements. Women in general and woman-headed households in particular, are severely confronted with many new challenges. The LLRC report indicates that the female-headed households in the North and East are estimated to be 59,501, with 42,265 of those living in the Eastern Province and 16,939 in the Northern Province. These women are mainly from agricultural/rural communities.

The need for a separate course of action for women is warranted as most of the available assistance is given to men as a result of conformity with the male head of household concept. Structural inequality based on sex and gender leads to women rarely having equal access to resources, political rights, or authority to control their environment as men do and that they are disproportionately affected by the consequences of war. The post war reconstruction process is directed at the family unit and do not pay attention to the fact that women’s needs and concerns are different to those of men. Although in certain
districts women are consulted in rehabilitation work their views are not prioritized in decision making.

Areas of Major Concern:-

1. Women's Security and Safety:

Three years have passed since the conclusion of the war but still there are serious security concerns for women in the country. Occurrences of rape and girl child abuse have increased to an extent that sends shock waves across our society. According to the country’s crime record there are at least five reported rape incidents every day and it is an established fact that most crimes of this nature never get into the record books. The shocking truth is that in most of these cases the perpetrators are those with authority and power. The perpetrators behind the “grease devil” phenomenon, which created fear psychosis among women from all parts of the country, are yet to be traced. Apart from these grave crimes women also face numerous security and safety issues in their day to day lives, especially in the North and East of the country. Delayed normalization and return to civilian life, as well the existence of paramilitary groups, are cited as the major reasons for this situation in the war-affected areas. One must also note that Sri Lanka has never had formal and systematic demobilization or disarmament process in place since the Janatha Vimukthi Peramuna (JVP) insurrection or the Liberation Tigers of Tamil Eelam (LTTE) war. This situation has created space for the proliferation of illegal light weapons and small arms. This development has not only increased domestic violence in an alarming manner but is a serious security threat to women and society as a whole.

Related policy and recommendations in place:

CEDAW, Child Rights Convention, the International Covenant on Civil and Political Rights, and the International Covenant on Social, Cultural and Economic Rights;

2. Prevention of Domestic Violence Act No 34 of 2005
3. The Declaration on the Elimination of Violence Against Women of 1993
4. Lessons Learnt and Reconciliation Commission Recommendations 5.116, 5.117
5. Sri Lanka Women’s Charter of 1993, part 14 section iii, part 16 sections i, ii, and iii

Recommendations:

I) Demobilize and disarm all paramilitary groups irrespective of their allegiances

II) Take necessary steps for a speedy transformation from militarization to normalcy

III) Take measures to replace uniformed men by women wherever possible

IV) Fully implement the National Action Plan of the National Framework Proposal for Reintegration of Ex-combatants into Civilian Life in Sri Lanka

V) Expand and further strengthen the services of the women’s desks in police stations to handle gender based violence more effectively

VI) Make sure that women police officers are manning the desk and that they are proficient in local languages

VII) Where necessary, establish counseling, legal aid, shelter and mental health services and improve existing support networks to cater to the needs of women affected by violence.

VIII) Ensure that Law enforcement officers at all levels are aware of UNSCR 1325, 1820 and all other domestic laws and regulations related to violence against women

IX) Organize gender sensitive awareness-raising programs for law enforcement officers, attorneys and the Mediation Boards to bring about attitudinal changes among those working in the criminal and civil justice systems

X) Ensure that 50 percent of the members of Civil Security Councils are women

XI) Provide legal counseling for women subjected to family separation and those who are subjected to trauma

XII) Ensure effective reintegration of women ex-combatants and organize community level programs to address their needs and concerns
2. Women and Development:

The war claimed tens of thousands of lives and displaced more than 280,000 people, primarily in the North and East of the country. Families were destroyed and many were forced to migrate, suffering from hunger and loss. This conflict brought substantial social, political, economic and cultural ramifications to the entire nation. According to the government of Sri Lanka’s estimate, in the North and East “there are 90,000 widows most of them below the age of 40” and in a survey conducted by the Jaffna-based Center for Women and Development, it was revealed that the Northern region had approximately 40,000 female-headed households, including more than 20,000 in Jaffna District. This indicates that a large number of families in the war affected area are headed by women with no means or skills to fend for themselves and their families.

The situation of having a woman in charge of the family is new to the people of the North and East. Traditionally, women were sheltered and kept at home and their primary duty was taking care of the home and children while the men worked and earned for the family. Most of these women, out of desperation for a livelihood, have also been forced to take up odd and difficult jobs in order to feed their children and maintain their disabled family members. Some women have also taken up traditionally male-dominated jobs such as fishing and farming, which are the main income generators.

It is noteworthy that for several reasons, such as lack of skills and education, these women have little or no employment opportunities, and receive little in way of livelihood or income generation support. Having stepped out of their traditional roles to fend for their families, such women are not used to the competitive nature of the working environment. Because of their humble nature, they do not challenge or question their authorities when being treated unfairly, which only exacerbate their difficulties. According to Birgitte Sorenson, “women's post war position will be partly determined by their former position in the landscapes of conflict, as internally displaced persons, widows, single breadwinners, victims of rape or torture, ex-combatants, refugees, etc.”

At this juncture, it is necessary for these war-affected women to overcome the losses they sustained so that they can start a fresh and build a new society in the post-war environment. Most women in the North and East have been affected by the loss of family members and income earners through death, disappearances, desertion, separation or divorce and the inability of the spouse to generate income. This has led them from their
traditional roles of daughters, wives and mothers to becoming principle income earners of their family. Statistics show that out of one hundred women 80 percent are either widowed, unmarried, divorced or living separately from their husbands. Among these women, 70 percent are heading households.

This change in the gender demographics of women in the North and East means that a large number of women have become the primary breadwinner for their family, although they lack capacity and resources to fulfill that role. About 80 percent of these women are unemployed.

Women in the post war context in Sri Lanka are subjected to numerous hardships as mentioned above from lack of legal ownership of land to loss of livelihood. The government’s resettlement program has not reached the very needy in a manner that enables the communities to get back to normalcy in a short time span. Hundreds still live in makeshift huts exposing women to challenging issues of safety beyond the extreme poverty that they constantly face.

**Related policy and recommendations in place:**

1. National Action Plan for the Protection and Promotion of Human Rights –2011 focus areas 2, 3, 5, 7, 8, 9, and 10
2. LLRC Recommendations 5.111, 5.112, 5.114, and 5.115
4. National Framework Proposal for Reintegration of Ex-combatants into Civilian Life, 2.6 of part F, 4
5. CEDAW Concluding Observations 199, 211, 225, 231

**Recommendations:**

I. Increase and facilitate women’s access to credit, skills and extension services

II. Introduce laws to ensure gender-sensitive wage policy for women working in the informal sector including domestic workers

III. Encourage the private sector to set up industries in the affected areas for employment, especially for young women

IV. Design policies for provision of inputs to promote home based industries, with special emphasis on entrepreneurship, training and marketing

V. Promote women’s role in agriculture and animal husbandry through provision of training, inputs and establishing community farms
VI. Introduce a service package for livelihood development including credit, skills development, entrepreneurship, market information and value added production

VII. Amend gender discriminatory laws that prevent women’s equal access to land and inheritance

VIII. Raise women’s awareness of their rights

IX. Quantify the economic contributions of women, especially those working in the plantations, factories and in foreign employment

X. Women owning and dealing with land should have the right to compensation for the damaged properties. Land administration needs to be gender sensitized in order to ensure equality in alienating land

3. Women in Decision in Making:

Sri Lanka until recently had a female president, and was the first country, to produce a women head of state way back in 1961. Women generally have equal access to education and healthcare. As the country attempts to strengthen its political institutions and continues to develop the parameters of a future peace, women should be placed in key roles where they can bolster Sri Lanka’s shaky democracy and change the patterns of behavior that have allowed so much violence in recent years. But in order to be effective in these posts and become part of a much needed democracy strengthening effort, women require training and support.

Women in Sri Lanka enjoy many of the same benefits that men do. Most receive 13 years of education and there is free access to schooling for women throughout most of the country. Many Sri Lankan women also work and enjoy equal access to jobs in addition to playing a central role in Sri Lankan home life. In fact, despite Sri Lanka being one of the first countries to allow women to vote, and although it has a Ministry of Women’s Affairs and formerly had a Gender Sub-Committee as part of the 2002 – 2006 peace process, Sri Lankan women hold only 2 percent of elected positions in local government and 3 percent in Provincial governance, and make up only 5.8 percent of representatives in central government. Unlike neighboring countries, Sri Lanka also does not have a quota requiring a certain percentage of women to run for local office. This problem has been a focus of women’s groups in recent years, but the campaign to introduce a quota has gained little traction in Sri Lanka’s deeply conservative polity.
The obstacles to women’s participation are directly related to the difficulties confronting Sri Lankan democracy in general. As the recent Tsunami relief effort has highlighted, the practice of democracy in Sri Lanka consists primarily of voting. Other than this, however, the Sri Lankan political system is highly centralized and hierarchical, and there is very little effort on the part of public representatives to be responsive or accountable to citizens. Past efforts to improve local government performance in Sri Lanka have not produced meaningful devolution or decentralization due to a lack of clear delegation of administrative and fiscal authority to local levels. Instead, patronage and clientelism tend to dominate the practice of local, municipal and central government, usually reinforcing existing tensions. In addition to a highly centralized decision-making structure and deeply ingrained patronage systems, generalized lack of capacity and infrastructure also hinder delivery of public services. All of this reinforces a competition for resources and lack of democratic practices, which in turn produce the violence and instability Sri Lanka witnesses in a number of different forms.

Women in this context face related and reinforcing challenges. Women are rarely selected to run for office by the existing, male dominated patronage culture. This is either because they are not part of the party patronage system (having come to seek office for other reasons) or they are not selected in favor of other candidates. Those who do run for local office face a very aggressive election system that uses violence to intimidate candidates and shape voting patterns. According to a number of studies on women in politics, women also tend to face more abuse in public life in Sri Lanka than men. The patronage system reinforces this violence because too many people have too much at stake in every election in a society where basic needs are satisfied only through connections to people in power. Families, husbands, and fathers, witnessing the violence associated with Sri Lankan politics, often (and understandably) stand in the way of women seeking to run for office.

Related policy and recommendations in place:

1. CEDAW Convention of 1979
2. CEDAW Optional Protocol of 2002
4. Sri Lanka Women’s Charter Parts 2, 3, 5, and 6
6. Women’s manifesto of 2007 and 2010
7. CEDAW Concluding Observations 221,222, 206

Recommendations:

i) Formulate policy which ensures the appointing of not less than 33 percent of women to all governing bodies
ii) Ensure that all political parties have not less than 33 percent of women candidates in their nomination lists

iii) Introduce a quota for women at all levels of governance, national, provincial and local, as recommended by women groups to the Parliamentary Select Committee on Electoral Reforms

iv) Build capacity skills of women to take up leadership positions in community based organizations and subsequently in political bodies

v) Empower women to face challenges in accessing positions of governance

vi) Advocate for increased representation of women in political and institutional structures from the village level upwards

vii) Ensure representation of women in all decision making bodies (i.e. Presidential Task Force)

viii) Introduce policy reforms at all levels that promote equal opportunities by appointing women to higher decision making levels both in public and private sectors and ensuring their implementation.

4. Rebuilding, Recovery and Reconciliation:

The military victory of the government of Sri Lanka (GOSL) in May 2009 and its post-war humanitarian crisis generated a mass exodus of internally displaced persons (IDPs) in which women and children have been the majority of the affected community.

The post-war stage presents its own menu of risks and vulnerabilities for women. Crisis situations affect men and women differently and disproportionately. Crisis always further jeopardizes the wellbeing of women more than that of men by placing them in situations that exacerbate existing inequalities in relation to women’s personal security, bodily integrity, health and well-being, and their socio-economic as well civil and political rights.

Anecdotal evidence suggests that violence against women and structural discriminations have increased in former conflict areas due to discriminatory policies and practices, heavy military presence, lack of authority to control their environment, limited access to basic necessities, combined with weak institutional protection mechanisms, breakdown of traditional support networks, norms and prejudices against women in the society, and
sexist attitudes and behaviours of power players that lead to a culture of violence and impunity. In this environment, women are exposed to various forms of sexual and gender-based violence that compromise their dignity, security, wellbeing and rights.

The general trend in labeling “Women as the Victim and Men as the Rescuer” has created a situation which has formed a huge gap in the active participation between men and women in post crisis responses and management. In these given circumstances, it is important to recognize the multi-dimensional nature of women’s victimization as well as of their efforts in conflict prevention, peace building and peacemaking during the conflict and post conflict periods. It is important to document women’s experiences and the impact on women in conflict situations, during times of transition to peace, and in post-conflict and reconstruction settings.

In post-conflict reconstruction efforts, women are often excluded from peace building processes. The marginalization or seclusion of women from decisions that affect their lives in the reintegration process constitutes a serious obstacle to the full enjoyment of their human and socio-economic rights. Increasing the capacity of women’s leadership and voice in peace building is integral for sustaining peace, largely because women are the majority in Sri Lanka and they have proved to be better peace keepers at home and in the community at large. Women outnumber men in post conflict areas and the numbers of female-headed households are higher than in the other areas due to long-term conflict.

There are considerable numbers of war widows who have lost basic necessities in their lives and are very vulnerable to poverty and social exclusion. Women too lost their jobs, lands, businesses, and sources of livelihood. However, women have been largely excluded from decision-making mechanisms in the reconstruction processes. Further, lack of women-friendly institutional norms, men-driven procedures and services together with marginalization of women from right to land ownership and livelihood opportunities have increased their vulnerability. Limited access to resources, and lack of skills, markets and income, are some of the contributing factors delaying early recovery in post conflict situations. Women in post-conflict areas are more vulnerable to violence within every sphere of their lives due to post conflict stress, trauma, the historical marginalization of human rights, and gender inequality. While there have been some attempts to address gender and women’s concerns in the aftermath of conflict in the reconstruction process, they have been slow and fragmented, and women’s crisis remains largely the same to date. Pressing concerns and transformative interventions and opportunities are required to bring women to a level playing field in the development efforts. Properly planned development interventions in post war situations could open a window of opportunity in which women acquire new skills and society nurtures women’s advancement. Where reconciliation is concerned women play a crucial role in building bridges across
communities and between people and thus they also play a major role in creating social harmony and friendship between one and all. Sri Lanka needs to explore this available valuable resource in making this country a peaceful one.

**Related policy and recommendations in place:**

1) National Framework Proposal for Reintegration of Ex-combatants into Civilian Life in Sri Lanka
2) LLRC Recommendation 5.112, 5.115, 5.114
3) Sri Lanka Women’s Charter Part 14 sections i and ii
4) Universal Periodic Review 2012 Section II

**Recommendations:**

i) Facilitate a process to bring women’s concerns and historical discriminations to the attention of the authorities and recommend actions to rectify those as priority issues

ii) Create a platform for women affected by war to discuss issues pertaining to their lives

iii) Facilitate women’s involvement in post-war reconstruction efforts to ensure that their societies are founded on justice and inclusion

iv) Facilitate a social dialogue between women’s groups from the North and East and other districts in order to bring women’s concerns into reintegration and reconciliation processes

v) Include women at the decision making levels of reconstruction, resettlement and reintegration processes

vi) Ensure that women’s concerns are taken into consideration when designing and implementing projects and programs on reconstruction and recovery

vii) Ensure that psychosocial support is in place for affected women if needed

viii) Ensure facilities such as housing and utilities such as water are accessible for all those who are resettled

ix) Provide infrastructure facilities such as electricity and transportation, and services such as education and health care, for all resettled people
x) Set up (by the local authorities) of local level grievance committees to assess the needs and problems of those who were affected by war in order to expedite a speedy recovery

xi) Develop mechanisms to monitor the implementation of the Language Policy

xii) Implement social integration programs through cross cultural events such as sports, interfaith dialogues, and exchange visits

xiii) Include peace education and nonviolent dispute resolution mechanisms in the school curriculum

xiv) Ensure that special community level programs are in place to address the concerns and needs of female ex-combatants

Institutional mechanism needed:

GO, NGO and donor coordination is vital to address these issues and to initiate sustainable action. Therefore several efforts need to be in place to improve the situation at the national, district and community levels. Because a coordinated effort on the part of the government, NGOs, and donor and community based organizations is imperative, it is proposed that a committee representing all these groups be appointed to work on the issues. A comprehensive action plan needs to be developed that, in the first instance, articulates policies and programs to improve the situation. The Ministry of Child Development and Women’s Affairs should be the convener in view of its responsibility towards monitoring of the Convention on Elimination of all Forms of Discrimination against Women (CEDAW) and implementing the recommendations of the CEDAW Committee. Woman Development Officers attached to each Divisional Secretary office should be entrusted to do a gender needs analysis of the area, especially in terms of social, economic, and legal counseling and infrastructure requirements which will be the basis for the Plan. With the support of the Group of Experts the results should be analyzed and incorporated into the Plan under various subheadings. The Plan should be a collaborative effort by the government organizations (GO), NGO and donor.

Responsibility for implementing the Plan lies with the organization, the Ministries, NGOs and CBOs in accordance with their areas of expertise. Monitoring of the program will be the function of the Ministry of Women’s Affairs. Establishing gender desks at the Divisional
Secretary office is vital in order to coordinate and monitor the governmental activities and NGO representation.

Women Rural Development Societies have been formed in many of the Grama Niladhari Divisions which play an active role in post war community development activities. Their potential could be harnessed to implement gender programs at the community level. Donor support is requested to address all these issues which come under the purview of safeguarding Human Rights and preserving equality and justice for women.

Conclusion

We would like to emphasize that women, who comprise 53 percent of the population, are an integral part of this society and, as such, their security and wellbeing has to be deemed of utmost importance. All forms of discrimination against any individual or section of the society, committed for whatever reason, will adversely affect the growth and stability of this nation. Women have played crucial roles in building sustainable peace in many parts of the world. Sri Lanka needs to exploit this untapped resource in making this country a peaceful and a prosperous one. It is important for us to learn from the past and understand the conflict in its all complexities, and more so to understand that dignity and equality have to be the overarching principles in our journey of finding lasting solutions. It is dedication to these principles which will enable all the peoples of this country to feel and enjoy the full citizen’s rights, so that their contributions in all forms will set the stage for Sri Lanka to move forward.
Association of War Affected Women