



## **Introductory Statement**

At the Presentation of  
Sri Lanka's 8<sup>th</sup> Periodic Report (CEDAW/C/LKA/8) submitted under the  
International Convention on the Elimination of All Forms of  
Discrimination against Women

by

**Mrs. Chandrani Senaratna, Secretary, Ministry of Women and  
Child Affairs, Leader and the Members of the Sri Lanka  
Delegation**

66<sup>th</sup> Session of the Committee on the Elimination of Discrimination  
against Women (CEDAW)

22 February 2017

**The Permanent Mission of Sri Lanka to the United Nations  
and other International Organizations in Geneva**

**Opening Statement by Sri Lanka at the Review of the 8<sup>th</sup> Periodic  
Review of Sri Lanka to the Committee on the Elimination of All Forms  
of Discrimination against Women (CEDAW)**

**22 February 2017-Geneva**

Madam Chairperson and distinguished members of the Committee,  
Representatives of civil society in particular from Sri Lanka,  
Ladies and Gentlemen,

It is with great pleasure and honour that the delegation of Sri Lanka joins the Committee on the Elimination of All Forms of Discrimination against Women, today, to share information on the measures taken by the Government of Sri Lanka to eliminate discrimination against women in the country. The last Review was held in 2011 and we believe that there is progress in the country on this subject.

May I now introduce my delegation,

H.E. Mr. Ravinatha Aryasinha, Permanent Representative of Sri Lanka to the United Nations in Geneva,

H.E. Ms. Manisha Gunasekera, Ambassador of Sri Lanka to the Republic of Korea,

Ms. Ayesha Jinasena, Senior Deputy Solicitor General, Attorney General's Department,

Ms. J.A. Bimshani, Assistant Superintendent of Police, Sri Lanka Police,

Ms. Samantha Jayasuriya - Deputy Permanent Representative,

Ms. Shashika Somaratne - Counsellor,

Ms. M.L.F. Mafusa - First Secretary,

Ms. Dilini Gunasekera - Second Secretary, of the Permanent Mission of Sri Lanka in Geneva,

and Ms. Rajmi Manatunga, Assistant Director/UN, Ministry of Foreign Affairs.

As you would be aware, this Review takes place at a time when Sri Lanka is experiencing a unique and historic political development. The two main political parties in the country, the SLFP and the UNP have come together, for the first time since independence, to form a National Unity Government. As a result, during the last two years, Sri Lanka has taken many bold and progressive steps in the fields of human rights, reconciliation and economic development.

Sri Lanka is a party to all 9 core human rights treaties. It is with great commitment and effort that we considered the Concluding Observations of this Committee presented in 2011 as well as the follow-up List of Issues provided in CEDAW/C/LKA/Q/8, when preparing our response. This is the considered collective work of many stakeholders, although only few are present here in Geneva for the Review today. We take this opportunity to thank the civil society organizations and the UN agencies for their engagement with the Government in working towards the rights and welfare of Sri Lanka women, and for their assistance in compiling our Periodic Report<sup>1</sup>. We wish to specifically thank UN WOMEN for the technical advice provided throughout this process. As you may have noted, a large number of civil society organizations have taken interest to provide information and shadow reports on a number of aspects, which are of importance.

Since the Presidential Election in January 2015, the Government has adopted a policy of engagement with civil society and human rights defenders and as such, the concerns that they have expressed in these reports are well noted. The Government has also adopted a policy of constructive engagement with the UN and has strengthened and renewed Sri Lanka's relations with the UN. In this context, in December 2015, the Government extended a standing invitation to UN Special Procedures Mandate Holders, and during the past two years the Special Rapporteurs on Minority Issues; Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Independence of Judges and Lawyers, and the Working Group on Enforced or Involuntary

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<sup>1</sup> Para 5, Sri Lanka's 8th Periodic Report to CEDAW, CEDAW/C/LKA/8.

Disappearances visited the country. The recommendations made by them following their visits were taken into account when preparing for this Session.

Madam Chair,

As explained in our 8<sup>th</sup> Periodic Report and the written response to the List of Issues, Sri Lanka has demonstrated its commitment and political will to improve the situation of women in the country. We are mindful of the challenges that we face, as a multi-ethnic and multi-religious country, and as a country that has suffered the scourge of terrorism that has affected all aspects of Sri Lankan life. Women undoubtedly have suffered the most due to the conflict as mothers, wives, and daughters, and as a result, in many cases, they have become the sole breadwinners of the family. As such, the Government has made this issue a priority and has taken a multi-sectoral approach to address issues related to the rights and welfare of Sri Lankan women, including those affected by the conflict.

As reported in our response, we have embarked upon a number of ambitious and progressive initiatives since our last meeting, and we wish to elaborate on them during this review.

#### **A) The Status of the Convention in Law**

The Government in ratifying the Convention in 1981 accepted the Convention without any reservations, and further, became a party to its Optional Protocol. The CEDAW Convention has been a firm basis for the fundamental rights policy directives related to women's rights and for the national programmes in prevention of discrimination against women, which were strongly anchored in the overarching constitutional guarantees provided in Article 12 (2)<sup>2</sup> of the Constitution of Sri Lanka. Therefore, not having enacted a specific law on CEDAW has not prevented any interested party seeking redress before the law. The Convention is translated and is available in the two national languages.

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<sup>2</sup>Article 12 (2) of the Constitution states 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.

In particular, Article 126 of the Constitution on fundamental rights, jurisdiction and its exercise clearly states that *“The Supreme Court shall have sole and exclusive jurisdiction to hear and determine any question relating to the infringement or imminent infringement by executive or administrative action of any fundamental right or language right declared and recognized by Chapter III or Chapter IV”*. Further, it is possible that the victim herself or by a representative lawyer could seek justice, and the Supreme Court is obliged to make its final decision within two months of the filing of such petition or the making of such reference. Hence, there is sufficient legal guarantee to challenge any discrimination including sexual orientation.

Additionally, Article 27 (6) of the Constitution ensures state obligation in guaranteeing equal opportunity and prevention of exploitation for all citizens and is an example on how the existing provisions cover the principles in the Convention. Hence, we believe that the principle of equality of men and women and prohibition of discrimination based on gender have been adequately embodied in the Constitution-the supreme law of the country.

As explained in Sri Lanka’s response to the List of Issues, in addition to the Constitution, Sri Lanka has enacted several legislative enactments giving effect to the provisions of the CEDAW, providing for the implementation of the Convention<sup>3</sup>.

These include amendments to the Penal Code in 1995, 1998 and 2006; Citizenship Amendment Act of 2003; Prevention of Domestic Violence Act of 2005; new regulations under Education Ordinance in 2016 raising mandatory age of school education from 14 to 16 years; Assistance to and Protection of Victims of Crime and Witnesses Act of 2015 and Ragging Act of 1998.

Additionally, Article 12 (4) of the Constitution states that nothing in Article 12 shall prevent special provisions being made by law,

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<sup>3</sup>Para 12 and 13 of the Concluding Observations of V-VII Report of Sri Lanka

subordinate legislation and executive action, for the advancement of women, children and disabled persons.

Therefore, the absence of a Special Law on Women's Rights to enact the Convention under domestic law of Sri Lanka does not detract from the rights already recognized under the Constitution and the legal measures already in place.

Notwithstanding the above, the Government of Sri Lanka is presently in the process of considering proposals to draft a new Constitution, which will be discussed in Parliament, currently sitting as a Constitutional Assembly. The draft Constitution will thereafter will be placed for a referendum by the people, as required. One of the key areas in this new draft will be its Chapter on Fundamental Rights. There is also consideration regards the inclusion of a section on women's rights in the fundamental rights chapter of the new Constitution<sup>4</sup>.

## **B) Action taken by the Government to Prevent Discrimination and Violence against Women**

The Chapter on Women's Rights of the National Action Plan for the Protection and Promotion of Human Rights (2017-2021) [NHRAP] has made several specific provisions to include the rights prescribed in CEDAW in the areas of violence against women, abortion, Women Headed Households (WHHs), employment, education etc. Despite the progress made by Sri Lanka in many fields related to women's empowerment, many more efforts are required to achieve gender equality in line with international standards.

The Sri Lankan legal system is a combination of Roman Dutch law, English Common law, and customary personal laws. The Government is mindful of the concerns regarding certain personal laws having a discriminatory impact on women. These aspects are being addressed.

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<sup>4</sup> Chapter on Women's Rights of the National Human Rights Action Plan 2017-2021

In particular, the Government is attentive to the personal laws, namely the Kandyan law, the Thesawalamai and the Muslim law. With regard to the concerns on early marriage, there is wide discussion among stakeholders of all communities, including members of the Muslim community, which comprises 9.3% of the total population of Sri Lanka.

In 2009, the then Justice Minister appointed a 16-member committee to “Consider and Propose Reforms to the Muslim Matrimonial Law and Upgrading of Quazi Courts in Sri Lanka”. This Committee included female members from the Muslim community<sup>5</sup>. Among the subjects which are under review by the Committee are the setting of a legal age for marriage, the need for gender mainstreaming in the appointment of Quazis, adequate compensation during divorce and a more gender sensitive personal laws governing the Muslim community.

The MWCA has conducted consultations and workshops to sensitise and to advocate changes to the personal laws, for the respective communities and civil society organizations. As indicated in our response to the List of Issues, a report on the recommendations made following the consultations has been submitted to a Cabinet Sub-Committee appointed in October 2016 to make proposals with regard to amending the Muslim Marriage and Divorce Act, which is now under effective consideration.

It is envisaged that the increase of the age of compulsory education from 14 to 16 years under Special Gazette notification issued on the 20<sup>th</sup> April 2016 by the Ministry of Education, as well as the high school participation rate of girls in Sri Lanka, would contribute to the continuation of education by girls, thereby discouraging early marriage.

Further, the Government has repealed the discriminatory citizenship laws, thus enabling a woman of Sri Lankan origin to confer her

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<sup>5</sup> Additional Information submitted by GoSL following the consideration of the 5th Periodic Report under the ICCRC in October 2014

nationality to her children, in particular to children born outside the country<sup>6</sup>.

### **C) Women in Conflict**

As stipulated in General Recommendation 30 on Women in Conflict, in its post-conflict phase, Sri Lanka has identified and prioritized redress for issues such as enforced and involuntary disappearances and the quest for right to truth, in tandem with socio-economic empowerment and development of women impacted by conflict. In this regard, the Government has enacted legislation to establish an Office on Missing Persons (OMP) with the mandate to search and trace missing persons; to protect the rights and interests of missing persons and their relatives; and towards ensuring non-recurrence. The Government is proceeding with mechanisms related to justice, reparations and truth seeking, and a Secretariat to coordinate these mechanisms (SCRM) has already been established. Further, the Government has established an Office for National Unity and Reconciliation (ONUR) headed by former President Chandrika Bandaranaike Kumaratunga.

Being mindful of the impact of the conflict on women, the Cabinet has approved the formulation of an Action Plan for Women Headed Households in September 2016. This is the result of MWCA's collaboration with the UN Gender Theme Group. The initiative, commencing from the District of Kilinochchi, will initially select 260 WHHs with diverse backgrounds and vulnerabilities in each district, and provide tailored assistance based on the type of WHHs and context. Single women households and war widows are especially catered to by legal aid and mediation mechanisms in the North and the East. The proposal developed by the UN Gender Theme Group provides a comprehensive definition of WHHs. The approved plan prioritises 6 programming areas including livelihood development; support services systems; protection; social security and national policy level formulation and awareness building. The first draft of this Action Plan for 2017- 2019 has already been developed.

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<sup>6</sup> Amendment Act No. 16 of 2003 to Citizenship Act No. 18 of 1948

According to the 2012 census of population and housing, there were 716,703 widows in Sri Lanka and 1,270,293 WHHs. The Government takes its responsibility towards addressing the special needs of this group very seriously, and is working with UN Women, UNFPA and other international agencies, civil society as well as bilateral partners to address their concerns and requirements.

Under the directive of the Prime Minister, a National Centre for the Empowerment of Widows and Women Headed Families was established in Killinochchi District on 13 November 2015. It will function as the main resource centre in providing services mainly for in the Northern and the Eastern Provinces. Women Development Officers, Counselling Assistants and Child Rights Promoting Officers in the Northern Province conduct programmes in this office. Additionally, it may be noted that all five officers recruited to each Divisional Secretariat in the North and the East to work on women and child affairs are Tamil speaking. They have been given training in counselling and referring cases of service seekers to legal aid.

The Women's Rights Chapter of the NHRAP further elaborates on the measures to improve the state response and action to meet the basic needs of WHHs in a cohesive and holistic manner and to reduce poverty among WHHs.

Several livelihood and income generating programmes are implemented by the Government since May 2009 addressing the needs of women and their economic and social rights, particularly WHHs in the Northern and the Eastern provinces.

They include the "Single Parent Families Development Programme" under the then Ministry of Social Services, which provided self-employment and micro-enterprise assistance from January-June 2014 to 208 single parents from the Northern Province and 18 single parents from the Eastern Province, making the total number of beneficiaries 533 individuals in the Northern Province and 92 in the Eastern Province from 2009 to date.

Livelihood programmes have and continue to be conducted for WHHs in 30 villages in the Northern and Eastern provinces.

A database of WHHs has been established with the support of UNFPA. Special vocational and non-formal training programmes are conducted for women who have not been able to continue with their formal education due to the conflict. Women headed families in the Northern and the Eastern Provinces benefit from these programmes.

Rs. 75 million was allocated last year under a special project for 10 districts in the Northern, Eastern and North Central provinces for war widows and low income earning WHHs selected on a priority basis.

Programmes have also been implemented targeting widows and WHHs in the conflict affected areas as a component of the 'Divi Neguma' programme.

Considering the issues related to land ownership faced by women, in particular those affected by the conflict, a draft amendment to the Land Development Ordinance has been submitted to the Legal Draftsman for finalization.

On 06 August 2016, the Cabinet approved the National Policy on Durable Solutions for Conflict-Affected Displacement targeting the most vulnerable groups including WHHs. The Policy provides for support to meet the critical needs of resettled communities with special attention to ensuring equal access for vulnerable groups, including provision of mine risk awareness, support to meet the critical livelihood needs of newly resettled communities through quick-win initiatives, and support for longer term initiatives in partnership with the private sector.

As at end of August 2016, the Government has resettled 253,231 families of internally displaced persons (IDPs) consisting of 882,392 persons. The

number of persons remaining to be resettled is 13,670 families consisting of 43,607 persons<sup>7</sup>.

#### **D) Violence against Women and the Girl Child**

The Prime Minister has taken leadership in promoting reform and inter-agency coordination within the Government to address violence against women and girls. As indicated in our response to the List of Issues, under the Prime Minister's directive as the then Leader of the Opposition of Parliament, a Report had been prepared containing recommendations on measures to combat violence against women and the girl child, which was subsequently presented to Parliament as an input for policy for the future. An Action Plan based on the Report and its recommendations is being implemented on a priority basis by an Inter-agency Task Force under the purview of the Prime Minister. These recommendations have also been incorporated into the Policy Framework and National Plan of Action to Address Sexual and Gender-based Violence in Sri Lanka (2016-2020) which was approved by the Cabinet in June 2016 and seeks to comprehensively address the issue of violence against women through a three-pronged approach of prevention, intervention and policy advocacy. The Policy Framework was launched in December 2016, with the UN agencies and civil society organisations pledging their support to roll out the Policy Framework.

Under this Policy Framework, a multi-sectoral approach to address violence against women has been developed in the areas of child affairs, disaster management, economic development and employment, education, empowerment and prevention, foreign employment, health, justice and law reform and media. Implementation is envisaged through sector-specific technical committees headed by Secretaries of the relevant Ministries and agencies.

Each Ministry has discussed their overall plan under the Policy Framework with a wide group of stakeholders including NGOs, CBOs,

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<sup>7</sup> Annual Performance Report 2016, Ministry of Prison Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs

UN Agencies and other development partners. These discussions have facilitated obtaining support and joint collaboration in common areas of operation. It is noteworthy that each Ministry has incorporated the activities of the Policy Framework in their Annual Action Plans, with budgetary allocations.

It may be also noted that on 12<sup>th</sup> January 2016, Sri Lanka endorsed the “Declaration of Commitment to End Sexual Violence in Conflict”.

Sri Lanka’s response to the List of Issues has provided statistics on cases of violence against women, reported to law enforcement agencies. However, it must be acknowledged that it has not been possible to collect data disaggregated by different categories of victims and suspects. This is an area where the Government is concerned about and would require support in terms of capacity building. In addition to the recent work initiated on digital registration of such complaints received to the Ministry helpline (1938) which was established in 2014, a digital database formulated by MWCA to collect Sexual and Gender Based Violence (SGBV) data through relevant stakeholders including police and NGOs is currently in operation as a pilot project in the Thimbirigasyaya Divisional Secretariat. Further, a secured database, centered in Police Headquarters which will be connected virtually with all police stations, aims to gather real time detailed data on SGBV, as well provide updates on status of cases. All officers attached to the above three databases have been given special IT training to engage in the process. Following the success of their operation, it is hoped to expand the databases islandwide. The MWCA hopes to gather selected disaggregated data from the database that will be operated by the Police with a view to develop gender sensitive policies. Due to increased awareness raising and support provided by the MWCA in 2015, 667 complaints were received via the 1938 helpline alone, on domestic violence and family disputes which is almost double the number of 2014 (398)<sup>8</sup>.

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<sup>8</sup>Policy Framework and National Plan of Action to Address Sexual and Gender based Violence in Sri Lanka, 2016

Sri Lanka has a robust health delivery structure which includes programmes to prevent SGBV and support survivors, since 2001. The strong network of approximately 600 health institutions and more than 800 public health staff provide institutional as well as field-based health care to women and children. The establishment of a network of dedicated and tailor-made service points (Mithuru Piyasa/Natpu Nilayam) within hospitals and managed by trained staff who provide medical and psycho-social support and referral services, is a key intervention. By end 2015, 40 such centres have been established within government hospitals. In 2014, a total of 2,949 survivors, mostly women and girls, have accessed the services, and the staff has provided 6,337 consultations for survivors and family members<sup>9</sup>.

Providing support services for victims of SGBV is a major concern of the Government, which has been demonstrated through the provision of counselling, legal aid and shelter facilities. Counselling is provided through Assistant Counselling Officers attached to each Divisional Secretariat.

The MWCA has established 06 shelters in Batticaloa, Mullativu, Jaffna, Rathnapura, Colombo and Meerigama to provide safety and protection for victims of SGBV and trafficking. To facilitate the functioning of the shelters, guidelines were prepared and approval obtained from the Cabinet. In order to overcome the bureaucratic delays, the MWCA is in the process of signing MOUs with NGOs who are experienced in managing shelters, namely the Jaffna Social Action Centre and Women in Need.

The establishment of a separate Ministry of Law and Order to create an efficient police service more responsive and accountable to the general public has facilitated the work of MWCA in dealing with matters relating to SGBV. The MWCA is working with 42 Children and Women's Desks in the Police to address SGBV related matters promptly

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<sup>9</sup> Pages 137-138, Policy Framework and National Plan of Action to Address Sexual and Gender based Violence in Sri Lanka, 2016

by collaborating at the national level as well as through Women Development Officers at the District Secretariats. The MWCA has also supported the Children and Women's Desks in the Police by way of infrastructure development and capacity building of officers during the last two years.

Taking into account barriers faced by women in the North and the East in accessing law enforcement mechanisms, the Sri Lanka Police has taken action to deploy 279 female police officers to the Children and Women's Desks in the North and the East. A special rapid recruitment drive has also been initiated to recruit 200 female Tamil speaking police officers. Furthermore, a training centre has been exclusively established in Mahiyangana to conduct Tamil language courses for Sinhala speaking police officers. Since 2012, approximately 2,000 Sinhala speaking police officers have been trained in the Centre.

The Government has also taken several progressive measures on preventing trafficking in persons, in particular women. In June 2015, Sri Lanka became a Party to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children which is commonly known as the Trafficking Protocol of the Palermo Protocols. A National Anti-Human Trafficking Task Force was established under the leadership of the Ministry of Justice and with the participation of the Attorney General's Department, the MWCA, the Ministry of Foreign Affairs, the Ministry of Foreign Employment, the Department of Immigration and Emigration, and the Department of Police, to streamline the anti-human trafficking efforts. The Inter-Ministerial Task Force has developed a 5-year (2015-2019) Strategic Plan to monitor and combat Human Trafficking in Sri Lanka and it has been approved by the Cabinet of Ministers. The Task Force continues to conduct monthly meetings with regard to monitoring.

Madam Chair,

As the dedicated Ministry for the welfare of women and children, my Ministry has been working closely at the grassroots levels and I must thank the NGOs and civil society groups, some of them are present here as well, for their views, active collaboration and constructive criticism on Government policies in the area of women's rights. Let me briefly explain some of the Socio-cultural Economic Rights and Challenges for Women, in Particular Rural Women.

**E) The Socio-cultural Economic Rights and Challenges for Women, in Particular Rural Women**

The empowerment of rural women through policy interventions and programmes to encourage and facilitate their active contribution to the national economy is a priority. Sri Lanka is conscious of the need for participation and contribution of women particularly in achieving the Sustainable Development Goals. The Government continues to provide micro-finance and micro-credit for self-employment of rural women with a view to bringing them into the national economy, promoting their economic independence and contributing to poverty alleviation. The Women's Bureau of Sri Lanka is a key contributor to micro-credit programmes to promote entrepreneurship among women through the provision of credit facilities at low interest rates.

The Micro-credit programme conducted by the MWCA under the Women's Bureau has provided Rs. 263 Million to 52,264 beneficiaries for the period 1999-2016. Loan facilities have been disbursed under the micro-credit programmes under the Divi Neguma and the Samurdhi Programmes Public sector credit facilities for Sri Lankan women have also been provided by the Bank of Ceylon, the People's Bank, and the Rural Development Bank in 2016. In 2016, self-employment loans were granted to 815 single parent families to the value of Rs. 15.9 Million.

An important initiative of the Government in December 2015 was the policy decision requiring line Ministries related to rural development to invest at least 25% of the provisions on state projects for uplifting the

rural economy and enable rural women's participation therein. These include financing domestic industrial projects and the development of rural infrastructure, which will help women to access resources such as water, electricity, among others.

Sri Lanka enjoys a high level of gender parity in education, and has achieved gender parity in enrollment in primary, secondary and university education. The Government continues to promote accessibility and equity in education with free education from primary to undergraduate level and compulsory education being extended from 14 to 16 years in 2016.

While the percentage of female students in universities and non-vocational tertiary education are higher than that of male students; and there is equal or majority representation of women in undergraduate academic fields such as law, medicine, bio-sciences, arts and humanities, para-medical subjects, dentistry, and is close to 50% in architecture and fields such as quantity survey and logistics management; it is observed that women's representation in engineering continues to be low with 20.46% female representation in 2014/2015. The Government acknowledges that there still remains a gender imbalance in enrolment in technology-related courses including Information Technology and technical courses in vocational education which in turn limits women's access to high skilled and high remunerative employment in technology related fields. The Government is addressing this through several policy measures including through the introduction of vocational training for women in non-traditional fields such as ICT. The ADB Education Sector Development Programme 2013-2018 under its Gender Action Plan aims to increase the participation of girls in the new technology streams in Grades 12 and 13, and develop gender sensitive training modules and capacity development for teachers, especially in technology-related fields. The Government is also committed to addressing gender stereotypes through gender mainstreaming and through the introduction of gender into school curricula by the Ministry of Education (2016-2018), which will persuade more and more girls to

pursue education and higher education in non-traditional and technology-related vocations.

Although, in the Gender Inequality Index, Sri Lanka is ranked at 72 out of 188 countries and is among the High Development Category, the Government duly acknowledges that more work needs to be undertaken in women's economic participation and political empowerment. This includes empowering more women to engage in self-employment which currently remains at 23.7 % among the employed women.

To promote women's entry into employment, a directive has been issued by the Prime Minister to set up child care centres at work places. In addition, under the Early Childhood Development Project of MWCA supported by the World Bank, 600 Day Care Centres are being set up in the plantations sector. Guidelines have also been developed to upgrade the Day Care Centres and to provide training to the care givers.

## **F) Migrant Women**

Since 1976, when formal employment migration commenced in Sri Lanka, foreign employment has generated substantial inflows of income to the country, which as of 2016, amounted to US \$. 7.241 Billion (LKR 1,054.5 Billion), while simultaneously relieving the pressure on unemployment and providing an opportunity for women to opt for a lifestyle perceived as economically viable.

Although there was an increasing trend in female migration upto 2007, since then there has been a decreasing trend in female migration as opposed to male migration for employment. Accordingly, female migration has decreased from 122,267 (48.81%) to 90,677 (34.44%) in 2015. This significant decline is attributed to numerous efforts made by the Government to reduce the migration of unskilled labour that leads to the concentration of women in low skilled unregulated sectors thus increasing their vulnerability to SGBV and other forms of discrimination - a key challenge faced by low skilled female labour in host countries,

and in its stead promote the migration of women for higher skilled foreign employment opportunities such as nursing and caregivers.

In 2007, a separate Ministry for Foreign Employment was established for the first time, to look into the welfare of the migrants and their families left behind. The Ministry, with the two key institutions under its purview, i.e. the Sri Lanka Foreign Employment Agency and the Sri Lanka Bureau of Foreign Employment formulated a National Labour Migration Policy for Sri Lanka in 2008, encompassing three main policy components; governance of the migration process, protection and empowerment of migrant workers and their families, and linking migration and the development process. A comprehensive plan for Return and Reintegration was also formulated and launched in 2015 to promote the safety and protection of migrant workers.

Besides the national level programmes on pre-departure orientation, skills development and recognition, enhancing ethical labour recruitment, and migrant welfare programmes including return and re-integration, the Government of Sri Lanka has also led collective regional efforts through its chairing of the Colombo Process from 2013 to date. The Colombo Process is a voluntary forum of 12 Asian Contractual Labour Sending countries to work together in addressing the challenges faced by migrants including women migrants. During the last Ministerial Meeting of the Colombo Process held in August 2016 in Colombo, it was decided to explore cooperation in the operationalization of the migration related goals in the SDGs, work towards promoting the health of migrant workers throughout the migration cycle, to focus on consular support for migrant workers and to promote equality for women migrant workers.

Since January 2017, Sri Lanka also assumed the chair of the Abu Dhabi Dialogue, which is a voluntary forum for 7 labour receiving countries in the GCC and 11 labour sending countries in Asia which promotes issues of mutual interest related to contractual labour mobility. The Ministers of the Abu Dhabi Dialogue met in Colombo in January 2017, and

decided to explore possibilities of engaging with the ongoing intergovernmental process on Global Compact on Safe, Orderly and Regular Migration.

These engagements, together with Sri Lanka's efforts to gather momentum on 'migrant health' issues, have enabled the Government to host the 2<sup>nd</sup> Global Consultation on Migrant Health in Colombo, as we speak. Sri Lanka is among the few countries that have a national migrant health policy, and the Government is committed to its implementation.

**G) The Status of Sri Lankan Women in Public Life and Politics, and the Right to Nationality, and Gender Mainstreaming**

Many women increasingly hold key positions and high and middle level managerial positions in the public and private sectors. Women's participation in government policy formulation, holding high-level public positions and performing public functions at all levels of government continues to increase. With a strong gender neutral recruitment policy backed by Constitutional guarantees of equality, an increasing number of women are engaged in all levels of the public, private, administrative and corporate sectors. At present Sri Lankan women hold top ranking positions such as Secretaries of Ministries, Heads of Diplomatic Missions and the Judiciary. In 2015, 47.15 % of the Sri Lanka Administrative Service comprised women, which is a significant increase from 17.1% in 1993. In the Sri Lanka Planning Service, the percentage of women is 47.63%, an increase from 28.8% in 1993. In the Sri Lanka Foreign Service, the percentage of women is 47.5%, an increase from 29.7% in 1993. It is to be noted that when it comes to professional services, the participation of women has seen a steady increase by default, purely based on merit, not through reservation, which is a result of women's equal access to education and accepted notions of women's social mobility in Sri Lanka.

The 19<sup>th</sup> Amendment to the Constitution (2015) has for the first time provided that the Constitutional Council responsible for high post appointments including to offices relevant to the justice system and appointments to Independent Commissions (eg. Public Service, Police,

Human Rights) should strive to achieve a gender balance. Recently appointed Commissions have a fair representation of women. Task Forces and Committees mandated to recommend law and policy reform in important areas such as drafting a new Constitution, responding to Violence against Women and Girl Children, and Transitional Justice have several women professionals and activists, while some are chaired by women.

The Government of Sri Lanka has taken a number of measures to enable the participation of women fully and equally, such as in the constitutional reform process where over 300 women from different geographical, ethnic and religious groups have provided opinions freely before the Public Representative Committee.

The Government is cognizant of the need to undertake gender mainstreaming in order to bring about comprehensive change. In this regard, the approval of the Cabinet has been obtained to set up Gender Mainstreaming programmes in all Ministries, and a Circular has been issued to all Ministries to ensure the full implementation of the Cabinet decision. These programmes will be implemented to achieve gender equality and the empowerment of women with special reference to the collection of gender disaggregated data, promotion of gender budgeting and adoption of equity and equality principles in policy formulation, and implementation. Minimizing sexual harassment is also a subject area under the purview of these programmes. A gender focal point headed by an Additional Secretary and assisted by Development Officers will be established in each Ministry. The MWCA has extended its gender mainstreaming programmes last year to all Provincial Councils resulting in the integration of gender into the planning process and the allocation of resources for gender-related activities. Gender sensitisation programmes are being conducted by the Government for women as well as men, with a view to bringing about attitudinal changes.

Sri Lanka, which was a model Commonwealth nation when it became independent in 1948, is also known for granting franchise to women as early as 1931, for electing women to the legislative assembly the same year, and for having produced the world's first woman Prime Minister in 1960. Yet, the percentage of women in legislative bodies leaves much to be desired. The Government is making conscious and concerted efforts to rectify this anomaly. Following the decision in 2015 to increase political representation of women in the second and third tiers of government, i.e., in the Provincial Councils and Local Government bodies by 25%, the Local Government Elections Act was amended in 2016 to include a 25% quota for women in Local Government bodies.

A Cabinet Paper has also been submitted to obtain a 30% nomination for women at the Provincial Council elections. With the introduction of the quota for women, the MWCA and relevant NGOs have conducted awareness programmes in all districts for women's groups affiliated to political parties and community leaders encouraging and facilitating them to enter the local government political system. The MWCA has introduced a diploma programme in collaboration with the University of Peradeniya to encourage women's political participation. The Women's Caucus in Parliament also joined the public campaign on political participation by playing an advocacy role. As we have already informed the Committee, Sri Lanka's decision to become a signatory to the Open Government Partnership in 2016 contains a commitment to increase women's participation in politics.

Draft legislation has been prepared to establish the National Commission on Women, which would function as an independent body for the advancement of women. Cabinet approval has been sought for the Bill by the MWCA following clearance by the Legal Draftsman. The Bill will be presented to the Parliament after obtaining the clearance of the Attorney General.

**H) In conclusion Madam Chair,**

We look forward to a fruitful and constructive dialogue with the distinguished members of this Committee.

We will be glad to provide additional information on any of the matters referred to, or provide clarifications as required.

We believe firmly that your recommendations will assist the Government of Sri Lanka to carry forward the progressive steps taken so far in the promotion and protection of human rights of all Sri Lankans, which includes the empowerment of women.

We thank the Chairman and the members of this Committee and we also wish to thank the Secretariat for their kind technical assistance provided to our delegation during this review process.

Thank you.