

Sexual and Gender Based Violence (SGBV) and Marital Rape:

Mr. Vice President,

-The Policy Framework and National Plan of Action to address Sexual and Gender based Violence (NPSGBV) for the period 2016-2020 was approved by the Cabinet of Ministers in June 2016 and was included in the medium term budgetary framework of the Government.

-The process of formulating the Policy Framework and Action Plan was participatory and consultative, with extensive consultations having been held with Ministries, International Organizations and civil society.

-The Plan addresses SGBV in all its manifestations, and is all encompassing. It cuts across nine lead sectors namely, child affairs, disaster management, economic development and employment, education, empowerment and prevention, foreign employment, health, justice and mass media.

-It recommends a policy framework which is based on upholding human rights and gender equity and equality, and adopts a comprehensive and holistic three-pronged approach of prevention, intervention and advocacy for policies and laws, to combat and address SGBV. The Plan can be accessed online.

-As for awareness raising on SGBV, a new referral system with a multi-sectoral approach has been introduced in six districts to facilitate the effective response to and prevention of incidents of SGBV.

-Consultations have been held with law enforcement officers, medical personnel, health care workers, village leaders and representatives from schools in the six districts, to review the GBV response mechanisms.

-Regular educational and awareness raising programs are conducted for communities on SGBV by Women Development Officers attached to the 356 Divisional Secretariats in the form of workshops, with the support of Women's Federations.

-Training and awareness raising programs are conducted by the Human Rights Commission of Sri Lanka, the Tri-Forces, Sri Lanka Police, and INGOs on SGBV and Human Rights.

-Counselling officers are attached to the 321 Divisional Secretariats who provide psycho-social support for violence affected women. The National Committee on Women receives complaints on GBV through its Complaint Centre and 1938 Help line. Up to August this year 260 and 866 complaints have been received respectively by these two centers which provide onsite legal and psycho-social support to the survivors of violence. The Legal Aid Commission which has over 70 branches across the country provide legal support while 40 major hospitals providing medical care and counselling.

-Counselling centres have also been established in 40 major hospitals to provide medical care and counselling to SGBV victims. Staff has been trained in befriending skills, basic concepts of gender, and the health consequences of violence against women. 'Women in Need', a non-governmental organization, also provide counselling services to victims of violence. The Legal Aid Commission has filed 600 cases under the Prevention of Domestic Violence on behalf of victims/survivors of domestic violence.

-The Ministry of Women and Child Affairs has established six shelters in different locations to accommodate survivors of SGBV including three shelters in the Northern and Eastern regions of the country.

-These shelters provide temporary but comprehensive protection, care and transitional residential facility services to women experiencing violence in the domestic sphere or elsewhere. Support services such as medical, legal and psychosocial assistance are also provided. Shelter guidelines were prepared and approved by the Cabinet in 2016. The Ministry has supported 43 Women and Children's Police Desks around the country by way of infrastructure development and capacity building of officers who are the first contact point for most survivors seeking legal redress.

The Ministry has developed a data base to collect information on GBV with UNFPA assistance. Data collection for setting up the database commenced in July 2016.

Marital Rape

-The Committee appointed to review the Penal Code and the Criminal Procedure Code has also commenced discussions on the matter of criminalizing marital rape which is presently recognized only in respect of non-consensual sexual relations during a judicial separation of the spouses. Stakeholder consultations held in this regard in December 2016 have recommended the following:

- (a) To initiate a proactive discussion on related issues as an initial step towards eventual law reform;
- (b) To conduct qualitative and quantitative psycho-social research in to the prevalence of marital rape;
- (c) To convene a series of consultations with stake holders, especially drawing victims, the larger civil society, legal community and the medical community to solicit their views; and

(d) To consider the establishment of support services ahead of law reform.

-A Task Force appointed by the Prime Minister to make recommendations for the implementation of the Opposition Leader's Report on Violence against Women and Girl Child, as well as the Law Reforms Committee appointed by the Ministry of Women and Child Affairs have also recommended the amendment of the criminal law provisions to ensure that the offence of marital rape covers all circumstances where the consent of the spouse is absent, regardless of the degree of violence it entails.

-The Women's Rights Chapter of the NHRAP has also recommended preventing marital rape through criminal sanction, without any exceptions, including where spouses are judicially separated.