

# Post-Conflict Healing: A Woman's Manifesto



## Briefing Paper

# Security of Women in Sri Lanka

## Introduction to the Project

'Post- Conflict Healing: A Women's Manifesto' is a project implemented by the National Peace Council supported by FOKUS. The project aimed to bridge the gap of participation of women in the national reconciliation process and create community level healing. This project included capacity building, encouraging increase of female participation at local and grassroots levels, healing activities and providing a platform for voices of women to be heard. The project was implemented from 2014 to 2016 in 9 Districts across Sri Lanka, namely; Puttalam, Mannar, Vavuniya, Trincomalee, Ampara, Hambantota, Galle, Kandy and Nuwara-Eliya.

This briefing paper on security of women has linked women's concerns and recommendations presented during consultations conducted with women as part of the project, to macro level issues, policies and laws. Based on the findings, recommendations to enhance women's security for sustainable peace have been presented.

## Why Do We Need to Ensure Women's Security?

**Post War is another war for the affected women as they have to struggle with every step to protect their families and survive with minimal support to overcome the pain and the loss.**

**A Tamil woman, Trincomalee District**

The above quote highlights women's insecurities due to lack of psycho-social support to deal with the trauma of war and provide and care for their families in post-war Sri Lanka. Ensuring women's security is a must for sustainable peace. Prevalence of insecurity for women in a society impairs their right to enjoy basic human rights and freedoms

under general international law or under human rights conventions or under the Constitution of Sri Lanka, 1978<sup>1</sup>. Insecurity of women occur due to discriminatory cultural norms, laws and policies not being gender sensitive, women passively accepting violence, perception of shame and victimization of victims.<sup>2</sup> Issues related to insecurity of women and violence against women are yet to be systematically addressed in Sri Lanka.

1. Human rights impaired by insecurity include, the right to life, the right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment, the right to liberty and security of person, the right to equal protection under the law, the right to equality in the family, the right to highest standard attainable of physical and mental health and the right to just and favorable conditions of work.

2. As the Government does not have a coordinated mechanism in place to address insecurity and violence against women complaints, victims have to report their complaints several times to different forms of service providers. Survivors of violence against women also face trivialization by law enforcement personnel. (Asian Development Bank, Deutsche and Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH: 2015)



## Security of Categories of War Affected Women

### Female Heads of Households (FHH)

A significant feature of Post-war Sri Lanka is the increase in female headed households. Census and Population statistics in 2012 reveal 1.2 million (23%) households in Sri Lanka are female headed households.<sup>3</sup> Globally FHH are identified as vulnerable population for poverty<sup>4</sup> and lack of security. Following is a statement portraying the insecurity felt by a FHH in Sri Lanka:

**When the husband is no more, people should not think that a woman could be used as they want. Military widow, Hambantota District**

Multiple responsibilities are expected from FHH, gender role socialization<sup>5</sup> and social stigmas towards FHH can be reasons for poverty and vulnerability of FHH. FHH are frustrated of the way society perceives a widow. They feel widows are made to live with an inferiority complex. Gender based social stigma faced by FHH are revealed in the following quotes:

**No one seemed to question the social and cultural stigma for widowers ...all the stigma and myths are applied only for widows.**

**Military widow,  
Hambantota District**

**We do deserve much better understanding and care by the society and not to see us as women who are weak and helpless.**

**Military widow, Hambantota District**

As stated in the last quote, it is necessary to provide secure environment for FHH by proving social security including addressing cultural stigma, ensuring a means of livelihood and providing support for child care.

### Wives and Mothers of the Disappeared

Many women are still silently suffering with the trauma caused due to the disappearance of their loved ones. Although a Presidential Commission was established to investigate on cases of missing persons<sup>6</sup> for a period of three years, many were not satisfied with the outcome of the Commission. Although the Commission has received 23,586 cases, only 6,500 complains of missing persons for the period from June 10, 1990 to May 19, 2009 has been investigated by the Commission.<sup>7</sup> Other concerns that have been highlighted in relation to the Commission's work include, not being transparent in relation to status of investigation or sharing interim reports.<sup>8</sup> The following quotes expresses women's opinion about revealing the truth about the disappeared persons in a systematic manner.

3. Department of Census and Statistics (2012) (Population by relationship to head of household, marital status, sex and sector.

4. UNFPA (2016).

5. Due to gender role socialization, it is the man who is expected to earn and give security to the family.

6. Presidential Commission to Investigate into Complaints regarding missing persons was established on 15 August 2013 and disbanded on 15 July 2016. See: Colombo Page (June 12, 2016) 'Missing Persons Commission of Sri Lanka to be disbanded next month'

6. [http://www.colombopage.com/archive\\_16B/Jun12\\_1465747478CH.php](http://www.colombopage.com/archive_16B/Jun12_1465747478CH.php) (last retrieved 4 November 2016)

7. Ibid.

8. Sri Lanka Brief (10 June 2015) CHAP Levels Charges Against Presidential Commission on Missing Persons. <http://srilankabrief.org/2015/06/cpa-levels-charges-against-presidential-commission-on-missing-persons/> (last retrieved 5 November 2016)

have all the evidence to prove that my husband died due to torture under Army custody. He suffered with pain until his death. But I am given a false death certificate from the hospital to say that he had a natural death. I will not respect or trust any Government until I find justice.

A Tamil woman

**Truth has to be publicised Nationally and Internationally.**

**A Tamil woman, Vavuniya District.**

In order to address the issues of wives and mothers of the disappeared, by enabling families to be reunited, to close cases of such disappearances and grant reparations and other relief support<sup>9</sup> a new Office of Missing Persons was established in August 2016 under a parliamentary act proposed by Prime Minister Ranil Wickremasinghe.<sup>10</sup> According to the Office on Missing Persons (OMP) Act, members are appointed by the President on recommendations of the Constitutional Council.<sup>11</sup> OMP includes a Secretariat<sup>12</sup>, Tracing Unit<sup>13</sup> and Victim and Witness Protection Division.<sup>14</sup>

## Former Female Combatants

Security of former female combatants is yet an issue due to stigmatisation by their community as well as by the State. According to the Rehabilitation Commissioner General's Office, they have been able to rehabilitate 2032 former female combatants.<sup>15</sup> State perceives ex-combatants as misguided persons<sup>16</sup> who had wasted the past.<sup>17</sup> Due to State's perception on former female combatants, the State is harsh to them. Treatment towards former female combatants is revealed through Radhika Commaraswamy's following statement.

**State is particularly harsh on them. Since many have to report to police stations or army camps on a regular basis there are stories of sexual abuse. In addition the intelligence services seem very keen to marry these women off- forced marriage- in the belief that family life will mellow them.**

Coomaraswamy, R. (2015)

19. According to A. 13 of Office on Missing Persons Act No 32 of 2016, Office on Missing Persons will help search for and trace missing persons and identify appropriate mechanisms for the same, submit recommendations to authorities

to take measures on missing persons, protect the rights of missing persons and their relatives, identify channels that missing persons and their relatives can obtain reliefs and inform them the same, and collate data relat-

ed to missing persons obtained by Government institutions and other institutions and centralize all available data within its database.

10. Office on Missing Persons Act No 32 of 2016

11. Office on Missing Persons Act No 32 of 2016, A. 4

12. Office on Missing Persons Act No 32 of 2016, A. 16

13. Office on Missing Persons Act No 32 of 2016, A. 17

14. Office on Missing Persons Act No 32 of 2016, A. 18

15. Bureau of the Commissioner General of Rehabilitation (2011)

16' Based on the Mission of the BCGR: 'Unwavering commitment to motivate misguided armed personnel in Sri Lanka to surrender to the Government of Sri Lanka and transform them as useful personnel in society through the implementation of comprehensive rehabilitation and reintegration programmes that promote their best interest.'

17. Shanika Sriyananda quotes the quotation in the notice board in the BCGR in Nawala as 'No matter how much time you have wasted in the past, you still have an entire tomorrow' see Sriyananda (2015) For LTTE's ex-combatants life still a battle with no jobs. '<http://www.ft.lk/article/405337/For-LTTE-s-ex-combatants-life-still-a-battle-with-no-jobs-> (last retrieved 4 November 2016)



These women are struggling with obtaining education, employment or pursuing a married life. They are discriminated

in educational institutions and are not hired for jobs due to their association with the LTTE. Although Government implemented a program to rehabilitate

the ex-combatants, after completion of the program they rarely receive psycho-social support or support for economic empowerment.

## Threats to Security of Women

### Violence against Women<sup>20</sup>

Prevalence of various forms of violence against women is a threat for security of women. Although women have expressed their views about insecurity due to sexual violence, intimidation at work, violence at school, child marriages, teenage pregnancies, as there is no comprehensive data collection system on violence against women, it is difficult to project the magnitude of the issue. The rule of law<sup>21</sup>, forensic expertise,<sup>22</sup> referral system related to handling cases of violence against women are also weak. Most women do not report cases of violence against women because they feel it will have negative implications for them. Negative implications of reporting violence against women include, the need to repeat incident to many stakeholders,

legal cases drag for many years and the stigmatization faced by the victimised women. Insufficient response by State institutions in addressing insecurities and violence against women in Sri Lanka was highlighted by UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein:

**Sexual violence and harassment against women and girls is particularly poorly handled by the relevant State institutions...and as a result it remains all too widespread.**

**Statement by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein at the end of his mission to Sri Lanka, 9 February 2016.**

### Inaccessibility of Government Services in Local Languages

Not being able to access Government services using the local languages threatened the feeling of security for many minority women. This is a result of ineffective implementation of the National Language Policy. Law pertaining to the languages in Sri Lanka has recognised Sinhala and Tamil languages are both Official and National languages in Sri Lanka while English is the link language.<sup>23</sup> In order to monitor the implementation of the official languages policy, an official languages Commission was also established.<sup>24</sup> Although statutory and administrative provisions have been made for implementing the Official languages policy, women in Sri Lanka are still struggling to obtain Government services in local languages. Following statements reveal the inse-

18. Shamila (24 February 2012) Female Ex-Combatants of LTTE in Post-War Sri Lanka. Groundviews. <http://groundviews.org/2012/02/24/female-ex-combatants-of-ltte-in-post-war-sri-lanka/> (last retrieved 5 November 2016).

19. Coomaraswamy, R. (2015).

20. The UN Declaration on the Elimination of Violence against Women (1993) includes, physical harm, sexual harm, psychological harm, threats, coercion and arbitrary deprivations of liberty, spousal battery, dowry-related violence, marital rape, female genital mutilation/cutting, non-spousal violence, sexual violence related to exploitation, sexual harassment and intimidation at work, trafficking and forced prostitution. Violence against women according to Beijing Platform for Action (1995) includes: (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation; (b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution; (c) Physical, sexual and psychological violence perpetrated

or condoned by the State, wherever it occurs.

21. Coomaraswamy, R. (2015)

22. Coomaraswamy, R. (2015)





Several pregnant women have been victimized due to the language barrier in the hospitals and at the labour rooms. At a time of helplessness they have got verbally abused by the caregivers in the hospital as the patient could not correctly respond to the commands given to them in a language they do not know. What a trauma for a mother to go through?

A Muslim Woman, Puttalam District

Despite the ethnicity or the religion every patient coming to a hospital for treatment deserves respect and kindness from the caregivers. But unfortunately that is not what minority people experience in Sri Lanka when they go to Government institution due to language barrier.

A Muslim Woman, Kandy District

## Economic Insecurities

Security of women is also depended on economic security. Economic security includes 'basic social security, defined by access to basic needs infrastructure pertaining to health, education, dwelling, information and social protection, as well as work-related security. Women face vulnerabilities in fulfilling economic security. Statistics<sup>25</sup> show that women's labour force participation is 34.4% and is half of the economically active men. <sup>26</sup> Lack of women's participation in the economy can be seen as an indication of disempowerment or 'discouraged employment.'<sup>26</sup> There is also a clear gender disparity in employment<sup>27</sup> when education attainments are compared. Women's employment is lower than men in every level of education.<sup>28</sup>

If the war affected women are empowered, their families would have felt protected and been in a better position to face their difficulties in post-war.

A Muslim Man, Ampara District

Most Sri Lankan women are struggling to establish livelihoods and enhance economic security. As mentioned in the quote above, empowering women by providing vocational training and livelihood opportunities will enhance women's security.

Many women are exploited by micro finance and micro credit companies to take loans alluring them with attractive payment and interest schemes, which are systems that most women don't understand. Mainly because sales reps are given targets to meet, hence they ignore ethical practices and target women, especially FHH. Many women now face hardship, pawning everything.

they own to pay back, men flee homes to avoid payment and in some instances, it



23. Constitution of Democratic Republic of Sri Lanka, 1978, Chapter 4. (Language provision in the Constitution was amended in the Thirteenth and Sixteenth Amendment to the Constitution in 1987 and 1988 respectively.

24. Official Languages Commission was established under Official languages Act No. 18 of 1991.

25. ILO (2004)

26. Fernando, P and Ariyaratne, T(2013)

27. Ibid.

28. UNFPA (2016), p 70.



The representative of the finance institution would come to collect the loan in-

stalment, and if the family cannot pay it on time, he would be continuously sitting the house until the family pays it. Men flee abroad leaving the women to face the problem.

Sinhalese women, Trincomalee

....even if there was a family member in their death bed, you still have to pay back the loan, they come on Monday's, Wednesday's or Fridays.

Tamil women, Ampara district

The state must create a code of ethics to institutions that provide micro finance and micro credit and ensure they follow those codes to reduce this exploitation.

## Voices of Women are Not Heard in Political Platforms

Increasing political representation of women is a way, recognizing women's perceptions and ensuring they are heard in political decision making. Political representation of women contributes towards security by enhancing the freedom of speech, freedom to assemble and form associations.<sup>29</sup> Security of women could be strived for by increasing women's representation in political platforms. The following statement shares this sentiment.

**We feel it is important to have representation of hill country women in the Parliament, in order to highlight issues faced by women in the Plantation sector.**

**A Tamil Woman, Nuwara Eliya District**

Restrictions for women due to existing traditions and culture in the patriarchal society is a reason why there is a lesser number of women in politics.

Women do not enter politics because often we see it to be dominantly masculine.

**A Muslim Woman, Galle District**

## Mechanisms to Safeguard Women's Security

The need to ensure women's security is recognised internationally, in the Sustainable Development Goals and in Security Council resolutions 1325<sup>31</sup>, 1820<sup>33</sup>, 1888<sup>34</sup>, 1889. Considering the importance of addressing insecurities of women including violence against women, Sri Lankan Government has introduced the Sri Lanka Women's Charter<sup>35</sup> made amendments to the Penal Code<sup>36</sup>, enacted the Prevention of Domestic Violence Act<sup>37</sup>, Protection of Victims of Crime and Witnesses Act<sup>38</sup>, Local Government Authorities (amendment) Act<sup>39</sup>, and Office of Missing Persons Act.<sup>40</sup> Government has also made a commitment at the Human Rights Council to correspond to resolution A/HRC/RES/30-1 by promoting reconciliation, accountability and human rights in Sri Lanka. Yet, victims of such insecurities and violence are disadvantaged by the absence of adequate support services<sup>41</sup> and knowledge of available services such as security, crisis shelters, legal aid, counselling, livelihood support. Future Plans to Enhance Women's Security

- Draft National Action Plan on Sexual Gender Based Violence (This action plan is a cross sectoral initiative by many Ministries and has incorporated elements of WPS. For example, protection of survivors of GBV.)
- Draft Female Headed Households Policy (This policy also focuses on war-affected female headed households)
- Initiative to establish Peace Building Fund by United Nations (Peace Building Fund will include components of WPS.)
- There is gender responsive budgeting on economic empowerment. 25% of rural economic development goes to women according to cabinet approved proposal. Although there is no direct reference to WPS, economic recovery can be linked to WPS.
- Ministry of Women and Children Affairs has taken initiative to establish Gender Focal Points in each Ministry to enhance gender responsive governance.
- Initiating the introduction of Multi-stakeholder GBV reporting and referral mechanism in Sri Lanka.

**29. Constitution of Democratic Socialist Republic of Sri Lanka, 1978, A. 14 guarantees freedom of speech, assembly, association, occupation and movement.**

## How to Make Sri Lanka Secure and Peaceful Place for Women

- Attitudinal change in the community with regard to the existing social and cultural stigmas and myths about the widows, single mothers and former combatants.
- Enable access to inheritance of the deceased/ex-husband.
- Provide support to war affected women (war widows, single mothers, former combatants, refugees and displaced persons) in creating livelihoods.
- Provide support to access education and child care facilities for children of war-widows and single mothers.
- Enable access to Government services (including health, police, courts) in local languages.
- Establish healing groups.
- Establish a comprehensive data collection mechanism on incidents of violence against women.
- Effective and comprehensive case handling mechanism for gender base violence complaints (including referral system with Government and Civil Society Actors) need to be put in place.

- Establish free centres to provide psycho-social support for rural women, especially women affected by the conflict and military widows.

### •Comprehensive livelihood

and income generating activities to secure financial security of women. Financial institutions, Grama Niladaris/ Women's Committees at community level to be made responsible to create awareness on credit systems, micro finance systems and other livelihood opportunities.

- The government must create a code of ethics to micro finance and micro credit companies.

30. Targets of Goal 5 on achieving gender equality and empowering women and girls focuses on ending all forms of discrimination and violence against women and girls.
31. Security Council Resolution 1325 (2000) recognises women's equal and full participation as active agents in the prevention and resolution of conflicts, peace building and peacekeeping.
32. Security Council Resolution 1820 explicitly links sexual violence as a tactic of war with women, peace and security issues.
33. Security Council Resolution 1888 as a follow up to Resolution 1820, mandates the peacekeeping missions protect women and children from sexual violence during armed conflict, and requests that the Secretary General appoint a special representative on sexual violence during armed conflict.
34. Security Council Resolution 1889, calls for further strengthening of women's participation in peace processes and the development of indicators to measure progress on Resolution 1325.
35. Sri Lanka Women's Charter, 1993
36. Penal Code (Amendment) Act, No 16 of 2006
37. Prevention of Domestic Violence Act, No 34 of 2005
38. Protection of Victims of Crime and Witnesses Act, No 4 of 2015. This act empowers and protects women victims of security to take legal action against a crime.
39. Local Government Authorities (amendment) Act 2016, facilitates the increase of women's participation in local governance by 25%.
40. Office on Missing Persons Act No 32 of 2016
41. Asian Development Bank, Deutsche and Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH: 2015

## In Summary

In the post-conflict period Sri Lanka Government has initiated programmes to rehabilitate war affected persons including women ex-combatants, displaced women. Government has also initiated support for families of disappeared persons. Yet, security of women still remains a concern. It is necessary to consider and respond to diverse security needs of women including security from violence, economic security, secure access to services and access to political platforms. War affected vulnerable women's (including war widows, single mothers, former combatants, refugees and displaced persons) wellbeing and security needs should be continually assessed and supported. Considering the need to address security issues of women, Government has proposed plans focusing on gender based violence, female headed households and gender responsive budgeting. It is necessary to effectively implement these plans.

## References

Asian Development Bank, Deutsche and Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH (2015) Country Gender Assessment, Sri Lanka – An Update. <https://www.adb.org/sites/default/files/institutional-document/172710/sri-lanka-country-gender-assessment-update.pdf> (Last retrieved 2 November 2016)

Coomaraswamy, R. (2015) Summary of the Consultation with war affected women for the Global Study on 1325 – A 15 Year Review.

Bureau of the Commissioner General of Rehabilitation (2011) Rehabilitation of Adult Ex-Combatants. <http://www.bcgr.gov.lk/adult-intro.php> (Last retrieved 4 November 2016)

Department of Census and Statistics (2012) Census of Housing and Population. [http://www.statistics.gov.lk/pophousat/cph2011/pages/activities/reports/cph\\_2012\\_5per\\_rpt.pdf](http://www.statistics.gov.lk/pophousat/cph2011/pages/activities/reports/cph_2012_5per_rpt.pdf) (Last retrieved 3 November 2016)

Fernando P. and Ariyaratne T. (2013) Role of Women in the Economy: There's more to empowering Sri Lankan women than meets the eye. LMD. [http://www.cepa.lk/index.php?option=com\\_publications&view=publication&id=162](http://www.cepa.lk/index.php?option=com_publications&view=publication&id=162) (Last retrieved 5 November 2016)







ILO (2004) Economic Security for a Better World. ILO: Programme on Socio-Economic Security.

UNFPA (2016) Gender and Development in Sri Lanka: Implications for Policy and Action. Thematic Report based on Census of Population and Housing 2012.

UNFPA (2016) A Programme Proposal for the Government of Sri Lanka by UNFPA as the Chair of the Gender Theme Group of the United Nations, Sri Lanka. The National Initiative for Empowering Women Headed Households.

UN Office of the High Commissioner for Human Rights (2016) Statement by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein at the end of his mission to Sri Lanka, 9 February 2016. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17025&LangID=E> (Last retrieved 2 November 2016)

#### International Legal Instruments

The UN Declaration on the Elimination of Violence against Women, 1993.

Beijing Platform for Action, 1995.

Security Council Resolution 1325 of 2000.

Security Council Resolution 1820 of 2008.

Security Council Resolution 1888 of 2009.

Security Council Resolution 1889 of 2009.

UN Sustainable Development Goals, 2015.

#### National Legal Instruments

Constitution of Democratic Socialist Republic of Sri Lanka, 1978.

Official languages Act No. 18 of 1991.

Sri Lanka Women's Charter, 1993.

Prevention of Domestic Violence Act, No 34 of 2005.

Penal Code (Amendment) Act, No 16 of 2006.

Protection of Victims of Crime and Witnesses Act, No 4 of 2015.

Local Government Authorities (amendment) Act of 2016.

Office on Missing Persons Act No 32 of 2016.

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