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Sri Lanka Shadow Report

The Elimination of all Forms of Discrimination against Women in Sri Lanka



Submitted by
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with the support of:

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(This submission can be posted on the CEDAW website for public information purposes)

Introduction

This parallel report focuses on the women's contributions to the economic development of the country in the sectors of agriculture, fisheries and plantation industries. It also looks into the contribution of female domestic workers and migrant laborers and of Female-Headed Households (FHHs) to the well-being of their families, especially their children. Lastly, we highlight the struggle of female sex workers who suffer from enormous discrimination. Their work is not even considered a profession.

Together with a group of women-empowering social organizations, people-based activists, social movements and Non-Governmental Organizations which stand against the discrimination of women, we prepared this report.

According to the Sri Lanka Census of Population and Housing of 2011, the population of women in Sri Lanka was 10,502,805 (51.5% of the population).¹ In the 2014 Human Development Index of the UNDP, Sri Lanka is placed in the 73rd position out of 187 countries. However, in the same report, it is 75th place that Sri Lanka gained on the Gender Inequality Index (GII) that is still way below the global vision for women's empowerment and gender equality. The GII measures gender inequalities in three important aspects of human development - on reproductive health, empowerment (political and educational) and the participation in the labor market.²

After the Government of Sri Lanka (GOSL) ratified the CEDAW in 1981³, the first state party report was submitted to the CEDAW committee in 1986⁴, the second report in 1992⁵ and the combined third and fourth report in 2002.⁶ In 2009 a combined fifth, sixth and seventh state party report was submitted by the GOSL.⁷

We aimed to prepare this CSO Parallel Report covering all the aspects of the GII that CEDAW committee considered. A group of grassroots organizations that work to organize women against injustices, particularly against the exploitation of labor and sex through educating them, raising political consciousness and creating space for voice and those who conduct work on sexual education, have been working together for the last 4 months to prepare this report. We would like to recognize this report as sensitive to the issues related to working and more oppressed classes. We were, likewise, able to conduct a dialogue with the chairperson of the National Women Committee of the Ministry of Women Affairs of the GOSL, in commemorating the International Human Rights Day, 2016. We purposely followed these steps to have more inclusive, wider participation and more transparent report preparation and submission to the CEDAW committee.

Article 1: Discrimination against Women

- Majority of the rural population in Sri Lanka depend on agriculture.⁸ However, when decision making in agriculture sector and division of labor within the family based on some cultural norms and practices in agriculture are looked into, the recognition and place of women remain problematic.⁹

¹Census of Population and Housing 2012.

²UNDP, Human Development Reports, Gender Equality Index (GII) 2014.

³http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=164&Lang=EN

⁴<http://cedawsouthasia.org/wp-content/uploads/2010/12/N8712169.pdf>

⁵<http://cedawsouthasia.org/wp-content/uploads/2010/12/N9309447.pdf>

⁶<http://cedawsouthasia.org/wp-content/uploads/2010/12/Sri-Lanka-3rd-4th-periodic-report.pdf>

⁷<http://www.childwomenmin.gov.lk/resources/34/cedaw.pdf>

⁸IFAD, Investing in rural people in Sri Lanka, March 2016.

⁹Personnel communication with the Secretary of National Fisheries Trade Union on gender issues.

- Women have fewer possibilities than men to obtain leadership and even membership in trade unions, farmer's societies and fisheries cooperatives. The women's role in these is undervalued and unrecognized.¹⁰
- For the distribution of grants by the government, local authorities (District Secretariat) and other organizations, there is no priority given to unions headed by women.¹¹
- In the North-Western Province, 98% of fisherwomen do not engage in a full time job but support their families through productive activities, spending 19 hours and 45 minutes per day for these. 66% of fisherwomen support their husbands who engage in active fishing through sorting out of fish and repairing fishing gear by spending 3 hours per day.¹²
- Usually the husband possesses the legal ownership of land and after his death, the eldest son will get the legal ownership of the land.¹³
- The lack of economic opportunities and political space for ethnic minorities, women and rural youth in raising their issues at policy influencing levels have created a discontent which has led to disastrous conflicts. In this post war development landscape, Sri Lanka cannot avoid the challenge of addressing issues of inequality and real vulnerabilities of marginalized communities at the ground level if it is to attain sustainable peace and development.¹⁴
- Even seven years after the end of the war, Thousands of Internally Displaced People (IDP) on the Jaffna Peninsula live in 32 IDP camps; they live in temporary houses with insufficient basic facilities since 1990; 351 Female Headed Households (FHHs) lived 2015 in IDP Camps on the Jaffna Peninsula. Women living in IDP Camps do not feel safe due to the lack of privacy and FHHs struggle to meet their families' needs.¹⁵
- FHHs are being cornered and marginalized after the death of their husbands.¹⁶
- Women have to face several security issues in IDP camps; they are often reluctant to go to the police.¹⁷
- Women and girls from female-headed households are being sexually abused because of the war.¹⁸
- Women who work in Free Trade Zones (FTZ) are living far from their homes. Hence, the young girls need safe and secure accommodation facilities, but at present, they live with less facilities and insecure situation.¹⁹
- Working hours of women in FTZs are exceeding eight hours; the management is also ordering them to work at night.²⁰
- Women have to encounter sexual harassment, especially when returning home at night after work in FTZs and face security issues in the work place.
- In the FTZs, the men cheat the young girls and often leave them after years of living together.
- FTZs women are facing security problems, sexual harassments and sexual abuses due to lack of proper boarding facilities.²¹

¹⁰Gender in Fisheries, Voluntary Guidelines on Small Scale Fisheries, FAO

¹¹According to Sri Lankan bank regulations unmarried women cannot get a bank loan.

¹²Daily Routine activities of fisherwomen in the North/ Western Province of Sri Lanka, in: National Aquatic Resources Research and Development Agency (NARA), Scientific Sessions 2016. "Healthier aquatic environment for the economic growth", 2016.

¹³FGD with Monaragala Landless women group organized by Uwa Wellassa women's group in October, 2016

¹⁴Poverty and Conflict in Sri Lanka, Sri Lanka country paper 2016- South Asian Alliance for Poverty Eradication (SAAPE), 9-10.

¹⁵National Fisheries Solidarity Movement (NAFSO): Let them go back to their places of origin, in and with dignity, September 2015.

¹⁶Ibid., 21.

¹⁷Ibid., 37.

¹⁸"We, the women are also the Citizens of this country, "Allow us live with dignity", Research on Women Headed families in the North, NAFSO Research, November 2016, 23.

¹⁹FGD held at Jayawardanepura, Amandoluwa at FTZ Katunayakae on August 2016.

²⁰Ibid

²¹Ibid.

- The voting rights of FTZs female workers are violated as the factory owners provide only one day official leave for voting and majority female workers are coming from far and remote areas are unable to vote as they refrain to go back home for vote.²²
- Female sex workers are highly cornered and neglected by the society; their fundamental rights are being violated.²³
- There is an increased demand for female sex workers; sex work is not accepted as a profession; since it is illegal, there is no possibility to receive government services that are available for other female workers.²⁴
- The female sex workers do not have possibilities to have an alternative profession since they worked as sex workers and the society do not accept them as fellow citizens.²⁵
- The basic rights are being violated among the transgender people, as they cannot get legal recognition for their changed gender. Those people are being discriminated and marginalized as they cannot get the legal approval to change sex type in the Birth Certificate and Identity Card.²⁶
- Transgender people are being discriminated at home and at school; their basic rights to apply for a job or to be educated are being violated.²⁷
- It seems that the rights for transgender people are being violated by not allowing them to vote and they are being mistreated as their Identity Cards does not reflect their gender properly.²⁸
- There are not any alternative health clinic centers and services for transgender people on their health issues. They are being discriminated without having clinical services as other genders.²⁹
- Female plantation workers receive lower wages than the accepted daily wages of the government that is not even enough for daily expenses and cost of living. At the same time, the women are mistreated as they get the same salary as men even if they work for extra hours.³⁰
- The maternity leave for pregnant female plantation workers is 84 days including government holidays; maternity leave for pregnant female workers in other sectors is 84 days excluding government holidays; female plantation workers are not being treated equally.³¹
- There is no legality when recruiting domestic female workers. Therefore, they have to work under the control of the employer. They are not provided good place for accommodation, thus they have no privacy and their security is threatened.³²
- The salary of domestic female workers is being decided by the employer; consequently, these women often do not receive proper salary for their labor³³

Recommendations:

- The CEDAW principles should be included under the basic rights in the new constitution.
- Formulate specific policies to protect the rights of the transgender persons and to establish their legal acceptance.
- Include economic, social and cultural rights as fundamental rights in the new constitution.

²²DABINDU News Paper.

²³ Preventing unwanted pregnancies among hard to reach female populations November 2013 – Unpublished Report.

²⁴ FGD Mattakkuliya 2015 November 10.

²⁵ Ibid.

²⁶ People's Health Movement (PHM) Report.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Minimum Wage Act 2016.

³¹ Ibid.

³² Group Discussion held with domestic workers group, in Seeduwa, September 2016.

³³ Report of Space to Speak 2007 – Red Flag Women Movement.

Article 2-6 – Responsibility of the Government

- Women are equal before the law and their rights must be ensured according to the article 2.1 in the Women’s Charter of GOSL.
- According to the article 2.2 in Women’s Charter, the GOSL has accepted that the participation of women in labor unions and politics should be encouraged.
- According to the Article 1 in CEDAW Convention, women cannot be treated unequally, the government should mediate to draft an educational policy, and process should be made to implement it. However, there is no proper educational policy and process to fulfill this.
- Drug abuse affects female members of fishing communities. Drug smuggling often happens in the sea by fishers. Men and children are easily getting addicted to drugs. Farmer-husbands in agricultural sector are highly addicted. Yet, there is inadequate government plan to control this issue. Due to all these, women find it difficult both mentally and physically once their husbands are arrested and kept in the jail.³⁴
- All women workers should be treated equally, including the women sex workers who must be recognized as workers and entitled to receive a just payment without being discriminated.³⁵
- Women’s basic right to bodily integrity is being violated because abortion is illegal.
- Women are the most oppressed group when looking into salary discrepancy. The salary of the plantation workers are being decided through a collective agreement. Since there is no any effective mediation of the government in this process, the plantation workers who are mostly women face greater exploitation.³⁶
- Plantation workers are used to traditional management system in the estates where they live. They are being oppressed when they need the government services.³⁷

Recommendations:

- The Regional, Provincial Councils and Parliament should allocate an annual budget on the development of women for each sector.
- All the transgender women should be able to enjoy the rights as ordinary women.

Article 7: The Right to Participate in Political Activities

- Within the political structures and representations, the state is still dominated by males. The state does not take an effective effort to change this situation.³⁸ However, in elections nomination list include women candidates rather as a show of their participation than to improve the gender balance. Also, most of the current women politicians came into politics either because they are widows of former politicians or their fathers were politicians. It was still the "male" links of these women that made their entry into politics possible.³⁹
- At present, female representation is 5.8% in the parliament, which means the female representation is only 13 out of 225 representatives. In the year 2015, the female representation in Provincial councils was 6% while in the regional Council the situation was worse with a rate of 1.8%.⁴⁰
- There are no representation of female fishers and farmers in Regional Councils, Provincial Councils or National Parliament.⁴¹

³⁴Group discussion held at Rathgama, organized by Southern Fisheries Organization in April 2016.

³⁵FGD Mattakkuliya 2015 November 10.

³⁶Group discussions held with plantation community members at Hatton by Red Flag Union, 2016.

³⁷Ibid.

³⁸SAAPE Poverty report 2016

³⁹Women and Politics in Sri Lanka, Senevipala, N.T., 2016.

⁴⁰SAAPE Poverty report 2016, 132.

⁴¹Women discussions held at the women leadership Development Program held by NAFSO, July 2016.

- Women do not participate in political activities in a male dominated social system.⁴²
- No practical agenda though the Government has paid the attention on increasing the women representation in party lists up to 25%. However, only women from elite families will have the advantage to get into politics while the opportunities are being blocked for ordinary women.⁴³
- While women are ready to take the leadership in politics and many other aspects of life, social and cultural pressures do not allow them to take such.⁴⁴
- Women plantation workers are only included in lower levels of the decision-making processes; men are making decisions in Kovil committee and labor unions. Since there is no program for female participation in politics, only a very small number of women join the political decision-making process.⁴⁵

Recommendations:

- To develop guidelines for ensuring equal participation of women in all spheres of public and political life, and to ensure the accountability of concerned authorities to implement the gender sensitive policies at the ground level.

Article 8: Equal Right to Represent the Government

- Although there are qualified women available to represent the country, there are more opportunities given to men than women once it comes to representing the government in local and international levels.

Article 9: Equal Rights for Nationality

- Many female sex workers do not possess birth certificates and identity cards to claim their nationality.
- Language is the major problem for the female Tamil speaking laborers who migrated to FTZs; sometimes they are not being accepted by the Sinhalese dominated society due to their ethnicity; when searching for a boarding house they face several problems.
- According to the constitution, Sinhala and Tamil are both national languages. Still it is not being practiced and no efforts are being made to make them reality. The Tamil speaking women are being discriminated.

Recommendations:

- Equal women representation and decision-making must be included in the Constitution and practical implications must be planned in all the structures.
- The Government has to arrange a system to let the women who work far from their villages to vote in mobile polling stations.

Article 10: Right for Education

- There is a lower rate of education level among women from low-income families; especially women in the fisheries, plantations and in urban areas.⁴⁶
- 6.1% of the girls in Sri Lanka do not go to school; only 3.0% of boys do not go to school. The students who receive a proper education in schools are 93.3%, but it is only 90.1% from the plantation sector. The education of the girls is further below level in the plantation sector.⁴⁷

⁴²Ibid.

⁴³Ibid.

⁴⁴Ibid.

⁴⁵Group discussions held with plantation community members at Hatton by Red Flag Union, 2016.

⁴⁶ Focus group discussion held in Maskeliya by Peoples Movement for Plantation Community Land Rights.

- The average literacy rate of women is 94.6%. However, the literacy rate among women in the plantation sector is 86.1%.⁴⁸
- The number of pre-school children whose mothers are working daily in the plantation sector is of lower rate compared to the other sectors.⁴⁹
- Out of total population, there are 24.2% able to use a computer; in the plantation sector, it is lower at 8.6%. Even from this rate, only 8% of women have the ability to use a computer.⁵⁰
- As a result of social and political issues, girls are quitting school and child pregnancies occur.⁵¹
- More than 60% of girls from fishing, farming and urban low-income families leave school after the completion of grade 7, which is earlier than the boys from the families.⁵²
- Due to economic difficulties, many girls from FHHs begin to work at the age of 12 or 13 and they tend to work in garment factories or in other labor work, which disrupts their education.⁵³
- War-disabled women have no job opportunities in the North and East. They are dependent on welfare Schemes of the government or any other welfare institutions.

Recommendations:

- There should be a sex education program and it should be included in the school education system.
- A formal and informal education system has to be created for professional and technical education for women.
- The policy and program should be formulated to enhanced primary education with particular emphasis on plantation children.
- There should be special education programs provided for school dropouts in the fisheries sector.

Article 11: Equal Right to Work

- Aspects of gender inequality, unfavorable to women, are more evident in the labor sector than in the education sector. Statistically, Sri Lankan girls are equally or more likely to complete their primary and secondary education than Sri Lankan boys. However, to date women face difficulties in the labor market. Overall, women have a lower participation in the labor market and relatively lower wages leaving a higher unemployment rate among women in Sri Lanka. Although women constitute 51.8 percent of Sri Lanka's total population, only 34 percent of women are engaged in the labour force. Despite progress in education, the share of women in wage employment in the non-agricultural sector has not improved significantly since 1993, showing only a marginal increase from 30.8% in 1993 to 32% in 2011. Unemployment of women in Sri Lanka is more than twice as high as unemployment amongst men even with the active engagement of female migrant and plantation workers involved in bringing substantial foreign exchange earnings to the country. Out of the female labor force, approximately 57.1% are engaged in informal sector, which leaves them vulnerable to exploitation and abuse of various forms.⁵⁴
- In the plantation sector women and men start to work at the same time, but men will finish work by 13.00 while the women have to work until 17.00 to receive the same salary.⁵⁵

⁴⁷ Census of Population and Housing 2012.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Preventing unwanted pregnancies among hard to reach female populations November 2013 – Unpublished Report.

⁵² The personal communication with the Secretary to the national fish workers union, in November 2016.

⁵³ Under the Military's shadow, STP report, October 2016, 36 / Let them go back to their places of origin, in and with dignity, NAFSO publication, September 2015, 37.

⁵⁴ SAAPE, Poverty and Conflict in Sri Lanka, Sri Lanka country paper 2016.

⁵⁵ Ibid.

- There are no just wages for female laborers in the agricultural and irregular sectors. There is a salary discrepancy between men and women.⁵⁶
- The right to have a job with dignity is being violated for the women sex workers and the transgender. The vacancies for alternative job opportunities are blocked from them.⁵⁷
- The women's contribution in the fisheries and agricultural sectors is undervalued and only considered as household work. There is no recognition of those women who contribute to the GDP through their labor and for strengthening the family economy.⁵⁸
- There is no equal right to women in traditional heritage of fishing industry, in stake net fishery and when there is government subsidy schemes for providing equipment for women.⁵⁹
- Instead of eight working hours, female laborers in the FTZs need to work nine hours or more due to orders of the management. They work for twelve hours including overtime. These women have health, nutrition and security issues while they are coming back home in the later hours of the day after work.⁶⁰
- "Manpower service" is an exploitative system of recruitment for job and has become a critical problem in the FTZs. Female laborers do not receive provident fund that is entitled to all workers, job is not permanent and they have to face various difficulties regarding their payment.⁶¹
- Some women from IDP Camps on the Jaffna Peninsula help fishers to clean their nets and others help in farms. They will only be paid if they work until the evening.^{62,63}
- The women's employment is progressively becoming invisible, with growing informal, part-time and home-based work, which resists regulation as well as statistical enumeration. Due to low wages, women comprise the majority of the workforce in the main export earning sectors of Sri Lanka, in the plantation sector, garment industry and migrant workers.⁶⁴
- The Sex workers are not recognized as workers with dignity hence hatred and they are one of the most marginalized sectors in the society.⁶⁵
- When categorizing sex workers, most of them stay in the roadside, temporary/houses and massage parlours. They have lowest rate of education and poorest family economic background. The sex work provides their main income. There are no possibilities for these women to apply for alternative job opportunities. They are being cornered, no proper payment, not free to walk in the road side and sometimes get arrested by the police.

Recommendations:

- Massage parlors should certify that the women sex workers have participated in clinical tests of the government.
- All the illegal interferences of the police for the women sex workers should be banned.
- There should be an educational program for the women sex workers and the barriers for the education of the children of the women sex workers should be removed.
- Sex service should be legalized by the government and Police and other security forces should be deeply educated regarding all the laws relevant for sex services.
- There must be a program for the welfare of the women sex workers with the mediation of

⁵⁶ Ibid.

⁵⁷ FGD Mattakkuliya 2015 November 10.

⁵⁸ Daily Routine activities of fisherwomen in the North/ Western Province of Sri Lanka, Proceedings of the National Aquatic Resources Research & Development Agency[NARA], Scientific Sessions, 2016.

⁵⁹ FGD on Gender disparity of fisher women among Sri Vimukthi Fisher Women Organization leaders at Negombo on 15th September 2016.

⁶⁰ FGD Held at Jayawardanapura, Amandoluwa at FTZ Katunayaka on August 2016.

⁶¹ SAAPE, Poverty and Conflict in Sri Lanka, Sri Lanka country paper 2016, 24-25.

⁶² Under the Military's shadow, STP report, October 2016, 35.

⁶³ "We, the women are also the Citizens of this country, "Allow us live with dignity", Research on Women Headed families in the North, NAFSO Research, November 2016, 8.

⁶⁴ Poverty Report 2016, South Asia and the Future of Development: The Centrality of Social Justice and Equality, 80-81.

⁶⁵ FGD Mattakkuliya 2015 November 10.

the government.

- When the women sex workers need a service from a government institution, they have to face various uncomfortable situations. There should be a system to avoid such situations.
- Job opportunities called for under the Investment board must be established with all the citizen rights protected under the common law of Sri Lanka. The Government should mediate in order to ensure the security of women in garment factories.
- Establish the eight working hours and forbid exceeding over time working hours. Likewise, the nutrition, health and security of women laborers must be confirmed.
- The rights of the domestic workers must be legally accepted and established. The necessary policies should be arranged.
- Women plantation workers must receive an equal salary when men and women laborers do the same work in the plantation at a same period of time.
- A comparative value must be given to the migrated women who greatly contribute to the economy of Sri Lanka and the government has to ensure their security, eliminate injustices from the overseas agents and look after the children of migrated women through a process of social welfare.
- The suggested process of social protection of migrated women must be implemented with a compulsory insurance and pension or employment trustee with the contribution of women and courtesy of the government.

Article 12: Right to Access Health Care Services

- Health care services and other services are not accessible for plantation workers at present. There are increasing number of health issues among ordinary women and pregnant women. One of the ways to illustrate the nutritional status of the women is to check the nutritional level of the children. For instance, percentage of low birth weight is 16% in national level, while, unfortunately, for the women plantation workers it is 32%.⁶⁶
- Women do not get nutritious meals due to low income. The rate of malnutrition has increased among pregnant women, nursing mothers and growing children. The rate of malnutrition level of pregnant women is 18.4%.⁶⁷
- Malnutrition levels of children and women by each sector in Sri Lanka are mentioned below according to the following research from 2014.

Malnutrition of mothers and children in various sectors:

Field	Low weight children in %	Low weight Childbirth in %	Malnutrition level of Mothers in %
State	0.21	0.16	0.16
Urban	0.17	0.13	0.10
Rural	0.21	0.16	0.16
Plantation	0.30	0.31	0.33

Source: The causes for the malnutrition of mothers and children in the plantation sector, Sri Lanka. Jayawardhana Priyanka, Institute of Policy Studies, Report of 2014.

- Women plantation workers do not have access to any sanitary facilities and to a proper place to dine when they are at work. They find it very uncomfortable and face health issues especially, during their menstruation.
- Young pregnancies, sexual addictions and sex exploitation are in a higher rate due to lack of educational programs (formal/informal) about reproductive health.⁶⁸

⁶⁶ DHS 2006/2007.

⁶⁷ Nutritional Status in Sri Lanka, L. Rajapakse et.al, 2011.

⁶⁸ Preventing unwanted pregnancies among hard to reach female populations November 2013 – Unpublished Report.

- Young people involve in unhealthy sexual behaviors in FTZs due to the lack of education about reproductive health and the unavailability of other services in Sri Lanka. Consequently, the numbers of child pregnancies, unhealthy abortions have increased.
- Many women in FTZs are suffering from Anemia without having nutritious diet and sufficient rest due to the busyness at work to cover insufficient salary. The meal that is provided from the factory is not in a good condition to consume.⁶⁹
- Often, women involved in sex services are ill- treated or cornered in clinics. Most of the time, during consultation and counseling sessions, their privacy and dignity are being violated. These women hesitate to go for clinical services since they will be questioned regarding the father of the child and their profession.⁷⁰
- The services rendered by the family health care officer and services are insufficient in fisheries, agricultural and plantation sectors. The services are not available during childbirth and for the nutrition of the children. Fisheries women are looked down upon while health services for them are being rendered.
- Health services of the Government to raise the nutritional level of pregnant women, nursing mothers and children such as distribution of “TriPosha” are insufficient or non-functional.
- Mental stress for displaced women is due to the loss of their land and properties. Under displacement, they have to bear with 47 families only two toilets and two water resources, as the case in Supermadam IDP Camp, Valikamam North, Jaffna.⁷¹
- There is no possibility to go to common toilets in the IDP camps at night. It is not safe for women and children. There are women with urinary infections as they control the need to go to the toilet due to fear and lacking electricity at night.⁷²
- Due to the busyness of women in the farmer’s sector, they are unable to have a healthy diet and to prepare a meal.
- Privatisation of health services was embarked with disastrous effects in health care.⁷³

Recommendations:

- Drug issue greatly affects the rural women. Therefore, there should be a proper program to resolve this problem and be effectively implemented by the government.
- The right for abortion should be given to the women under the supervision of the doctors.
- Society must be widely educated about using of condoms in order to prevent AIDS and other sexual diseases.
- The development and promotion of pre-child development centers and day care centers in order to ensure the right to work of women and be professionals.
- Women should be provided with special sanitary facilities in public places and clinic services.

Article 13: Economic and Social Rights

- Those who involve in fishing industry have to stay long period in the sea alone or with someone else. This restricts the participation of women in fishing.
- Fisheries families have tendency to get loans for daily interest at large. As such, many families are living in debts.
- It is inconvenient for fisheries women to enjoy the services in some institutions and places. The key reason is the attitude towards fisheries women in the society.⁷⁴

⁶⁹ FGD Held at Jayawardanapura, Amandoluwa at FTZ Katunayaka on August 2016.

⁷⁰ FGD Mattakkuliya 2015 November 10.

⁷¹ Under the Military’s shadow, STP report, October 2016, 33.

⁷² Let them go back to their places of origin, in and with dignity, NAFSO publication, September 2015, 26- 27.

⁷³ Poverty Report 2016, South Asia and the Future of Development: The Centrality of Social Justice and Equality, 87.

- Women who work in FTZs are being looked down upon due to deeply rooted attitudes of the society. Especially, it is difficult for women in sensitive matters like marriage.
- If a well-dressed woman from aFHHs goes out from the camp, people in the camp itself will falsely condemn her for involving in sex services. Even when they go to “District Secretariat” for a need of the family, they are still being condemned, which is common with women plantation workers and rural FHHs.⁷⁵
- There are many girls passed their age to get married. Men from other villages do not want to marry girls who live isolated in the camps since they know about their incapability to give a dowry. However, there are child marriages happening in the camp. It is insecure and uneasy for children to live peacefully due to the drunkard men in the camp.⁷⁶

Recommendations:

- Women who involve in the process of food production must receive all the provisions and reliefs by the government in a proper management system.
- Complete details about the displaced women must be collected and the resettlement process facilitated in a proper and systematic manner.
- Special attention on women-headed families and prioritize them since they are the most neglected.
- Relevant programs must be organized to develop the knowledge and the talents of the women regarding environment-friendly and sustainable methods in the process of food production.
- Women involvement in the process of food production and contribution to the gross national product must be recognized.
- There must be farmers and fisheries policy to ensure the equality of women in the national level and to be use in a practical manner.

Article 14: Right of the Rural Women

- There are no opportunities for women to hold leadership or make decisions in the rural unions.
- Majority of rural women involve in the process of food production. However, they are unable to make decisions regarding the industry, lands, equipment, houses, properties, distribution of the products and the right to hold the financial and economic valuables.⁷⁷
- Overseas women workers contribute greatly to develop the local economy. However, there is no social recognition for their contribution. Since they are insecure, some overseas agents misuse them. In addition, children will be left abandoned and insecure when the mothers are abroad.⁷⁸
- There is no social protection process for migrated women. They will not have other ways of income when they return to Sri Lanka.
- The traditional knowledge of women, in developing the field with their talents and knowledge are being underestimated and they have moved away from the whole food production once the process of agricultural products and the fisheries sector have become technical and mechanized.⁷⁹

⁷⁴The personal communication with the Secretary to the national fish workers union, in November, 2016.

⁷⁵Let them go back to their places of origin, in and with dignity, NAFSO publication, September 2015,22 / “We, the women are also the Citizens of this country, “Allow us live with dignity”, Research on Women Headed families in the North, NAFSO Research, November 2016, 20-22.

⁷⁶Let them go back to their places of origin, in and with dignity, NAFSO publication, September 2015,22.

⁷⁷ Poverty and Conflict in Sri Lanka, Sri Lanka country paper 2016- South Asian Alliance for Poverty Eradication (SAAPE), 33.

⁷⁸ SAAPE, Poverty and Conflict in Sri Lanka, Sri Lanka country paper 2016.

⁷⁹ The personal communication with the Secretary to the national fish workers union, in November, 2016.

- There is no suitable appreciation or value given to the women in food production and due to this, they are being misused economically. There is no government policy for them and no study has been done regarding this matter.⁸⁰
- Women are mentally depressed as their responsibilities are separated as male and female (gender division) in the process of production.
- Since the women in rural society have to attend to the needs of the children and other domestic responsibilities in the family, they have missed the opportunities to go for a job.

Recommendations:

- There should be a program to increase the technical knowledge of rural women and implement it through the Divisional Secretariat.
- Rural women must have the easy system to resolve their problems through counseling services.

Article 15: Equality in the Law and Order

- It is mentioned in the law that a married women will receive half of the properties that belonged to husband, after his death. This is followed unless the properties of the husband are being transferred to someone from birthright in his last will. There is no opportunity for women to have legal right for properties after the death of her husband or be part of decision-making on what to leave her.
- Even without fault, women will be arrested and violated in their dignity using vagrancy ordinance. Some even get imprisoned arrested without knowing the reason and the duration.
- Since there is no proper program for the children who are abandoned due to the imprisonment of their mothers, there will be insecurity for girls, quitting of their education, reason to become sex workers, and loss of their properties, as they have to live away in prison. Women will get involved in illegal activities inside the prison such as addiction to drugs.
- According to the article 30 of procedure of criminal cases, women must be checked or arrested by women police officers. However, most of the time, women will have to undergo harassments from the male police officers in the absence of women police officers.
- Especially, when women workers of FTZs go to the police to make a complaint regarding the violence against them, they will be mistreated and will not be given the legal assistance.

Recommendations:

- There must be common law in distributing the right for government lands without any split. It must be included in the new Constitution as a basic right.
- They are should be land reform program in the country.
- There should be a system and policy to have the ownership for lands, seeds, water and other natural resources by women.

Article 16: Equilibrium in the Marriage and Family Affairs

- The expectation of the dowry from women delays the marriage and women get depressed both physically and mentally due to this marriage condition.
- Women will be uncomfortable for checking of their virginity during the marriage.
- Men are not sensitive to the needs of the women during sex and violate women's right to refuse sex and make decisions for their reproductive health.

⁸⁰ Female food heroes national report, April 2016.

- The right of the children is under father in traditional ideologies and activities. However, mother and father should agree to this.
- The attitude of women in the society is also a hindrance to reduce the gap between men and women, as shown below in the percentage of women who think it is justified to have domestic violence.⁸¹

Recommendations:

- A proper and sensitive system must be established to accept the complaints of the women regarding domestic violence.
- Ensure the inquiry process not discriminatory to women once they complain to police and other authorities.
- There should be education program implemented by GOSL on the rights of unmarried girls and dowry system, which discriminates women's dignity.

⁸¹Poverty Report 2016, South Asia and the Future of Development: The Centrality of Social Justice and Equality, 129.