

Concluding observations on the combined fifth to seventh periodic reports of Sri Lanka

Information provided by the International Centre for Ethnic Studies¹ and the Women and Media Collective², Sri Lanka

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This report provides responses to the Concluding Observations of the CEDAW Committee on the combined fifth to seventh periodic reports of Sri Lanka (ref. CEDAW/C/LKA/CO/7/Add.1).

It is particularly concerned with the following recommendations made by the CEDAW Committee:

“Participation in political and public life”

30. The Committee is concerned about the extremely low level of participation of women in politics and public life, including a low representation of women in Parliament, Provincial Councils and Local Authorities, at the decision-making level and in the diplomatic corps. The Committee is further concerned that no measures have been taken to encourage women to participate in political life and that the State party attributes the low representation of women to their own choice, their preoccupation with multiple roles, high costs of the electoral campaigns and the lack of confidence of political parties in the ability of women to garner votes.

31. The Committee reiterates its recommendation that the State party take all necessary measures to increase the representation of women in politics and public life at the local, provincial and national levels. The Committee also urges the State party to:

- (a) Pursue sustained policies aimed at the promotion of the full and equal participation of women in decision-making in all areas of public, political and professional life;
- (b) Fully utilize general recommendation No. 23 concerning women in public life and adopt temporary special measures, within a clear timeframe and with numerical targets, in accordance with article 4, paragraph 1, of the Convention and general recommendation No. 25; and
- (c) Implement awareness-raising campaigns, including on the purpose of introducing temporary special measures, such as quotas or financial support to women candidates, and to highlight the importance to society as a whole of women’s full and equal participation in leadership positions in all sectors and at all levels.” (ref. CEDAW/C/LKA/CO/7/Add.1).

Information on Participation of Women in Political and Public life

We wish to place before the Committee the following information:

1. On the question of a quota for women in local government, women’s organisations in Sri Lanka have long demanded a mandatory 30% quota for women in local government nominations lists, including making representations to the Parliamentary Select Committee on Electoral Reforms, leaders of political parties, etc. There was an opportunity to make provision for such a quota in

¹ International Centre for Ethnic Studies, 2, Kynsey Terrace, Colombo 8, Sri Lanka. E-mail: ices.admin.lk

² Women and Media Collective, No. 56/1, Sarasavi Lane, Castle Street, Colombo 08. Sri Lanka. E-mail: wmcslanka@gmail.com

October 2012 when the government amended the Local Authorities Election Amendment Act. However, the GOSL failed to do so, ultimately providing only a 25% *discretionary* quota for women and youth, [See Article 22(4)(2B) of the Local Authorities Election Amendment Act of 2012 which states that 25% of the total number of candidates and additional persons whose names appear in each nomination paper . . . **may** consist of women and youth]. This provision falls far short of what is needed to increase women's representation at local government as (i) the quota is a combined quota for women and youth with no guarantee of a specific quota for women and (ii) it is only a discretionary provision which would attract no legal consequences in case of non-compliance, which most political parties including the major parties are more likely than not to ignore. This amendment introduced in 2012 (post CEDAW Committee Recommendations on increasing women's representation in political and public life) also rescinded an existing provision that made it mandatory for political parties to nominate 40% youth to contest Local Authority Elections).

2. In its report, the Government of Sri Lanka (GOSL) cites Sri Lanka's favourable Human Development Indicators concerning women and the country's ranking in the global Gender Gap Index, to argue that women are not discriminated in relation to their participation in politics. While the report concedes that women's representation in elected political bodies is low, it attributes this situation to the reluctance of women to enter politics, and goes on to state that cultural and social factors appear to be the prime reasons for women not taking to active politics (p.3). The report even appears to suggest that non-implementation of affirmative action for women by the GOSL stems from this lack of interest on the part of women themselves. To quote from the GOSL report:

'Although an attempt has been made to reserve a mandatory quota in the nomination list exclusively for women' and political parties have been advised to consider this principle, women still seem to be reluctant to enter politics'. (p.3)

We, as women's organisations committed to increasing the number of women in elected political bodies, recognise and acknowledge that women in Sri Lanka are less likely than men to self-select themselves for a career in politics and that social and cultural factors do play a significant role perpetuating the dominance of men in politics. However, the GOSL's training programmes do not adequately address these barriers. Moreover, such trainings are far removed from political party nomination processes, which we consider is the most significant discriminatory practice and barrier to addressing the gender gap in political representation.

The GOSL however appears to holding Sri Lankan women responsible for their under representation in political bodies while attempting to sidestep the responsibility of the state and political party structures to acknowledge historic discrimination and address such under representation through affirmative action and other strategies. This is disingenuous to say the least.

3. According to statistics cited by the GOSL in its report, nominations for women were a mere 6.2% at the 2004 parliamentary elections and 7.7% at the 2004 provincial councils. We would like to point out that nominations for women by the major political parties in Sri Lanka tend to be generally lower than these averages. This is because under Sri Lanka's proportional representation system, small political parties and independent groups which contest elections with little prospect of success, tend to be more liberal in granting nominations to women whereas the major parties that win the most number of seats give far fewer nominations to women. For instance, data on nominations from five districts (out of a total of 24 districts) at the 2011 local government elections show that, on average,

women secured respectively only 3.4% and 4.8% of nominations granted by the two major political parties in Sri Lanka, the United People's Freedom Alliance (UPFA) and the United National Party (UNP). The highest number of nominations for women was by the Tamil National Alliance which gave 16.5% nomination to women in the District of Trincomalee.³

4. Unless there is a significant increase in the number of women nominated by the major political parties, it will be impossible to address the problem of women's under representation, since obviously if not nominated to contest, women can't win elections and increase their representation in political bodies. This, however given the historic practice and lack of political will on the part of political parties to nominate women at their discretion, is not likely to happen without a mandatory quota.

5. We, therefore call for Article 22 (4)(2B) of the Local Authorities Election Amendment Act of 2012 to be amended to make provision for a mandatory quota for women – at least 30% nominations, as a temporary special measure to increase women's representation in Local Authorities.

We call upon the GOSL to amend relevant legislation enabling the introduction of a mandatory quota for women to increase nominations to at least 30% at the level of Parliament and Provincial Government.

We also call on the GOSL to implement awareness-raising campaigns, including on the purpose of introducing temporary special measures, such as quotas or financial support to women candidates, and to highlight the importance to society as a whole of women's full and equal participation in leadership positions in all sectors and at all levels.

³ Source: Kodikara, Chulani. 2012. Women in Local Government from 2006 to 2011: A Comparative Analysis of Representation and Nominations for women, ICES Working Paper No. 3, Colombo. International Centre for Ethnic Studies,