

**Women Defining Peace (WDP)**

**Understanding  
Gendered Violence against  
Women in Sri Lanka**

Background Paper Prepared by  
**Ramani Jayasundere**  
Technical Consultant to Women Defining Peace  
April 2009



Women Defining Peace (WDP)  
is a Canadian International Development Agency (CIDA) funded project  
implemented by

World University Service of Canada (WUSC), Cowater International and MATCH International Centre

# **Understanding Gendered Violence against Women in Sri Lanka**

## **A Background Paper for Women Defining Peace**

### **Introduction**

Violence against women is widespread in Sri Lanka. Incidences of rape, sexual harassment, domestic violence, incest, assault, obscenity against women, unwanted advances, perverted acts, forced pornography, forced prostitution and media violence all prevail in Sri Lankan society. These issues receive attention from diverse sectors, the State, non government sector and civil society, which address preventive measures and provide redress for victims. Despite this attention, violence against women continues to take place in the private and public sphere and the measures taken to prevent and redress, remain insufficient.

This Background Paper attempts to highlight the characteristics of gender based violence in Sri Lanka, State and NGO responses, and the implications of socio cultural issues and situations affecting gender based violence. The paper is prepared for Women Defining Peace (WDP), a project funded by the Canadian International Development Agency, implemented by a consortium of World University Service Canada, Cowater and MATCH International.

### **Women Defining Peace – a project’s significance in addressing GBV in Sri Lanka**

The WDP programmatic framework for the reduction of gendered violence against women was formulated at the inception of the project to summarize current understanding of gendered violence and lessons learned about social change in a way that can guide planning and practice. The framework originally aimed at helping groups who want to work collaboratively to develop strategic plans for reducing violence against women.

The framework has been adapted as strategic guide for programme conceptualisation and designing, and has been published as a handbook titled *A Programming Framework to address Gender-Based Violence*<sup>1</sup>. The framework provides a simple understanding of Gender Based Violence as a guide to government and non governmental organizations to design, develop and implement effective projects and programmes to address gender based violence. It is not intended to be a comprehensive document on gender based violence, but a tool for effective programming and incorporates WDP’s vision for achieving a society free of violence against women through the 4 Rs approach: the *recognition* of the issue, the need for *resources*, an understanding of *relations of power* and full realization of women’s *rights*.

### **Gender Based Violence in Sri Lanka**

Gender based violence has always been prevalent in Sri Lanka. Although the lack of systematic data has prevented a full understanding of gender based violence, its prevalence and patterns, there are a number of specific writings as well as information from service providers that show a high prevalence and diverse forms of gender based violence faced by women (and children) in the country. Gunaratne (2007) states: “*While police statistics are available regarding gender based crimes such as rape, child abuse and domestic violence, the available reports admittedly do not reflect the reality. Incidents are often not reported in the first place and even when victims resort to appropriate State agencies for remedies and redress, the agencies in question (including police,*

---

<sup>1</sup> In English, Sinhala and Tamil

*courts and medical institutions) do not appear to have procedures in place to maintain statistics or comprehensive reports on the subject. Independent researchers who have conducted surveys on the areas have often produced data which differ widely from the official police and court records”.*

Despite the inadequacies, reports show a consistent rise in the levels of violence against women in Sri Lanka; be it due to increased awareness and thus increased reporting or due to an increase in incidences themselves, it is not clear. It is probable that it is a combination of both factors.

The environment of political turmoil and conflict in the country has undoubtedly contributed to the increase in violence against women. The civil war in the North and East of the country and the brutal insurrection in the South have created an environment in which power is yielded with immunity, which has filtered into the lives of ordinary people resulting in the breakdown of law and order, good governance and respect for life, and women have suffered disproportionately. This is set in the background of socio cultural structures where male domination is constant in the private and public sphere.

This makes the analysis of gender based violence in Sri Lanka a study of violence affecting women.

In Sri Lanka, gender based violence ranges from sexual harassment in public spaces to acts of violence within the privacy of the home or at workplaces. It is acknowledged that the issue of who or which group in society has more power than others and who can exert acts of gender based violence is not restricted to economic power but is very much rooted in notions of social power and hierarchies in access to exercising such power. Thus the concept of gender based violence necessarily includes two aspects - violence which arises out of asymmetrical power relations resulting from socialisation processes, as well as gender based discrimination arising from structural violence against women, as can be seen, for example through the impact of violence against women as a result of armed conflict.

### **Sri Lanka’s recognition of gender based violence and the need to address gender based violence**

Gender equality and non-discrimination of women is a guiding principle of State machinery and State action in Sri Lanka. The Constitution of Sri Lanka promulgated in 1978 in Article 12(2) sets out the principle of non discrimination on the ground of sex (and other specified grounds). Article 12(4) further provides for affirmative State action for the special advantage of women.<sup>2</sup>

In 1981, in keeping with the commitment made in the Constitution, Sri Lanka ratified the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Sri Lanka is also signatory to a number of other international conventions including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights which clearly distinguish discrimination on the grounds of

---

<sup>2</sup> Article 12 -Rights to equality; Article 12(2) - All persons are equal before the law and are entitled to the equal protection of the law; Article 12(2) - No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one such grounds; Article 12(4) - Nothing in this article shall prevent special provision being made by law, subordinate legislation or executive action for the advancement of women, children or disabled persons.

sex as a violation of human rights. In 1993 Sri Lanka signed the Vienna Declaration on the Elimination of Violence Against Women setting out the country's focused commitment to fight against gender based violence.

Sri Lanka recognises the definition of GBV set out in the Declaration on the Elimination of Violence Against Women (DEVAW) as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life".<sup>3</sup> It also accepts that violence against women encompasses but is not limited to "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; 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 and physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs".<sup>4</sup>

For over two decades the government of Sri Lanka has been actively committed towards gender equality and the advancement of women including working towards reducing gender based violence. The State commitment to issues particular to women came about during the United Nations Decade for Women (1975 to 1985) and specifically as a result of the International Women's Year in 1975.

In 1978 the government established the Women's Bureau of Sri Lanka, the first ever national level machinery for women set up as a key institution under the then Ministry of Plan Implementation. In 1983 the Women's Bureau was placed under the purview of the Ministry of Women's Affairs and Teaching Hospitals - the first time a Ministry was created for women's affairs. From then on the State commitment to women has shifted to several Ministries, the Ministry of Health and Women's Affairs, and then as a singular Ministry of Women's Affairs. In 2001, the Ministry functioned under the Minister for Development, Rehabilitation and Reconstruction of the East, Rural Housing Development and Women's Affairs. In 2004 it was combined with the Ministry of Social Services and known as the Ministry of Social Services and Women's Empowerment. In 2006 the present Ministry was set up, the Ministry of Child Development and Women's Empowerment.

The Sri Lanka Women's Charter was drafted and adopted by the State in March 1993 and is the main policy statement by the government, regarding the rights of women, expressing the States' commitment to remove all forms of discrimination against women and address crucial areas relevant to women. The Charter stems from the CEDAW and DEVAW and aims at eradicating sex based discrimination and at achieving gender equality, and establishes standards to be observed in seven broad areas, political and civil rights, rights within the family, the right to education and training, the right to economic activity and benefits, the right to healthcare and nutrition, the right to protection from social discrimination and the right to protection from gender based violence.

---

<sup>3</sup> Article 1

<sup>4</sup> Article 2

The Women's Charter is seen as the first positive response by the Sri Lankan Government to securing the rights of women although CEDAW was ratified in 1981, over ten years before the adoption of the Charter.

The most significant introduction to State machinery to work towards the rights of women made by the Charter was the setting up of the National Committee on Women in 1994. The National Committee on Women (NCW), a Presidential Committee, is facilitated by the provisions of the Charter<sup>5</sup> which enabled the establishment of a fifteen member Committee to monitor the rights under the Charter. The members of the Committee are persons competent in several areas which are of particular concern to women, such as law, health, economic development, education, science and technology, and the environment, as well as persons who have distinguished themselves in voluntary organisations or in the sphere of women's activities.

The National Plan of Action for Women (NPA) was adopted by Sri Lanka in May 1996 following the 1995 World Conference on Women, and has been developed based on the Global Platform for Action on Women. The NPA is a collaborative effort between the government and the NGO sector in Sri Lanka and encompasses the following sectors: Violence Against Women, women and human rights, women and armed conflict, education and training, economic activities and poverty, health, environment, decision making, the girl child and the media. In the 1996 activity plan of the first NPA, the section on violence against women, women and human rights and women and the armed conflict looked at legislative reform (amendments to the Penal Code, domestic violence legislation), positive administrative action (to change discriminatory Citizenship regulations), the collection of information to address issues related to the armed conflict in the short term (1 year), the establishment of a monitoring unit for women's rights, access to legal processes and legal aid, legislative reform to provide for speedy legal process in relation to grave crimes against women, review of discriminatory personal laws and the establishment of crisis centers for women victims of violence in the medium term (4 years) and raising public awareness of issues of violence, change of attitudes through education, collection of information on violence against women and education of judges and law enforcement officers in the long term (over 4 years).

The Beijing Plus 5 review of the NPA and the updating of the NPA for the period 2001 to 2005 were done by the NCW in 2001. At present, in 2009, an updated version of the NPA is being prepared by the NCW through a collaborative effort of the government, NGOs, researches and academics.

## **Legal Instruments addressing gender based violence**

In Sri Lanka, the legal system addresses gender based violence through the provisions of the Penal Code (codified in 1883) and the Prevention of Domestic Violence Act (2005). While many offences against women fall within the general offences of assault, hurt, grievous hurt, sexual abuse, prostitution, murder and kidnapping, a few offences deal specifically with women victims. Chapter XVI of the Penal Code titled "Offences affecting the human body or offences affecting life", contains these offences. These offences would generally cover the physical violence which can be inflicted on women in public sphere as well as in their homes. However, psychological abuse and economic abuse in the absence of physical violence would not constitute a substantive offence.

---

<sup>5</sup> Articles 17 – 23

Rape is dealt in sections 363 of the Penal Code and the amendment to the Penal Code in 1995 drastically updated archaic laws and resultant practices that discriminated against women victims of rape for over a hundred years. The new laws are extensive and carry a mandatory minimum sentence of seven years with enhanced punishment for gang rape, custodial rape, rape of a woman of unsound mind or in a state of intoxication and of pregnant women. The law also recognizes statutory rape at the age of 16 years. Despite strong lobbying for legal recognition of marital rape as a violation of women's rights within the privacy of the family and marriage, the current law does not recognize marital rape as an offence.

The 1995 amendment to the Penal Code introduced two new offences that criminalized two forms of gender based violence, sexual harassment and incest. Sexual harassment, an issue which remained largely unacknowledged as a crime in Sri Lanka, is now dealt in section 345 of the Penal Code which recognizes sexual harassment in the public sphere including in employment and public transport. However only a handful of cases have been instituted under the legal provisions. Incest was criminalized in section 364A of the Penal Code and is an offence largely victimizing women and girl children in Sri Lanka.

Unlike in the rest of South Asia there are few reports of large scale trafficking of women for commercial sexual exploitation in Sri Lanka. Studies and reports show, however, that trafficking for sex and exploitative forms of labour does exist internally and externally, especially where Sri Lankan women travel out of the country to work as domestic aids or in garment factories. Within the country, trafficking of women has been found to take place in situations where women seek work in factories, especially in the Free Trade Zones, where unscrupulous persons are reported to lure women out of their villages with the promise of such employment and press them instead into sexual slavery in the cities. The Sri Lankan law recognizes trafficking as an offence and in April 2006, amendments to the offence of trafficking in the Penal Code placed the definition of trafficking in line with the UN Protocol on Trafficking and prohibited all forms of human trafficking.

Domestic violence is a wide spread problem in Sri Lanka. As a result of strong lobbying by civil society organizations strengthened by research carried out by institutions and individual academics, the Prevention of Domestic Violence Act was enacted in September 2005. Until the enactment of the Act, domestic violence was virtually an invisible phenomenon in Sri Lanka, unrecognized by the State and accepted by society at large. According to the UN Rapporteur on Violence Against Women in 2000, more than 60% of Sri Lankan women were subject to some form of domestic violence. With the enactment of the Prevention of Domestic Violence Act, wide awareness raising campaigns brought attention to the issue and from this stemmed pro active action from diverse sectors of society, state, legal, medical, law enforcement, dispute resolution and community.

Violence against women at the hands of State agencies, particularly the military and the police as well as subversive groups involved in the North Eastern and Southern conflicts, is one of the many manifestations of the civil unrest and ethnic war in Northern and Southern Sri Lanka. Several cases of violence have been highlighted in the media and military personnel convicted of crimes against women by the judicial system. Yet, many have gone undetected. The Torture and other Cruel, Inhuman and Degrading Treatment and Punishment Act No. 22 which was passed in 1994 following Sri Lanka's accession to the Convention against Torture in 1994 and covers situations of women being abused in armed conflict and in custodial situations. However the limitations on this provision (where abuse in a private capacity even though such abuse amounts to an act of torture under the Act) have pushed the argument the provisions in the Act are not wholly protective.

## **Issues surrounding gender based violence in Sri Lanka**

From the acceptance of the provisions contained in the United Nations Declaration on the Elimination of Violence against Women to the Beijing Platform for Action, to resultant local policies, commitments and legislation, Sri Lanka has come out of the veil of silence surrounding gender based violence. But the recognition of gender based violence as a result of underlying gender inequalities and power imbalances is yet to be commonly accepted – thus initiatives to combat gender based violence often rest on redressal or preventive efforts through awareness raising targeted at addressing the issue of violence and not often enough on strategically addressing the root causes of inequality and power.

Discussions with service providers<sup>6</sup> reveal that gender based violence in Sri Lanka has increased in the past few years. As stated earlier, it is not certain if this increase is due to increased reporting resulting from awareness creation or due to the actual increase in incidences of violence against women. However, the same service providers report an increase in the level of brutality in cases of violence against women, linking this to the general increase in violence in today's Sri Lanka.

## **Culture of violence and GBV**

Sri Lanka's violent civil conflicts (the armed conflict between the State and the LTTE<sup>7</sup> as well as the violent JVP<sup>8</sup> led uprisings) in the past thirty years have created a culture of violence as well as a culture of impunity from violence. Women experience armed conflict differently to men. The inequalities based on sex result in women's unequal access to resources, rights, authority and control over environments. Losing family members who have died, disappeared or missing, becoming heads of households and being displaced and forced by circumstances to live in welfare centres and relocation sites increase vulnerabilities that are unique to women. Increased militarization and resultant environment of abuse of power, and widespread violence of all forms victimizes women in many ways often impelling them into situations of violence.

It is said that women in Sri Lanka have become victims of armed conflict in four different ways; direct victims of violence, raped or killed in conflict, become refugees or internally displaced, lost male relatives and find themselves in situations of social and economic disempowerment and have experienced the war as woman combatants and as perpetrators of violence. During conflicts women have also been subject to custodial violence, and by being caught in crossfire and bombardments.

While no official figures exist on the numbers of women subject to various forms of violence during conflict, several cases of rape and murder and other forms of violence, especially custodial violence have been highlighted in the media and by women's organizations forcing State action against perpetrators.

---

<sup>6</sup> Presentation by Police Women and Children's Desk and discussions with Women In Need, April 2009

<sup>7</sup> Liberation Tigers of Tamil Ealam

<sup>8</sup> Janatha Vimukthi Peramuna

The Asian Development Bank Sri Lanka Gender Assessment (2008) notes “*Gender Women in these conflict-affected areas have had to bear a disproportionate share of the burden as the survivors and caregivers of their families. Many of these women have been abruptly forced to be female heads of households, responsible for the welfare of their families amid deprivation and instability. In the welfare centers, facilities have been minimal and women have suffered loss of privacy. Communities have been disrupted; infrastructure, such as roads, telecommunications, and markets, and institutions, such as schools and hospitals, have been destroyed; and productive assets have been lost. Women have had to sustain their families without shelter, food, basic services, education, and means of livelihood. The disruption of traditional agriculture and fishing has meant loss of income. All pervasive is the trauma that is the result of violence, including gender-based violence, as well as perceptions of vulnerability and powerlessness.*”

Gender based violence in the recent military offensive in the North of the country remains undocumented. The numbers of internally displaced people has swelled to close on 200,000 housed in temporary shelters and welfare centres. Anecdotal information gathered by civil society organizations point to issues arising from injuries, separation from families and hardship caused insufficient food, medical care and shelter in the trapped areas and the welfare camps. A recent note issued by the United Nations Resident Co-ordinator’s Office in Sri Lanka identifies GBV resulting from militarization and the threat of violence where women in welfare centres reported incidents of verbal harassment by military personnel and vulnerability to threats of violence caused by unsecured locations of location of toilets and bathing wells, and the lack of adequate lighting. The note further identifies vulnerabilities faced by the high number of female headed households, and women separated from families.

### **Gender Based Violence in politics and public life**

The section on ‘Women in Power and Decision Making’ in the Sri Lanka National Plan of Action on Women recognizes that there are no constraints to women in Sri Lanka reaching the height of political power as President or Prime Minister. However it notes and promotes remedying of the fact that women’s representation in legislative bodies and in politics and in decision-making positions in the public and private sector is very low. The reasons for low participation are complex and a commonly identified reason which is said to prevent women from seeking political participation in the level of violence associated with politics.

Incidents in the past five years of harassment of women candidates are testimony to this commonly expressed view. Yet a recent project carried out by a women’s NGO<sup>9</sup> brings views from the field to the contrary. The project which reaches women political aspirants states that “*At the field there is no fear of violence, allegations of corruption and tarnishing of good character among women who are expecting to receive nominations and contesting elections in 2010*”. The project which works with community based organizations that prepare women to contest in the political process, further elaborates that “*unlike for male contestant, organizational strength is vital to meet the challenges of violence, threats, intimidation and unfair allegations that are part and parcel of the political process at local level*” and concludes with a telling comment “*these women are brave and fearless. They will accept the challenge and context in the 2010 local authority elections.*”

---

<sup>9</sup> Women and Media Collective project “Strengthening Governance and Increasing Women’s Representation in Local Government”. 2008



This experience, albeit small in comparison with the size of the electorates in Sri Lanka, brings in two views; one that violence is part and parcel of the electoral process, but two, that women are no longer intimidated by gender based violence in their aspirations to enter politics.

### **Poverty and Gender based violence**

Poverty in Sri Lanka has a direct affect on women. Despite an increase in employment and the resultant decline in the rate of unemployment, income inequalities have remained and there have been little change in the poverty status experienced in Sri Lanka. At present a large segment of the population, over 40% lives below the poverty line. The fact that more than half the population of Sri Lanka is women highlights the gravity of the poverty status of women, although specific statistics are scarce. Women's access to employment and income are critical indicators of the status of women in relation to poverty. While there has been an increase in women's labour force participation in the past years, women's unemployment remains significantly higher when compared to that of men.

The component on women, poverty and the economy in the National Plan of Action for women recognizes that approximately 21% of households are female headed. Current statistics reveal that the Head Count Index (proportion of population below national poverty line) for female headed households is 21.5 compared with 23.0 for male headed households.<sup>10</sup>

Many of the Sri Lanka's poverty alleviation programmes reinforce gender stereotyping and subordination of women. Micro credit programmes aiming at reducing poverty largely target women as the better repayers of loans. But many while economically empowering women, have reinforced women's status as secondary income earner and further ensnared women into a form of debt that is disempowering.

Sri Lanka has not properly documented the effect of poverty as a cause of gender based violence. Poverty is often cited, without adequate research, as a cause of gender based violence, especially domestic violence. However women's organizations that provide support services record no direct links between poverty and gender based violence based on the study of incidences of gender based violence dealt with by them where violence against women takes place in low economic as well as affluent situations.

### **Women's ownership of property and GBV**

There are no countrywide gender disaggregated statistics available as regards land ownership in Sri Lanka, either in regard to private property or to the distribution of State land. While it is difficult to maintain such statistics in regard to private property, it is unfortunate that the relevant State institutions involved with land distribution have not maintained them as regards the latter. Studies by individual researchers provide some information on the issue but this is an area in which there is a distinct lack of hard data.

A 2005 study on Property Ownership and Inheritance Rights of Women for Social Protection<sup>11</sup> concludes that property ownership by women did not obviously affect violence. In the study,

---

<sup>10</sup> Sri Lanka National Plan of Action on Women (Draft 2008)

<sup>11</sup> Gunaratne, C. (2005). Property Ownership and Inheritance Rights of Women for Social Protection: The Sri Lanka Experience. Centre for Women's Research (CENWOR) and International Center for Research on Women (ICRW). Colombo.

from the women who faced violence at home, women who owned property were similar in numbers to women who did not. This was the same in the way women responded to the violent situations. The women who tried to deal with the violence were greater in number than those who did not but property ownership in both categories was similar. However the study concludes that gender role stereotypes primarily inform both men and women's attitudes towards property ownership of women. Men believe that if the traditional roles as male provider and female caregiver is maintained, there is no need for property ownership by women. Women, on the same lines, believe ownership of property can cause marital disharmony. Further there are subtle indications that ownership of property does equip women with power to negotiate their status within the family and assert themselves. However, ownership of property does not seem to be the principle role in empowering women.

Yet, despite these study findings, information from the field brought in by women's organizations working at grassroot level reveal that gender based violence does result in relation to property, especially property owned by women where harassment, intimidation, threats of violence and actual violence takes place against women due to property ownership where women are disposed of the property they own or are victimized due to the lack of ownership in relation to dowry, aged women, in inheritance especially with regard to land granted by the State<sup>12</sup>.

### **Alcohol, drug and other substance abuse and gender based violence**

Links between alcohol abuse and gender based violence are often drawn in Sri Lanka where the underlying factor that emerges in community discussions is that gender based violence, particularly domestic violence following alcohol and substance abuse is excused and to an extent accepted.

Early studies<sup>13</sup> have found alcohol abuse to be a problem in over 70% of wife abusers. Most women identified alcohol abuse by men as the predominant factor instigating and aggravating wife beating.

A study conducted by FORUT<sup>14</sup>, an NGO that addresses alcohol and substance abuse issues in Sri Lanka, finds that violence under the influence of alcohol is excused and more or less accepted by surrounding local communities. Further violence is justified by consumption of alcohol.

The study asserts that *“what is condoned when one is intoxicated spreads over to being a norm when sober. When a father's alcohol abuse leads to a lack of care for the children, it is often considered more of an unfortunate circumstance rather than an issue that demands more concern and attention. Women abused by their intoxicated husbands are common, however the general consensus is that this is due to fate or an “accident” related to alcohol. The consent of misbehavior under the influence of alcohol leads therefore to the disruption of norms. Alcohol consumption affects behavioral patterns and cultural norms making violent behavior while intoxicated acceptable”*.

---

<sup>12</sup> Information gathered from Viluthu, Siyath and Community Trust Fund through discussions.

<sup>13</sup> Saravanapavananthan, N. 1982, 'Wife battering: A study of sixty cases', Forensic Science International, no. 20, pp. 163-166 / Perera, A. 1990, *Battered wife syndrome, a perspective from general practice*, Paper presented to the Academic Sessions of the Sri Lanka Medical Association, Colombo.

<sup>14</sup> Baklien, B & Samarasinghe, D., 2004. *Alcohol and Poverty in Sri Lanka*. Oslo: Forut.

Further studies<sup>15</sup> show that “*domestic violence and gender based violence was almost taken for granted in nearly all settings as an ‘automatic’ consequence of alcohol use. Deprivation of the needs of children due to the father's heavy alcohol use was regarded simply as a misfortune of the children concerned, and not a matter for special concern or mention. Women being abused in the home by ‘drunken’ husbands was known, and even heard, but it was accepted as fate or as an evil caused by alcohol*”.

However information recorded by service providers<sup>16</sup> does not identify alcoholism as a primary cause of domestic violence in particular and gender based violence in general. Alcoholism is recorded, as shown by the above studies, as an excuse to perpetuate acts of violence against women. It is argued that the indemnity offered by law where intoxication brings in mitigatory sentences for grave offences adds to this myth.

### **Unequal power structures and gender based violence**

The concept of ‘gender’ in itself sets out to clarify the ways in which patriarchal socialisation processes plays a critical function in creating socially ‘acceptable’ norms of behaviour and rights for women and for men. These socialisation processes in effect give more power to men over women and demarcate lines of conduct where women and men have differential and often unequal access to and control over resources, whether it is in terms of food, healthcare, skills training, credit, property, income or, in the arena of decision-making. Lack of access to such resources can also result in those with less ‘power’ being subjected to violence and intimidation, which could take the form of acts of verbal, physical and sexual violations, whether in the privacy of their own homes or in the public sphere.

It is acknowledged that the issue of who or which group in society has more power than others and who can exert acts of gender based violence is not restricted to economic power but is very much rooted in notions of social power and hierarchies in access to exercising such power.

The concept of gender based violence necessarily includes both the aspects of violence which arises out of asymmetrical power relations resulting from the socialisation processes, as well as gender based discrimination arising from structural violence against women, as can be seen, for example through the impact of violence against women as a result of armed conflict.<sup>17</sup>

Addressing gender based violence in Sri Lanka necessarily involves addressing unequal power structures between men and women. Whether this (the issue of addressing power structures) is clearly articulated or not, every initiative, campaign or discussion that addresses gender based violence deals with these power structures that exists in diverse forms within different ethnic groups, within and between class barriers, within religious faiths, in public institutions and offices and within the private sphere.

---

<sup>15</sup> Baklien, B. and Samarasinghe, D. (2003-2007). *Alcohol & Poverty*. Alcohol and Drug Information Centre. Colombo

<sup>16</sup> *Discussions with Women In Need*. Colombo. (2008)

<sup>17</sup> Sepali Kottegoda (D.Phil) and Ramani Jayasundere, *Prepared at the request of the UNFPA, Colombo*.(August 2004)

## **Addressing gender based violence - Programming to address Gendered Violence Against Women in Sri Lanka**

Sri Lanka has a long record of initiatives to address gender based violence. From community level interventions to State commitment, from community action to lobbying and advocacy for legislative reform and judicial accountability, women's organizations, multi lateral and bi lateral donors, international agencies, professional bodies and the State machinery have been actively committed to addressing gender based violence at diverse levels in the past 15 years, beginning with the highest policy commitment recognized by the Sri Lanka Women's Charter in 1993.

### **State programming to address GBV**

The State machinery against gender based violence uses a multi pronged programme approach where diverse projects are carried out by the Ministry of Child Development and Women's Empowerment, the Women's Bureau and the National Committee on Women to address issues of violence against women. The mandate of the Ministry for addressing gender based violence includes policy formulation, networking and administrative support. Specifically the Ministry focuses on formulating, implementing and monitoring policies, programmes and projects for the empowerment of women and combating violence against women, and networking with Government, NGOs, media and donor agencies on activities connected with violence against women. The Ministry receives little government funding for its work but carries out its mandate by strengthening these funds with external donor funding. The main role of the Ministry in terms of fulfilling State obligations towards women's equality is the preparation of the periodic CEDAW Country Report for submission to the CEDAW Committee of the UN. The Ministry is further expected to provide policy advice to the Government. While the Ministry undertakes several activities aimed at reducing gender based violence including strengthening Police Women and Children's Desks by creating gender sensitivity and maintaining support services for women facing gender based violence through help desks and mobile counseling units, its larger role in strategically intervening in, programming on and ensuring State commitment to reduce gender based violence is fulfilled is often hampered by lack of resources and importance placed on the role of the Ministry.

The Women's Bureau is an arm of the Ministry of Child Development and Women's Empowerment. The Women's Bureau reaches people at all levels through the establishment of women's societies for the purpose of mobilising women and developing leadership to enable women to act as nucleus for the implementation of Women's Bureau programmes at the village level. With regard to addressing gender based violence, The Women's Bureau conducts special programmes on violence and harassment against women. These programmes aim at reaching community leaders, police officers, school children, teachers, parents and officers of Government and NGOs. Using specially developed tools such as leaflets, handbooks, posters, radio and television programmes and exhibitions, awareness on gender based violence is created. Apart from preventive measures, the Women's Bureau carries out a multi pronged counselling service aimed at enabling women to address problems including those relating to gender based violence arising out of family, employment, legal issues and mental stress. The activities under this programme include counselling services.

The National Committee on Women(NCW) receives its mandate from the Sri Lanka Women's Charter. Due to the lack of legislative recognition, the NCW does not function as an independent body but as a part of the Ministry. The NCW works proactively on addressing issues of gender based violence through research, training workshops, brainstorming meetings and discussions

with State officials, schools, government departments, the private sector and NGOs on diverse issues of gender based violence. The NCW is also responsible for the periodic reviews of the National Plan of Action for Women, to identifying problems faced in the implementation of the National Plan and for revising and taking forward the National Plan. The NCW runs a Gender Complaints Centre at the premises of the NCW office in Colombo. to entertain, scrutinize and investigate complaints received by the NCW, refer the complaints to relevant authorities and maintain follow up services.

Looking at State commitment to addressing gender based violence, one of the main drawbacks that exists in State policy is the inconsistency on the part of consecutive governments to commit itself wholly to a State instrument to address women's issues at Ministerial level. Women's Affairs has often been combined often with other Ministerial portfolios ranging from Health to Housing to Social Services and is presently coupled with child welfare. This raises questions as to the commitment of and recognition by consecutive governments to '*gender equality and the advancement of women*'. This has hindered State and civil society led initiatives that look at improving the status of women in Sri Lanka and working towards addressing gender based violence, slowing down processes and changing the focus of such initiatives. In a society which is highly politicized and where ministerial commitment is synonymous with political commitment, it is necessary that State commitment is shown through the dedication of a separate Ministry for women's affairs for any policy action or initiative to be realized.

The Sri Lanka Women's Charter carries a powerful State authorization to eradicate sex based discrimination and to achieve gender equality. But due to the Charter not receiving legislative recognition, it is yet to achieve its full potential primarily as there is no legal force conferred upon its monitoring arm, the NCW.

### **Gender based violence recognized as a Health issue**

The health sector in Sri Lanka recognizes gender based violence as a health issue. The WHO Sri Lanka National Report on Violence and Health (2008) sums up the situation comprehensively as follows; "*Violence in Sri Lanka is mainly considered as a police, legal, personal or a family problem. Currently there is no comprehensive national plan that deals with every form of violence. The response to violence is mainly from the Police Department with only limited strategic cooperation with other authorities, departments and NGOs to help reduce its incidence. Lack of aggregated information on violence is a major obstacle to planning the prevention of violence. Most acts and consequences of violence remain hidden and unreported. Consequently, there is insufficient data on which to form coherent policy responses. Reliable data on violence are crucial not only for setting priorities, guiding programme design and monitoring progress, but also for advocacy*".

This report is the first ever national report published by the health sector on gender based violence. It analyses available data to understand violence gender based violence in the local context and the impact of gender based violence. It attempts to assess the magnitude of the problem and describes different aspects of violence in Sri Lanka and identifies issues that are unique to Sri Lanka such as medical related gender based violence issues arising out of the protracted conflict situation.

The report confirms the fact that violence should be considered as multifactorial in its origin, and that there should be collaboration among different stakeholders in the prevention of violence and identifies the ways for collaboration among them. As an initial report it is expected to stimulate

discussion at local and national levels and provide a platform for increased action towards preventing violence.

Resulting from this recognition within the health sector, a landmark pilot initiative was launched in Matara, in the South of Sri Lanka where the Health Ministry set up a gender based violence Centre within the Matara General Hospital premises to provide support to women victims of gender based violence seeking medical treatment at the Hospitals. The Centre functions in connection with the Police and a women's service provider NGO. This pilot approach is an effective mix of policy level interventions and local level mechanisms ensuring that policy level activities smoothly reaches the grassroots communities while the communities feed policy level decisions without any extra effort on either part. The Matara Centre is seen as a pilot programme in integrating health services into responses to gender based violence and is expected to be replicated elsewhere in the country.

### **Law enforcement and gender based violence**

The State commitment to addressing gender based violence through law enforcement is seen in the Police Women and Children's Desks. The setting up of Women and Children's Desks in Police Stations all over the country was a positive administrative step initiated by the State towards addressing gender based violence. Following a sustained campaign by women's groups these Desks were set up within Police Stations to handle all complaints pertaining to women and children staffed by women Police Officers. Today there are 36 Desks in Police Stations throughout the country with a central presence at Police Headquarters. These Desks are often accessed by women facing domestic disputes and situations of domestic violence. Despite shortcoming resulting from lack of training, lack of gender sensitivity on the part of some officers, frequent transferring of officers staffing the Desks resulting in their inability to establish relationships with the public, lack of recording formats and definitions for forms of violence and lack of support services such as mediation and counseling, these Desks have functioned since their inception and are known to the public. In 2008 the Desks received 90,000 complaints of domestic disputes.

### **NGO mechanisms to address gender based violence**

Sri Lanka has seen tremendous efforts in community action to counter violence against women. The organizational efforts of women have resulted in concerted action as small collectives or broad based groups. While some serve within their local confines, others have spread their influence island wide and women from all walks of life have come together to address common issues of critical concern to women. These organizations adopt diverse strategies and approaches to address the issue of violence against women. These efforts fall within different strategies: advocacy strategies including awareness raising, research and information dissemination, training, media programmes, and concerted action and lobbying.

Raising awareness on the issue of violence against women is crucial in the light of the issue being subsumed under more 'important' or 'critical' matters in a socio political environment that was once ravaged by armed conflict within the country. The tendency to trivialize violence against women by the public and the law enforcement authorities also showed the need to raise awareness on the issue. In support of direct action, some research and study goes into the issue of violence against women and the study of sexual and non sexual violence against women, against

vulnerable groups in situations of conflict and reviews of laws have been carried out and findings disseminated and used for advocacy and lobbying.

Training is another key advocacy strategy where several NGOs have been engaged in sensitizing diverse focus groups on the issue including providing and understanding of legal and social rights. Given that media is a powerful tool of communication, women's groups have used both print and electronic media in advocacy efforts and a series of programmes, events and efforts have concentrated on addressing violence against women. In addition, women have often resorted to demonstrations and picketing to bring public attention on issues that are related to gender based violence. Lobbying for administrative action and/or legislative reform by community organizations has been often, and has had varying degrees of impact. These have dealt with specific incidents of violence resulting in immediate State attention and action. The rape and murders of Rita John and Krishanthi Kumaraswamy and the rape of a young woman by a popular actor where lobbying by women's groups brought in quick State action to hear and determine the cases as well as support and solidarity for victims and their families are some such examples. These are diverse incidents of lobbying by women's groups on issues of gender based violence, on domestic violence, politics related violence and related to diverse socio economic issues which have brought the issue to public notice and resulted in State action.

Bringing the issue to public light and the resultant increase in reporting on issues of gender based violence, has resulted in the understanding of the need to provide support services such as crisis shelters, and legal/medical and psychological counselling to victims. There are only two women's shelters in the country, both maintained by women's organizations and are inadequate to meet the needs of victims of violence around the country. Further services to support victims in terms of counselling and befriending, both women and children continue to be small and totally inadequate.

While working independently of one another or collectively on issues, there is a trend among the NGO community to provide resource inputs to State mechanisms. This has been evident in several instances where State agencies have looked to women's NGOs for collaboration and support such as in identifying the role of the National Machinery for Women, drafting the Sri Lanka Women's Charter, inputs to the National Plan of Action for Women and inputs onto law reform and in engendering the law. In addition to Non Governmental Organisations, professional bodies and academics have contributed to addressing prevention issues through research, study into various aspects of violence against women and awareness raising. The donor community in Sri Lanka has also, from time to time, focused on eradicating violence as part of their emphasis on gender based issues and prevention of violence.

### **Limitations faced by NGOs**

Women's NGOs and organisations working towards preventing and addressing gender based violence in Sri Lanka often carry out work independently following organizational mandates and raising resources including funds independently. However, on diverse issues, for lobbying, advocacy, protest, implementing specific projects, these organizations come together. The Women's NGO Forum is the main collective of women's NGOs in Sri Lanka and although the Forum is not as active today as several years ago, the membership comes together frequently on diverse issues.

Collaboration and networking, is not without limitations. Set within a professional working environment, Sri Lankan NGOs work to address gender based violence often focus on carrying out the bulk of their work independently. Raising funds and other resources, sharing expertise and knowledge and jointly implementing projects through the sharing of decision making does not

happen widely due to the working styles the organisations have developed. This however, has not resulted in isolation as organisations do come together on specific issues and strategies, but the benefits of collaboration in terms of joint implementation of projects, active sharing of resources including funds and working towards uniform results can not be commented on due to the absence of such.

Further, in terms of technical expertise, NGOs are handicapped due to the lack of resources for certain types of activity and proper skills. This is particularly so in documenting, tracking and recording incidences of violence through systems that provide for safe sharing of information as well as in depth analysis, proper advocacy skills for advocacy campaigns and access to new and innovative thinking, discourse and skills (ie. engaging men in addressing gender based violence).

### **The role of Gender Trainers in addressing gender based violence**

Gender Trainers in Sri Lanka offer different ‘packages’ of services. There is limited documentation of gender trainers in Sri Lanka but available studies<sup>18</sup> show that each trainer is different to another in terms of experience, exposure, training, academic and professional qualifications and recognition. Many trainers have become gender trainers ‘on-the-job’, gathering experience and training during their work as gender trainers. Depending on the situation, gender trainers possess different levels of schooling, are from different professions and occupations. There is thus no standard of recognition for gender trainers in Sri Lanka. There is an apparent lack of professionalism in the work and trainers are often untested and unchallenged on their capacity, suitability or efficacy. Often the judge of efficacy will be the reputation of each individual trainer.

In the delivery of gender training there appears to be no uniform training or uniform expectations from receivers of gender training. Each training opportunity, be it in the State sector or non government sector, gender training programmes are custom made to suit each situation. As scattered and undocumented are training programmes and trainers, there is no published database on trainers accessible to the public and there has not developed a coalition, consortium or network of gender trainers in Sri Lanka.

### **Networking and Collaboration in addressing gender based violence**

The Asian Development Bank Gender Assessment of Sri Lanka (2008) provides a telling description of Sri Lanka’s efforts at collectively addressing the issue of GBV. *“There is no distinct “women’s movement” with high visibility, but women express solidarity by collaborating on specific issues such as representation at international and regional conferences; the preparation of the shadow report to the UN CEDAW Monitoring Committee; the preparation and dissemination of the Women’s Manifesto by the Women’s Political Forum and other women’s organizations on the eve of general elections; the organization of a rally and activities for International Women’s Day each year, spearheaded by the Sri Lanka Women’s NGO Forum; and lobbying on issues such as violence against women, political participation, migrant workers, and the peace process. In response to the tsunami crisis, women’s organizations increased their activities and new networks and organizations were created. The Coalition for Assisting Tsunami Affected Women, comprising existing women’s networks and individual local women’s organizations, was set up in January 2005 to implement specific projects for tsunami-affected women and was closed in September 2006. These initiatives made intensive and varied*

---

<sup>18</sup> Jayasundere, R. (2003) An Assessment of CIDA Shakti Programme Gender Training. Internal document for CIDA PSU. Colombo / WDP initiative ‘Mapping of Gender Trainers in Sri Lanka’ (2009)



*contributions to assist tsunami-affected women and their families to recover from their losses and trauma.”*

Working together and pooling financial and human resources has a greater impact, especially when campaigning against issues that remain hidden and not acknowledged in society. Invisible problems need a very ‘visible’ concerted response. Sharing resources, information, innovations, experiences, research findings in a dynamic interactive manner will undoubtedly advance progress towards ending violence against women. Coordination and collaboration also prevents replication and builds knowledge and growth between organizations. Integrated responses indicate to the people, the commitment on the part of state and non-state actors to end gender based violence rather than piecemeal efforts, which are limited in reaching out to the community and effecting change.

There have been several networks working on gender based violence established by national level organizations (often international NGOs) that have facilitated coordination and networking among organizations working on gender based violence. While these networks have brought together organizations and enabled collaboration and joint implementation of strategies while in force, they often seem to dissolve when the facilitating organization removes itself from its role of facilitator or coordinator. As such, many networks appear to create artificial entities that bring together organizations and activities for a limited period of time without ensuring full commitment towards networking. The reason for this could be diverse stemming from organizations not being able to handle the additional work load of being part of a network to the lack of interest (or benefits from) in being part of a network. The culture of working independently and coming together on specific issues and specific activities that has developed among development organizations in Sri Lanka could also be a reason that networks with long term vision and expectation of flourishing in the true spirit of coordination and collaboration have not thrived in Sri Lanka.

### **The role of community organising in addressing gender based violence**

The important role of the community in addressing gender based violence is undisputed. The larger percentage of non governmental organisations harnesses community support to address issues of gender based violence. Although largely undocumented as a nation wide process, community organisation resulting in community action and support to address gender based violence has been used repeatedly by organisations as an effective mechanism to address gender based violence. An approach that provides a key entry into addressing the issue of stigma, secrecy and lack of adequate institutional support, organisations have harnessed the potential of communities effectively to address gender based violence.

Individual programmes have identified that the strengthening of community leadership, the creation of space for problem and information sharing, brainstorming for responses to community problems, and the joint identification of more effective ways of coping and fostering bonds of mutual support have resulted in true community empowerment where women’s groups in the community have formed themselves into informal small units acting as community watchdogs for gender based discrimination issues and for addressing issues of gender based violence.

The challenge in harnessing community support is that it cuts to the heart of social attitudes on gender based violence. The biggest achievement articulated by organizations working with

communities on gender based violence<sup>19</sup> is to have the community accept the need to work on the issue and the way this work settles within the social realities of different environments marked by ethnic, social, religious and customary differences.

## **Conclusion**

Sri Lanka recognizes gender based violence as a crucial issue that needs focused and strategic responses and diverse sectors, State, non governmental, professional, service sectors and academia provide multi faceted initiatives aimed at addressing and reducing gender based violence. However the issue remains grave. The need for extensive strategic and long term programming to address gender based violence is urgent and the space is open for such programming at all levels of society from policy level to community level.

It is important to analyse the gaps and shortcomings that have prevented the yielding of highly successful results from the programming in the past decades. While obstacles commonly identified (and present around the world) as ‘cultural’ barriers, negative attitudes, stereotyping and ingrained power inequalities continue to hinder programming, lack of strong, committed and long term State attention to the issue has been a constant and strong barrier to achieving results.

Despite State interventions and programmes to reduce gender based violence, the lack of focus and long term commitment is apparent when one compares the achievements of Sri Lanka’s movement against child abuse with the work done to reduce gender based violence. Extensive State commitment on child abuse issues resulted in legislative recognition of the Children’s Charter, establishment of a National Child Protection Authority with full monitoring, investigation and enforcement powers, long term programmes to counter child abuse had a direct impact in lowering levels of child abuse and garnered non governmental and private sector support for such programmes. The situation on addressing gender based violence has been different, thus resulting in the need for more and more effective programming, advocacy and lobbying to reduce GBV and to garner State support for doing so.

---

<sup>19</sup> Discussion with Women In Need and Muslim Women’s Research and Action Forum on Women’s Centres, a project initiated by UNFPA to create safe spaces for women to address GBV in the community. (2007).

## References

Asian Development Bank. Country gender assessment: Sri Lanka. (2008). Asian Development Bank

Baklien, B & Samarasinghe, D., 2004. *Alcohol and Poverty in Sri Lanka*. FORUT. Oslo.

Baklien, B. and Samarasinghe, D. (2003-2007). *Alcohol & Poverty*. Alcohol and Drug Information Centre. Colombo

Briefing Note – A Gender Perspective on Humanitarian Assistance in Northern Sri Lanka. (February 2009) United Nations Resident Co-ordinator's Office. Sri Lanka.

Developing a framework to end violence against women. WDP Project Documents.

Gomez, Shyamala and Gomez, Mario.(1999) *Gender Violence in Sri Lanka From Rights and Shame to Remedies and Change*. Canadian International Development Agency's Shakti Gender Equity Project. Sri Lanka. Sri Lanka.

Gunaratne, C. (2005). *Property Ownership and Inheritance Rights of Women for Social Protection: The Sri Lanka Experience*. Centre for Women's Research (CENWOR) and International Center for Research on Women (ICRW)

Saravanapavanathan, N. 1982, '*Wife battering: A study of sixty cases*', *Forensic Science International*, no. 20, pp. 163-166 / Perera, A. 1990, *Battered wife syndrome, a perspective from general practice*, Paper presented to the Academic Sessions of the Sri Lanka Medical Association, Colombo.

Sepali Kottegoda (D.Phil) and Ramani Jayasundere, *A Multi Sectoral Response towards eliminating Gender Based Violence in Sri Lanka Prepared at the request of the UNFPA, Colombo.*(August 2004)

Sri Lanka National Plan of Action on Women (Draft 2008)

Sri Lanka Women's Charter (1993)

Jayasundere. R. (2007). *Weaving together different approaches to respond to gender based violence in the aftermath of the Tsunami – A Case Study*. UNFPA. Colombo. unpublished

*Our contact details are:*

**Women Defining Peace (WDP)**

10/4, Don Carolis Road, Colombo 5  
Tel: 011-2503096 Fax: 011-2500612  
Email: [wdp@wusc.lk](mailto:wdp@wusc.lk)



Canadian International  
Development Agency

Agence canadienne de  
développement international