

## EDITORIAL

# Gender Equality: Current Issues of Concern for Sri Lanka and South Asia

By Savitri Goonesekere

The year 2005 was a more than usually difficult year for Sri Lanka and other countries in South Asia. Major natural disasters such as the tsunami of December 2004 and the later earthquake in Pakistan impacted on the lives of all social classes and communities. These events presented new challenges for people, governments, civil society organizations, and international agencies. The events demonstrated the capacity to cooperate and work together in a quick response to immediate needs. However, they also highlighted the continuing relevance of gender equality issues regarding women's access to resources and decision making, and protection from violence in the family and the community.

## Post-tsunami Reconstruction in Sri Lanka

Sri Lanka's experience in the post-tsunami period revealed that more women died in the disaster than men, placing additional responsibilities on the surviving women. They became an important resource and support for widowed men in the community, sharing homes, and taking over additional responsibilities in the care of children and the elderly. They also had to cope with the trauma of personal loss due to the death of children, spouses, and close relatives; and the reality of loss of homes and displacement. The risk of greater exposure to violence due to family tensions and life in temporary shelters also surfaced in Sri Lankan studies of this period.

Community-based women's organizations and social activists were in the forefront of reconstruction and rehabilitation and livelihood support initiatives. The national machineries for women, including the National Commission on Women in Sri Lanka, supported by international agencies helped gather information and data on special problems that women face, and national agencies provided support for women in the affected communities. However, it was noticed that official government plans, administrative arrangements and interventions, as well as the joint needs assessment of United Nations (UN) agencies and development banks, did not involve adequate consultations with a broad constituency of women working on tsunami and disaster management. Specific and urgent issues of concern for women affected by the disasters were therefore often marginalized in formulating policies and allocating resources. In Sri

Lanka, the Minister of Women's Affairs was not even appointed member of the National Council on Disaster Management.

As a result of these oversights, supposedly "gender neutral" approaches to policy formulation and resource allocation in critically important areas as livelihood support, shelter, and housing have impacted negatively on women. For example, some new houses have been constructed without attention to women's need for space to cook with local appliances and to conduct home-based economic activities. Women's and girls' needs for privacy and personal security have not always been considered in the construction of bath and toilet facilities. New houses have generally been allocated to male "heads of household." Women-including single women-who claim they owned land or houses prior to the tsunami through customary inheritance or gift have found that they have no title or ownership interest in the new houses.

The concept of the male "head of household" has also informed official policies on allocation of relief and livelihood recovery support. As a result, women were often ignored in the initial distribution of relief and allocation of cash for work. There has been a major focus on livelihood recovery for men in the fishing industry but little support to women who lost livelihoods in fish processing and marketing. As a result of advocacy by women's groups, some efforts have been made to recognize women heads of households and widows in tsunami recovery programs. However, single women have been treated essentially as widows, ignoring the different needs of these two groups.

## Law and Policy Initiatives in South Asia

The empowerment of government agencies responsible for gender equality and the creation of spaces for women's groups working in communities to influence decision making on development issues remain concerns for the whole region. In Sri Lanka, the Cabinet approved a Women's Rights Bill in 2005. It will attempt to address the issue of strengthening national institutions and coordinating their work. It also provides for more participatory approaches in policy formulation and resource allocation.

Women's groups and governments in the region have also worked together on legislative reforms to address gender-based violence. For example, nongovernment organizations' criticism of legislation in India led to several revisions of the government's bill on domestic violence. The resulting law, the Protection of Women from Domestic Violence Act 2005, was enacted in late 2005. In Nepal a domestic violence bill has been prepared with the active involvement of women's groups. Legislation has also been proposed in Pakistan, with the support of women's groups, to remove the barriers to women who report rape under the Hudood Ordinances. The Parliament of Sri Lanka also passed a Domestic Violence Act in 2005. This legislation was prepared in a similar collaborative effort involving government agencies and women's groups. There was initial opposition in Parliament to the bill on the ground that it would bring private issues of the family into the public domain. The bill was also criticized as an attempt to destroy the family and to introduce alien "Western" values. In response, women's groups conducted a professional evidence-based lobbying campaign with the support of the Ministries of Women's Affairs and Justice. Recent experience shows that domestic violence has gained some recognition as a public health, personal security, and development issue relevant to people in South Asia.

Women's access to land as an economic resource in a globalized economy has also emerged as a development issue that must be addressed through law reform and policy. For example, women's groups have successfully lobbied for changes in the discriminatory inheritance law in Nepal. Recently enacted legislation in India also removed the overt discrimination against women in some inheritance laws. In Sri Lanka, the National Women's Commission and women's groups have networked with policy makers and administrators to introduce amendments to the discriminatory laws on allocation of state lands. The Government has accepted a proposal to remove a discriminatory table on inheritance that benefits male grantees of state lands. Women's groups have used research studies to lobby for joint titles to state lands. They have also lobbied to recognize a

single woman's full right to retain a land grant even after marriage or remarriage. The Asian Development Bank (ADB) in Sri Lanka has supported discussions on these issues and facilitated workshops for the UN country teams to create awareness of current developments.

### **Lessons Learned**

The important contribution made by women's groups in taking the gender equality agenda forward is evident in South Asia. The activism of nongovernment organizations is sometimes misunderstood as adversarial criticism of the government. However, last year's experience, including both successes and failures, indicate the importance of tapping the knowledge and potential of women's groups and specialized bodies, such as the Ministries of Women's Affairs and Women's Commissions, to inform important development initiatives.

ADB, other international financial institutions, the UN system, and bilateral donors are now emphasizing partnerships with civil society and the private sector to address the Millennium Development Goals and broader development agendas. However, appreciation of the contribution of women's groups and gender advocates as members of civil society and the private sector is still inadequate. Thus, civil society and private sector representatives who are identified as development partners are typically male members of the local community. The views of women in these groups must also be recognized if gender is to be effectively integrated in development networks and partnerships. Recruiting gender specialists to work in country offices can also help bring women's voices and perspectives into the broader partnerships and networks for development. For example, Nelun Gunasekera, the gender specialist in ADB's resident mission in Sri Lanka, has contributed to the UN-sponsored theme group on gender and the task force that prepared the post-tsunami needs assessment. Giving the gender specialist a higher profile in the resident mission could further strengthen her influence and impact.