Country Gender Assessment, Sri Lanka
An Update

The Sri Lanka Country Gender Assessment Update revises information and data presented in the 2008 Country Gender Assessment published by the Asian Development Bank (ADB). It was prepared jointly by ADB and GIZ and comprises two main sections: first, an overview of the situation of women in Sri Lanka, which identifies gender gaps in various sectors; and second, a review of gender equality policy initiatives in the country. An appendix contains a table identifying gender equality issues in various areas such as women’s rights, political representation, health education, and postconflict recovery.

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This report was prepared by the Asian Development Bank (ADB) and the German Society for International Cooperation (Deutsche Gesellschaft für Internationale Zusammenarbeit, GIZ) as an update of ADB’s 2008 Country Gender Assessment: Sri Lanka, reflecting the changed circumstances after the cessation of the armed conflict in 2009. The purpose is to assist ADB, the GIZ, and other government and development partners to identify modalities for effectively incorporating approaches for gender equality and empowerment of women into development assistance planning. The update was prepared by Swarna Jayaweera, consultant, in close collaboration with Nelun Gunasekera, senior social development officer (Gender) at ADB Sri Lanka Resident Mission, and Francesco Tornieri, principal social development specialist, ADB South Asia Department, who provided overall guidance to the report team throughout the process.
Executive Summary

Sri Lanka presents a mixed picture, with positive achievements in education and health indicators, as well as negative developments such as gender inequality in employment and political participation, and issues of gender-based violence. According to the United Nations Development Programme (UNDP) Human Development Report 2014, Sri Lanka ranked 73rd among 187 countries in human development index (HDI) in 2013 with an HDI of 0.750 and an inequality-adjusted HDI of 0.643. The same UNDP report ranked Sri Lanka 75th in gender inequality index (GII) with a GII of 0.383. GII measures inequality between women and men in three dimensions: reproductive health, empowerment (political participation and education), and labor market participation. A GII of 0.383 indicates that gender inequality along these three dimensions is low in Sri Lanka, but it being ranked 75th suggests that gender inequality in Sri Lanka is higher compared to 74 other countries.

The major features in the development context of the country in recent years have been the cessation of armed conflict since 2009 and the rise in the economic growth rates from 3% to 8% during 2009–2011. In terms of demographic background, the sex ratio is in favor of women (106:100), as they accounted for 51.5% of the population in the 2011/12 National Census. However, an emerging problem is the increase in the population of the elderly—the majority being women—with a female life expectancy of 79.6 years compared with 72.4 years for men. Lower labor force participation rates of women and the absence of a comprehensive social insurance policy are issues to be dealt with. National poverty head count declined from 15.2% in 2006/07, to 8.9% in 2009/10, and to 6.5% in 2012/13, with persisting income inequality and socioeconomic and regional disparities caused by uneven development over the years. Sri Lanka has a targeted poverty alleviation program and free safety nets programs besides state-provided health and education policies implemented without gender or socioeconomic differentiation.

There have been few changes in the legal status of women as, despite the guarantee of fundamental rights and nondiscrimination in the 1978 Constitution, the Women’s Rights Bill is yet to be approved, and women’s rights, ensured in international instruments—such as Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)—although ratified have not been incorporated into national legislation.  

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of different communities are yet to be eliminated. While honor killings are not reported, the virginity test at marriage is a violation of the rights of women. In terms of political participation, although women have had the right to exercise their vote and to participate in political activities for over 8 decades, the representation of women in Parliament has never exceeded 6% and has been even lower in elected local assemblies.

Universal access to free health services for 7 decades has resulted in a decline in mortality rates, especially among women. Female feticide and infanticide have not been reported. District-wide disparities are high, however, with the highest mortality rates in the plantation sector, the disadvantaged district of Moneragala, and the conflict-affected districts. Issues of concern are the low nutritional status of many women; the increasing incidence of noncommunicable diseases; inadequate provision of health care for the elderly, the mentally ill, and the differently abled; and the health implications of gender-based violence. Sri Lanka is reported to be polio-free, has a low prevalence of HIV cases (0.1%), and malaria is no longer considered a problem. Utilization of health services such as antenatal and postnatal care and immunization, and institutional births are near universal, but the rising cost of drugs in an unregulated market creates hardships for the poor. The contraceptive prevalence rate is reported to be about 70%, but the reproductive rights of women need to be ensured. The provision of free state education supported by extensive incentives such as free textbooks, free uniforms, scholarships, subsidized transport for all, and free school meals for the children of the economically disadvantaged have resulted in a rapid rise in the participation rates at school to over 95% and the achievement of gender parity in enrollment in primary, secondary, and university education. Disparities in the provision of quality education facilities and poverty, however, continue to be barriers to the utilization of available opportunities, and lethargy in the implementation of compulsory education regulations up to 14 years at the local level has prevented universalization of primary and junior secondary education, resulting in a high dropout rate at the senior secondary level. Girls have higher enrollment and retention rates in secondary education and higher performance levels at public examinations. The percentages of female students in universities and nonvocational tertiary education are higher than that of male students. However, wide gender imbalances in enrollment in technological courses including information technology in higher education and technical-related courses in vocational education institutions limit their access to high skilled and remunerative employment in technology-related fields.

In terms of economic activities, the most blatant gender inequalities are in labor force participation. The unemployment rates of women are more than double that of men at all age levels, and there is a large concentration of economically active women in unpaid family labor, particularly in agriculture. Women are disadvantaged by the horizontal and vertical gender division in the labor market that excludes them from higher income-generating occupations and impedes their upward occupational mobility through the “glass ceiling” to the highest decision-making positions. Sector-wise, women are concentrated in low productivity and low-income agriculture and in the plantation sector, in assembly-line jobs in garment and other industries with minimal opportunities for promotion, in subcontracted occupations which have proliferated, and in domestic service within the country or as migrant domestic labor.
Gender-based violence against women and girls, which was hidden behind a facade of family privacy and perceptions of shame for years, has increased in visibility in the public sphere and in the media. Despite amendments to the Penal Code and the Prevention of Domestic Violence Act, the incidence of rape, sexual abuse and harassment, and domestic violence continues to be high. Lack of awareness of legislation, the passive acceptance of violence by many victims, the trivialization of violence by law enforcement personnel, and unequal gender–power relations in families and society have made it possible for the perpetrators to engage in such violence with impunity. Women victims are disadvantaged by the absence of adequate support services such as crisis shelters and legal aid and counseling.

The recovery process of survivors of the armed conflict that ended in 2009 is facilitated by relief, rehabilitation, resettlement, and reconstruction programs. Former combatants are assisted to reintegrate into mainstream society, and former child soldiers have enrolled in educational institutions. However, gaps exist in access to services, housing and livelihoods, and land rights. The most vulnerable group is that of the war widows, who have had to assume responsibility as single heads of households and cope with adversity.

Policies and Strategies to Address Constraints and Issues

A positive development has been the formulation and introduction of several policies during the past few years. The Mahinda Chintana: Vision for the Future and, based on it, the Development Policy Framework of the Government (2010) present the overall objectives to develop Sri Lanka as a dynamic economic and knowledge hub, to ensure that the benefits of development reach all, and to lay the foundation for long-term sustainable development. While prioritizing policies and programs for each sector, both documents for the first time identify specific measures for the advancement of women, including progressive policies and initiatives that will promote gender equality in access to opportunities, although there is no overt focus on the rights of women. The National Action Plan for the Protection and Promotion of Human Rights 2011–2016 has eight sections of which one section spells out the rights of women as the government’s “commitment to ensuring gender equality.” These rights are expected to ensure economic empowerment; protection of women against violence; and elimination of discriminatory laws, policies, and practices. The National Plan of Action to Implement the Recommendations of the Lessons Learnt and Reconciliation Commission proposes a mechanism to address, among others, the needs of women. A significant lacuna at the macro level is the absence of the National Plan of Action for Women, which was drafted in 1996 and amended subsequently at intervals until 2013.
The fourth national report to the UN Committee monitoring the implementation of the 
UN CEDAW was presented in 2011, and the concluding observations of the committee 
have indicated the gaps in policies that need to be filled. Sri Lanka has eliminated gender 
disparities in enrollment in primary, secondary, and higher education but has not eliminated 
them in technical–vocational education or ensured gender equality in the labor market and 
in access to decision-making positions to achieve the third Millennium Development Goal 
“Promote gender equality and the empowerment of women.” Several important sectoral 
policies have been developed and introduced since 2008.

These include the Health Master Plan (2007–2016), the Education Sector Development 
Framework and Programme (2012–2016), the National Human Resources and 
Employment Policy 2012, the National Labor Migration Policy for Sri Lanka 2009, the 
National Migration Health Policy 2013, the National Action Plan for Haritha (Green) Lanka 
program of the Ministry of Environment (2009–2016), the National Energy Policy and 
Strategy of Sri Lanka 2008, the National Framework Proposal on Reintegration of Ex-
combatants into Civilian Life in Sri Lanka 2009, the National Policy and a Comprehensive 
Framework of Actions on Education and Social Cohesion and Peace 2008, and the 

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### Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
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<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination against Women</td>
</tr>
<tr>
<td>CENWOR</td>
<td>Center for Women’s Research</td>
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<tr>
<td>EPZ</td>
<td>export processing zone</td>
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<tr>
<td>ESDF</td>
<td>Education Sector Development Framework</td>
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<tr>
<td>GCE</td>
<td>General Certificate of Education</td>
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<tr>
<td>GCE (AL)</td>
<td>General Certificate of Education (Advanced Level)</td>
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<tr>
<td>GCE (OL)</td>
<td>General Certificate of Education (Ordinary Level)</td>
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<tr>
<td>GDP</td>
<td>gross domestic product</td>
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<td>GII</td>
<td>gender inequality index</td>
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<tr>
<td>GIZ</td>
<td>Deutsche Gesellschaft für International Zusammenarbeit (German Society for International Cooperation)</td>
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<td>HDI</td>
<td>human development index</td>
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<tr>
<td>ICT</td>
<td>information and communication technology</td>
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<tr>
<td>ILO</td>
<td>International Labour Organization</td>
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<tr>
<td>MDG</td>
<td>Millennium Development Goal</td>
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<tr>
<td>NAITA</td>
<td>National Apprenticeship and Industrial Training Authority</td>
</tr>
<tr>
<td>NGO</td>
<td>nongovernment organization</td>
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<tr>
<td>NVQ</td>
<td>National Vocational Qualification</td>
</tr>
<tr>
<td>TVET</td>
<td>Technical and Vocational Education and Training</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<tr>
<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
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<tr>
<td>VAW</td>
<td>violence against women</td>
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<tr>
<td>VTA</td>
<td>Vocational Training Authority</td>
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1. Women in Sri Lanka: An Overview

A. Development Context

Women in Sri Lanka have a relatively satisfactory position compared with women in other South Asian countries but are yet to achieve gender equality or be fully empowered in line with international standards set by, among others, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and some of the Millennium Development Goals (MDGs). According to the United Nations Development Programme (UNDP) *Human Development Report 2014*, Sri Lanka ranked 73rd of 187 countries in human development index (HDI) in 2013, with an HDI of 0.750 and an inequality-adjusted HDI of 0.643. The same UNDP report ranked Sri Lanka 75th in gender inequality index (GII) with a GII of 0.383. GII measures inequality between women and men in three dimensions: reproductive health, empowerment (political participation and education), and labor market participation. A GII of 0.383 shows that gender inequality along these three dimensions is low in Sri Lanka, but it being ranked 75th is testimony to the fact that the scenario in Sri Lanka is better than 74 other countries.

The major transformation in the country since 2008 has been the cessation of armed conflict in May 2009 and the consequent decline in the pervasive insecurity of nearly 3 decades in a volatile environment. The economic growth rate reported by the Central Bank, which was 3% in 2009, had risen to over 7% in 2014, and unemployment, which was at 6.2% in 2007, had risen to over 4.5% in 2014, while gross domestic product (GDP) per capita had risen to $4,929 in 2011. However, persistent inequalities are reflected in a Gini coefficient of 0.48 with wide income inequalities underscored by the poorest income quintile receiving only 4.4% and the richest quintile receiving 53.5% of total household income. While the national poverty head count declined from 15.2% in 2006/07, to 8.9% in 2009/10, and to 6.5% in 2012/13, sector differences continued, ranging from 2.4% in urban, to 7.5% in rural, and to 6.2% in estate areas in 2012/13. The highest incidence of poverty was in the conflict-affected districts of Batticaloa and Jaffna, and differences in other districts ranged from 1.4% in Colombo, to 2.1% in Gampaha, to 12.3% in Badulla,

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and to 20.8% in Moneragala in 2012/13.\textsuperscript{20} In Sri Lanka, the multidimensional poverty index computed in the UN \textit{Human Development Report} based on indicators pertaining to living standards, education, and health status was 4.7% in 2011, that is, lower than income poverty.\textsuperscript{21} Sri Lanka does not have a social security policy or universal social insurance, but only targeted poverty alleviation and safety net programs provided for free to the poor and state-provided health and education policies. The National Disability Act (1996), the National Policy on Disability (2003), and the Elders Act (2006) have been introduced as measures to respond to the needs of these vulnerable groups. The most visible development in recent years has been the rapid progress manifested in the infrastructure—in expressways, major and rural roads, bridges, ports, airports, and telecommunications, particularly in mobile telephony.

\section*{B. Demographic Background}

The islandwide 2011/12 National Census reported a population of 20,271,464 of whom 51.5% were women. The sex ratio was in favor of women, with 106 women to 100 men. The age composition of the population has changed, with the population below 15 years declining to 25.8% and those over 60 years increasing to 12.2%, indicating the emergence of a largely vulnerable elderly group, the majority of whom are women. This greater number of elderly women is assumed to be due to the higher female average life expectancy of 79.6 years than the male average life expectancy of 72.4 years. The ethnic distribution of the population was Sinhalese, 74.9%; Sri Lankan Tamil, 11.2%; Tamil of Indian descent, 4.2%; Sri Lankan Moor, 9.2%; Malay, 0.2%; Burgher, 0.2%; and others, 0.1%.\textsuperscript{22} While the minimum age of marriage is 18 years (except in the Muslim community), the average age of marriage for women has been 25 years for many years.

\section*{C. Poverty}

Despite the implementation of macroeconomic and social policies, poverty has continued to be an issue. Household Income and Expenditure Survey by the Department of Census and Statistics show that poverty in Sri Lanka declined from 15.2% in 2006/07, to 8.9% in 2009/10, and to 6.5 in 2012/13. The poverty head count in 2012/13 was 2.4% in the urban sector, 7.5% in the rural sector, and 6.2% in the estate sector. In 2009/10, the percentage of poor households was 7.0% in the country, 3.8% in the urban sector, 7.5% in the rural sector, and 8.9% in the estate sector. Poverty lines are computed based on the income required to meet specific food (calories) intakes as well as nonfood requirements. The official national poverty line in January 2015 was SLRs3,924 per person per month and the average household size was four.

\textsuperscript{20} Footnote 18.
\textsuperscript{22} Sinhalese—mainly Buddhists and speak the Indo-European Sinhala language. Sri Lankan Tamils—Hindu and Christian, speak Tamil, a Dravidian language. Tamil of Indian descent—mainly Hindu descendants of indentured laborers brought from South India to work on the plantations, the railroad, and as sanitary laborers. Sri Lankan Moor—Muslim, speaking Tamil. Malay—Muslim descendants of immigrants from Indonesia and Malaysia, speaking a Malay dialect and English. Burghers—Christian descendants of Dutch and Portuguese settlers.
The per capita income rose from SLRs6,463 in 2006/07 to SLRs11,932 per month.\textsuperscript{23} The mean household income (monetary and in kind) was SLRs46,207 and SLRs68,336 in the urban sector, SLRs42,184 in the rural sector, and SLRs31,895 in the estate sector. The average monthly household expenditure was SLRs40,887 of which 37.6\% was on food consumption.\textsuperscript{24}

The incidence of poverty has declined, and both income and expenditure have risen. An issue of concern is the extent of inequality in the country. Besides sectoral inequality, income inequality as measured by the Gini coefficient was 0.49 in both 2006/07 and 2009/10 surveys and 0.48 in 2012/13, indicating that inequality has not been reduced despite the decline in poverty. The quintile dispersion ratio between the income shared by the richest 20\% and the poorest 20\% is further evidence of sharp inequalities. In 2012/13, the lowest income quintile (20\%) had 4.4\%, the poorest income quintile (40\%) had 13.4\%, and the richest income quintile (20\%) had 53.5\% of the total household income. Of the households, therefore, 80\% shared 46.5\% of the total household income and the richest quintile had more than half (53.5\%), with very little difference from 2006/07 when the richest quintile had 55.1\%. The average per capita energy consumption for all households was 2,094 kilocalories per person per day, while there was a wide gap between 1,472 kilocalories for poor households and 2,155 kilocalories for nonpoor households in 2010.\textsuperscript{25} Comparative poverty situation of women and men can be deduced from the differences in their annual incomes. Per capita income (purchasing power parity) was $5,078 for females, compared with $13,616 for males in 2013,\textsuperscript{26} while the differentiation in estimated earned income was similar: $5,030 for females as against $13,180 for males.\textsuperscript{27}

Poverty has more dimensions than income and, as mentioned earlier, the UN Multidimensional Poverty Index was estimated in the Sri Lanka Report to be lower than income poverty in 2011. It was seen that the gap between income quintiles increase from primary to tertiary education levels and that poverty prevents the majority of the poorest from accessing the highest grades in secondary schools and thereby higher education. The prevalence of undernutrition was 32.3\% in the poorest quintile and 11.9\% in the richest quintile.\textsuperscript{28}

In the labor force, the unemployed and the “working poor”—landless laborers, small-scale farmers, plantation laborers, small and cottage industry workers, casual workers, construction workers, petty traders, and domestic workers—are trapped in poverty, and women form the majority of those who are engaged in these occupations. The poorest have no access to land, housing, savings, and basic infrastructure.

In the context of these inequalities, it is salutary to note that Sri Lanka has a long record of social welfare policies, but no social insurance to facilitate social security. The Samurdhi

\textsuperscript{24} Footnote 17.
\textsuperscript{25} Footnotes 18, 19, and 23.
\textsuperscript{26} Footnote 15, p. 177.
Poverty Alleviation program provides consumption income transfer through a grant to households (which, however, is not indexed to inflation), a compulsory savings component, insurance for events such as deaths, mandatory participation in community-based rural infrastructure development programs, and microcredit for microenterprises. The program covers 35%–40% of the population and has limited resources, amounting to only 0.2% of GDP. It has also been noted that targeting tends to exclude the deserving poor but includes persons from the higher income quintiles such that the benefits are spread too thinly, with mandatory deductions reducing the quantum of assistance.

Unlike employees in the public and private sectors who have a pension fund or provident fund for security in old age, the workers in the informal sector who are the majority in the labor force have no such schemes and face a resource-less old age. The poor have no means to participate in the contributory pension for farmers, those engaged in fishing, and the self-employed. Women are more vulnerable than men as their life expectancy is higher, and many are unlikely to have accumulated adequate resources to enjoy a satisfactory quality of life in their old age, in the absence of extensive geriatric care facilities and support networks. Small-scale safety nets are available for the destitute under the Public Assistance Program and from the Ministry of Social Services for vulnerable groups, such as those who are differently abled, but the quantum of assistance and outreach are limited by the lack of funds available to the ministry. In this context, free education and health services have been the most effective forms of social protection for the poor, as seen by the use of compulsory education facilities and health services by about 95% of the population. It is necessary, therefore, to introduce an extensive social insurance program that will provide adequate social security.

**D. Women’s Legal Status and Rights**

There have been no significant changes in women’s legal status in recent years. Women are equal to men under the general law, including in inheritance rights, and the 1978 Constitution guarantees fundamental rights and nondiscrimination on grounds of sex (Art. 12[1] and 12[2]). There is also provision for special measures to ensure women’s right to equality. There are no legal barriers to women working outside the home, engaging in financial transactions, or obtaining credit.

Sri Lanka ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1981, but some of its provisions are yet to be incorporated into national legislation. As the concluding observations of the UN CEDAW Monitoring Committee on the reports presented at intervals point out, several measures need to be adopted to fulfill all the obligations of the state to the CEDAW provisions. A Women’s Charter, based on CEDAW provisions, was developed in 1993 and accepted by the

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29 Footnote 28.
30 Footnote 4.
government as a policy document, but has not been incorporated into legislation.\textsuperscript{32} The National Committee on Women, appointed to implement the Charter, formulated a Women’s Rights Bill and a National Plan of Action for Women\textsuperscript{33} in 1996, as a follow-up to the UN Beijing Conference and the Beijing Platform of Action.\textsuperscript{34}

However, there is persistent inequality in some aspects of law. The father has superior status as the legal guardian of children of marriage, and the mother is the sole guardian of nonmarital children, although courts decide on the custody and guardianship according to the “best interests of the child.” Cultural sensitivity has prevented any action to remove the inequalities in some personal laws of Tamils, Muslims, and Kandyan Sinhalese.\textsuperscript{35} Discrimination against women in the inheritance schedules in the Land Development Ordinance (1935) that pertain to state settlements have not been removed despite decades of agitation by women’s organizations and assurances by administrators. Around two-thirds of the female labor force are in the informal sector and are outside the ambit of labor legislation that protects the rights of most workers in the formal sector.\textsuperscript{36}

\textsuperscript{33} Footnote 4.
\textsuperscript{34} R. Jayasundere. 2009. Understanding Gendered Violence against Women in Sri Lanka: A Background Paper for Women Defining Peace. http://www.academia.edu/4409751/Understanding...Gendered...Violence...Against...Women...in...Sri_Lanka...2009
\textsuperscript{35} Kandyan Sinhalese—ethnic subgroup of the Sinhalese from the inland areas (distinguished from the coastal Low Country Sinhalese), governed by Kandyan Civil Law. Tamils are governed in the Northern province by Thesavalamai law and in the Eastern province by Mukkuva law. Muslims are governed by Islamic Sharia. All other ethnic groups, including Low Country Sinhalese and Tamils living outside the Northern and Eastern provinces, are governed by Roman Dutch law.
\textsuperscript{36} Footnote 31.
Criminalizing incest and sexual abuse and harassment, by amending the Penal Code in 1996, introducing the Prevention of Domestic Violence Act in 2005 and incorporating the SAARC Convention on Prevention and Combating Trafficking in Women and Children for Prostitution have not been followed by action. Weak law enforcement and lack of public awareness of these initiatives have been impediments to a reduction in the incidence of violence against women. Legislation, making 18 years the minimum age of marriage and marriage under 16 as statutory rape except in Muslim communities, has been positive developments but still, child marriages do happen in some communities.37

While honor killings and dowry deaths are not reported in Sri Lanka, the virginity test for marriage and (reportedly token) circumcision of Muslim girls are a violation of the rights of girls and women.38 Greater awareness has been created by advocacy programs, particularly by women’s groups, but support services are provided only in a few organizations and many women victims internalize negative-gendered norms and passively accept sexual violence.

### E. Political Participation

Women have participated fully in exercising their voting rights since universal franchise was introduced in 1931. Nevertheless, their representation in political assemblies from Parliament to local councils has been, and continues to be, abysmally low, particularly in the context of the world’s first woman prime minister being elected in Sri Lanka in 1960. Furthermore, the country had an elected woman president from 1994 to 2004. The percentages of women representatives in Parliament was 5.8% at general elections in both 2004 and 2010 (as compared with about 4% in 1931), and women had 4.1% representation in provincial councils and 2.03% representation in Pradeshiya Sabhas—elected local government institution in rural and suburban areas, covering the basic administrative unit, the division headed by the divisional secretary—at the local level.39 With 5.8% representation of women in the lower house of the national Parliament (13 of 225 seats occupied by women) in 2010, Sri Lanka, based on data from 190 countries collected by the Inter-Parliamentary Union as of 1 April 2015, ranked 130th with 139th as lowest rank.40 Leadership in trade unions, which have some degree of political clout, has traditionally been male dominated.41

Although the constitution and policy statements underscore the principle of gender equality, this minimal representation is the result of the reluctance of political parties to nominate a large number of women who, in their preconceived judgment, are potentially poor “winners”. The percentage of women of the total number of candidates nominated for election to Parliament were 6.2% in 2004 and 5.8% in 2010, and 5.7% were nominated by major national political parties. Women nominated to contest provincial and local council

37 Footnote 34.
38 “Token circumcision” involves nicking the prepuce, the skin covering the clitoris.
elections have increased to about 7.5% in very recent years. Advocacy programs conducted by women’s organizations, to increase the representation of women among those seeking nomination, have had some impact on women at the local levels, but have had no overt impact on the commitment of political parties to nominate more women. Studies have also indicated that women have limited resources to participate in elections, have time constraints in view of the unequal gender division of labor in the household, and are averse to compete in a volatile and vitriolic political environment.42

Following the experience of some other countries in the region, activists have agitated for a quota system, conducive to a more equitable representation in nominations. A 25% quota was finally agreed to by policy makers, but the Parliamentary Select Committee on Electoral Reforms that was formed in 2003 had no women members and the Local Authorities (Amendment) Bill of 2010 that was the outcome of deliberations proposed a combined quota of 25% for youth and women, thereby negating all expectations of increased representation of women. The main opposition was from representatives of political parties, who did not consider that it was in their best interests to nominate more women. The prospect of increasing representation in national and local assemblies appears to be as unattainable as in the past.

F. Health and Nutritional Status

Universal access to free state health services, and the availability of a network of teaching, provincial, base hospitals,43 district hospitals and peripheral units, maternity homes, maternity and child health care clinics and central dispensaries, and a package of family health care services at the community level established over 7 decades have had a positive impact on the health status of women.44 Mortality rates per thousand population declined sharply from the 1960s to the estimated death rate of 6.0 in 2012, infant mortality rate was 9.7 per 1,000 live births in 2012, under-5 mortality rate was 12.1 per 1,000 live births, and maternal mortality ratio was 22.3 per 100,000 live births. Sex determination is undertaken only in private clinics for payment, and female feticide has not been reported. Consequently, average life expectancy is relatively high at 76 years for the total population—79 years for women and 72 years for men. District-wide disparities are relatively high, with the highest mortality rates in the plantation sector, the disadvantaged district of Moneragala, and the conflict-affected districts.45

The incidence of morbidity, however, continues to be an issue. Many preventable communicable diseases, including malaria, have been almost eradicated, but dengue, leptospirosis, and dysentery are prevalent, as an outcome of poor environmental conditions. The increasing incidence of noncommunicable diseases such as diabetes, cardiovascular and cerebrovascular diseases, cancers, chronic kidney disease, and road and occupational accidents present a challenge to policy makers. Sri Lanka is considered to be a low HIV incidence country with 0.1% cases: 1,285 people living with HIV

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42 Footnote 39.
43 Base hospital—regional hospital covering rural areas.
(i.e., HIV-positive) and 332 newly infected people reported in 2011, of whom 40.3% were women and 31.3% were men. In 2011, 11,200 sexually transmitted infection positive cases were also reported.\textsuperscript{46}

A negative development has been the low nutritional status of many women and children. In 2010, the Nutrition Food Security Assessment by the Medical Research Institute found that in their sample of children aged under 5 years and their mothers, 21.6% children, both male and female, were underweight, 19.2% were stunted (19.8% male and 18.7% female), and 11.7% wasted (12.1% male and 11.5% female). The prevalence of anemia was 25.2% (27.3% male and 23.2% female) and low birth weight was 18.1% (15.6% male and 20.6% female). The prevalence of anemia was 16.7% among pregnant women, 20.5% among lactating women, and 22.2% among nonpregnant women, while 18.4% of pregnant women and 18.2% of nonpregnant women were undernourished. Other studies have noted iron deficiency among adolescent girls. As a response to this situation, supplementary feeding programs and vitamin and iron dietary supplements have been introduced for malnourished women and children. According to the Medical Research Institute survey, 90.2% of pregnant women attended antenatal clinics; 75.4% received \textit{Thripo}sha protein, mineral, and vitamin supplement; 87.4% received iron tablets; and only 23.0% received the food basket, \textit{PoshanaMalla}.\textsuperscript{47}

As a consequence of the introduction of family planning in the 1950s, and its acceptance as a national policy in the 1960s, the contraceptive prevalence rate, using any method, is stated to be over 70%. The consent of husbands is not mandatory for sterilization, but appears to be an administrative procedure. The birth rate has declined to 17.5 per 1,000 in 2012, the total fertility rate is 2.3, and the population growth rate is 0.9% in 2012, as a result of both family planning and the rising educational levels of women and the rise in the average age of marriage. Under the Penal Code of 1883, section 303, abortion is a criminal offense except to save the life of the mother, and efforts to liberalize the abortion law have been resisted for over 2 decades.\textsuperscript{48}

Women and men have equal access to state health services. Utilization rate of services such as antenatal and postnatal care are high, as reflected in over 95% institutional births and immunization rates. Critical issues are the nonavailability of sufficiently trained medical personnel, the shortage of essential drugs and the rising costs of these drugs (in an unregulated market, this creates hardships for low-income families), and the inequitable distribution of health facilities. Access to health care is inadequate for the elderly (the majority being women), in the absence of well-staffed geriatric units, for differently abled persons, and for the internally displaced population and for returnee refugees in the North. Mental health has received low priority, resulting in minimal institutional care facilities and inadequate psychosocial programs, and problems have been exacerbated by the stigma attached to mental illness. International Labour Organization (ILO) conventions pertaining to occupational health have not been ratified. It is only in recent years that the health implications of gender-based violence received attention, research studies were conducted,

\textsuperscript{47} Footnote 28.
\textsuperscript{48} Footnote 44.
and advocacy programs were organized by the UN Gender-based Violence Forum and nongovernment organizations (NGOs).

G. Education and Training

Women in Sri Lanka have benefited from the implementation of nearly 8 decades of free, state education irrespective of sex and socioeconomic circumstances, and the provision of a range of incentives over the years to facilitate their participation in education. Consequently, as families could send both sons and daughters to school, gender equality in access to primary education was achieved in the 1960s and to secondary education in the 1970s. Incentives, such as free textbooks and uniforms, scholarships at the end of primary education, subsidized transport for all children, as well as free midday meals for the most economically disadvantaged primary school children from the most economically disadvantaged strata reduced the economic burdens of families with minimal resources. The commitment to these policies has survived political and economic vicissitudes during these years, and has been strengthened with the ratification of the UN Convention on the Rights of the Child in 1990, the endorsement of the UN Declaration of Education for All in 1990, the introduction of compulsory education regulations for the 5–14 age group in 1998, and their extension to 16 years in 2013.

The Ten Year Development Framework of national policies (2006–2016), the Mahinda Chintana of 2010, and the Development Framework of 2010 have reiterated the commitment to free education and concomitant incentives. However, while the incidence of poverty has been reduced in recent years, the most disadvantaged and vulnerable groups of children such as “street children” and differently abled children lack economic resources to access education. Uneven development has impeded the elimination of socioeconomic and regional disparities in the provision and quality of education facilities, and in their utilization. It is within this framework that the contours of the supply of education are discussed.

A Social Cohesion Program was developed in 2005 to facilitate attitudinal change among boys and girls in schools and to promote harmony in the multiethnic society of Sri Lanka but is yet to be implemented in all schools. A National Policy and a Comprehensive Framework of Action on Education and Social Cohesion and Peace were developed to incorporate relevant activities in the national curriculum and a Peace Education and Social Cohesion Unit was established in the Ministry of Education in 2008. However, the process of curriculum reorientation has been slow.

50 Footnote 49.
51 Footnote 3.
52 Footnote 3.
53 Footnote 49.
1. General Education

The expenditure on education has declined to 1.9% of GDP and 7.3% of public expenditure in 2010, leading to deterioration in the quality of education. State expenditure is limited largely to payments of staff salaries, and donor assistance is required to improve the quality of education. According to the school census in 2012, there are 9,905 schools. Of these, 9,714 are state schools, comprising 8% of senior secondary schools with General Certificate of Education (GCE) Advanced Level (AL) science facilities (Type 1AB schools), 20% senior secondary schools without GCE (AL) science facilities (Type 1C schools), 39% secondary schools to GCE Ordinary Level (OL) only (Type 2 schools), and 33% primary or junior secondary schools to Grade 9 (Type 3 schools).\(^{54}\) As before, 96.1% of the schools are co-educational schools. There are reported to be 73 private schools registered with the ministry, 734 Pirivenas\(^{55}\) conducting classes, and an undetermined number (over 200) of international schools registered under the Companies Act and outside the purview of the Ministry of Education for monitoring standards.\(^{56}\) The inequitable distribution of educational opportunities is underscored by the fact that, in 2012, only 7.6% of schools and 27.93% of all state schools with AL classes provided science education facilities, which form the avenue to higher education and to prestigious and rewarding professional jobs. It is further exacerbated by districtwide disparities in the provision of these schools, from 16.9% schools in Colombo district, to 3.5% schools in Anuradhapura district, and to 2.6% schools in Vavuniya district, so that a considerable proportion of students in these schools have no access to science education and, therefore, are not able to opt for AL science courses.\(^{57}\)

Disparities in the deployment of teachers (of whom 70% are women) are wide, with qualified teachers concentrated in large, urban schools. At the other end of the spectrum, 

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**Box 2: Education and Socialization**

Although gender parity has been achieved in access to general education, and parents have high aspirations for the education of their sons and daughters, education has not contributed to achieving substantive gender equality in the context of the gender disparities in skills development programs that prevents access to the full spectrum of employment, and the acceptance of unequal gender relations that results in the high incidence of gender-based violence. Curriculum materials have been insensitive to critical gender issues that stymie the development of an autonomous personhood, and have reinforced gender role stereotypes and have not purposefully empowered girls and women to challenge negative gendered norms. In preschool play corners, little girls play with dolls and little boys with Meccano sets, the Life Competencies curriculum has not promoted the concept of gender equality, and women’s studies tend to be compartmentalized in special programs in universities or in a few courses on gender issues in specific subjects.

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\(^{54}\) Sri Lanka’s school system has four educational levels: primary (grades 1–5), junior secondary (6–9); secondary (10–11); and senior secondary (12–13).

\(^{55}\) Pirivenas are Buddhist seminaries.


\(^{57}\) Footnote 56.
32.2% of all schools are small schools with an enrollment of 100 or less students, and 20.2% have 101–200 children. These schools have minimal facilities and are the schools of the poor. In 2011 of all schools, 45% had libraries, 58% had computer facilities, 80% had electricity, 32% had telephones, 83% had drinking water, and 51.3% had adequate sanitation. A clear relationship still exists between the socioeconomic background of students, the facilities in the schools they attend, and their educational performance.58

Curriculum reforms have been introduced at regular intervals, most recently from 2007 to 2010. Although such reforms purport to promote activity-based, more meaningful teaching–learning, and extensive teachers’ instruction manuals have been developed, rote learning continues to be the dominant feature in classrooms.59 The limited space for flexibility in curriculum guides, as in the past, constrains the initiative and creativity of teachers and students in secondary education grades. There is little provision for the development of generic skills such as initiative, problem solving, decision making, responsibility, and teamwork. There are also lacunae in curriculum materials in critical areas, such as promoting awareness of concepts of rights and responsibilities, ethical values, social justice, gender equality, and national and social harmony.

2. Participation, Retention, and Performance in General Education

At the 2011/12 national census, enrollment rates of the 5–14 age group were 98.4% overall, 97.9% for girls and 98.8% for boys.60 In 2012/13, 98.6% of the 5–14 compulsory education age group were enrolled in schools, 0.6% had never been to school and 0.7% had dropped out of school. The enrollment rate was 83.9% in the 5–20 age group. Gender-specific rates are not reported.61 In 2009/10, sectorwise enrollment rates were 98.6% in the urban sector, 98.3% in the rural sector, and 95.6% in the estate sector, indicating that, historically, the educationally disadvantaged plantation sector has improved substantially in education participation in the compulsory age group.62

The Household Income and Expenditure Survey (2012/13) has reported that 98.6% of the 5–14 age group and 84.8% of the 5–20 age group are attending school. Male and female net enrollment rates in 2009/10 have been computed in the Sri Lanka Human Development Report 2012 as 95.3% among both sexes in grades 1–5 (primary education), 92.1% male and 93.1% female enrollment in grades 6–9 (junior secondary education), 70.3% male and 81.9% female enrollment in grades 10–11, and 33.1% in grade 12 and 45.9% in grade 13 (senior secondary education). Enrollment rates are therefore relatively high in primary and junior secondary education, and female rates are higher than male rates at senior secondary level, because boys have a higher dropout rate than girls as they have easier access to at least some form of employment. In all sectors, there is a high incidence of dropping out of school after grade 11. Retention or net survival rates in 2011 were computed as 98.3% for boys and 98.9% for girls at the end of grade 5 (primary education), 90.6% for boys and 94.6% for girls at grade 9, and 86.9% for boys and 91.9% for girls at grade 10. Enrollment

59 Teachers’ Instruction Manuals are prepared by the National Institute of Education for the benefit of teachers.
60 Footnote 1.
61 Footnote 18.
62 Footnote 23.
rates of the poorest income quintile were at 98.0% and the richest quintile at 99.0% in primary education, 88.7% and 95.6% in junior secondary education, 71.4% and 88.1% in grades 10 and 11, and 20.8% and 62.2% in grades 11 and 12. The gap increases between the poorest and the richest groups in secondary education with limited access by the poor to the highest grades in secondary schools, which enable entry to higher education.  

Despite the provision of incentives, poverty has prevented vulnerable groups of children in urban low-income neighborhoods, remote rural areas, plantations, and conflict-affected areas from enrolling in schools and pursuing their education, the result being Sri Lanka has hardly reached the second MDG of universal primary education. However, the third MDG, elimination of gender disparities at primary, secondary, and higher education level, has been reached.

A vulnerable group that has been given low priority is differently abled children who have never enrolled in schools because of the lack of appropriate facilities and the stigma that tends to be attached to them. The 25 special schools managed by nongovernmental agencies, the limited number of special units in schools, and the centers organized by the Non-formal Division of the Ministry of Education are hardly adequate to meet the educational needs of these children.

The 2012 School Census also indicates, that as in earlier years, there is gender equality in access to education since the percentage of girls of the total enrolled in primary and secondary grades was 49.2% in grades 1–5, 49.6% in grades 6–9, 50.6% in grades 10–11, and 56.6% in grades 12–13, and overall, 50.4% in grades 1–13 (Figure 1).

Performance levels of students reflect the impact of socioeconomic and regional disparities on participation in education, and are thus an issue of concern. The national assessments of achievements of grade 4 students by the National Education Research and Evaluation Center found that the mean scores were 70.7 for boys and 80.3 for girls in mathematics, 76.2 and 80.3 in Sinhalese, 58.3 and 68.3 in Tamil, and 51.9 and 59.8 in English. In grade 8, the mean scores in mathematics were 50.2 for boys and 52.5 for girls. A test with items selected from the mathematics test conducted by the International Association for the Evaluation of Educational Achievement showed that the performance of Sri Lankan students was comparatively low. In public examinations, in 2012/13, 10.6% of the girls and 9.7% of the boys who appeared for the grade 5 examination qualified for scholarships. Of the students who appeared for the General Certificate in Education/OL in grade 11, 75.5% of the girls and 57.6% of the boys qualified for entry to grade 12 to proceed to the GCE (AL). At the GCE (AL) examination, 66.8% of the girls and 47.6% of the boys qualified for admission to universities. It appears that girls have performed consistently better in passing examinations than boys at every level in the school system.
3. Higher Education or Tertiary Education

Sri Lanka has 15 universities to which admission is based on the performance at the GCE (AL) examination, selection is based on the Z-scores, and distribution is based on merit in arts-related courses and district quotas in non-arts courses to compensate for district-wise disparities. In the 2012 academic year, of the total 27,529 students admitted, 62.2% were women. However, the faculty distribution of entrants reflects the impact of gender role stereotypes internalized by girls through their socialization, as the percentage of women students ranged from 80.2% in arts courses, to 80.6% in law, to 50%–70% in architecture/quantity surveying, science, management, medicine, dental surgery, veterinary science, agriculture, paramedical studies, commerce, to 48.7% in computer science, to 46% in fashion design/transport and logistics management, and to 20% in engineering, the lowest rate of participation. Gender equality in access to universities is diluted by gender imbalances in technology-related courses (Figure 2).69

Inevitably, the same pattern prevailed in the total enrollment of 97,864 students in 2012. In the 15 universities, 57.8% of the students were women but gender differences are seen in choice of courses, with women accounting for 70.6% of those enrolled in arts/law; 50%–70% in medical, dentistry, veterinary science, agriculture, management, and commerce; 34.2% in computer and information and communication technology (ICT); 22.1% in engineering; and 19.8% in architecture and quantity surveying. The direction of national policies currently is toward a “knowledge economy” and these gender imbalances in enrollment in technology-related courses are likely to exclude many women from participating in such an economy.

The higher education sector has also seven postgraduate institutions in medicine, agriculture, archaeology, management, science, Pali and Buddhist Studies, and English, with a total enrollment of 5,709 students. Nine higher education institutions with an enrollment of 4,648 are also within the purview of the University Grants Commission, offering courses in computing, technology, biochemistry, human resources advancement, indigenous medicine, Ayurveda, library science, and aesthetic studies.\textsuperscript{70}

The participation of women is low in technology-related courses in these institutions as well. Three other state institutions have been accepted as degree granting institutes—the National Institute of Education, National Institute of Social Development, and the National Institute of Business Management—in which women students are well represented. In addition, private higher educational institutions that conform to acceptable standards are recognized as degree granting institutions.

The tertiary education subsector has old established institutions training for two professions—the Law College and the 17 National Colleges of Education, in which women are well represented. On the contrary, women are underrepresented in the state advanced technical education institutions, as well as in private institutions, including Institutes of Information Technology, and institutions that function under the Tertiary and Vocational Education Commission.

4. Technical Education and Vocational Training

The technical education and vocational training (TEVT) sector had a relatively low image in comparison with higher education over the years, but the revamping of the sector in the early 21st century and the introduction of a seven-tier National Vocational Qualification Scheme that offers a career path to university level is expected to improve the quality of the programs and to attract more trainees with a long-term perspective.

There are 10 state sector institutes offering courses—the Department of Technical Education and Training, Vocational Training Authority (VTA), National Apprenticeship and Training Authority (NAITA), National Institute of Business Management, National Youth Services Council, Sri Lanka Institute of Printing, Sri Lanka Institute of Textile and Apparel, Ceylon–German Technical Training Institute, Gem and Jewelry Research and Training Institute, and the National Design Center. In 2013, 68,554 trainees were admitted of whom 39.2% were women. Private sector institutes admitted 45,522 trainees of whom 54.8% were women. Enrollment patterns in these institutes indicate gender imbalances in enrollment in specific course, underscoring low levels of participation of women in technical related courses. Women were 36.8% in VTA courses, 29.6% in the Sri Lanka Institute of Printing, 32.4% in the Gem and Jewelry Research and Training Institute, and 33% in the Ceylon–German Technical Training Institute.\(^71\)

However, in 2013, in the technical colleges, only 15.2% of those enrolled in the National Certificate in civil technology, 31.4% in technology (quantity surveying), and 0.8% in electrical and electronics technology were women (Figure 3).

In the VTA courses, the percentages of women were 2.4% in the electrician's courses, 9.5% in construction trades, and 95.0% in tailoring courses (Figure 4).

In NAITA, women accounted for 23.7% in enterprise-based apprenticeship training and 41.3% in in-plant training (Figure 5).

Overall, 23.5%–56.9% of those who received National Vocational Qualification (NVQ) Certificates were women (Figure 6). It is salutary to note that most courses in which there is low representation of women have a high demand in the labor market.

5. Information and Communication Technology

The urban–rural divide and gender digital divide in access to ICT still persists, services are not uniformly available across the country and, with the exception of the Western province, there is limited access to the internet. Information technology (IT) literacy is estimated to be 36.9% in urban areas, 22.0% in rural areas, and 8.6% in the estate sector. Male IT literacy was 26.5% and female IT literacy was 22.1%. Desk computers were owned by 15.1%, laptop computers by 5.8%, and 114% had access to internet within households and 9.2% from outside. In Colombo, 26.9% had access to internet within their homes. However,\(^71\)

telecommunication services have expanded with relative rapidity as seen in the use of low-cost technology, the mobile telephone, by 79% although only 42.4% of the households had landline telephones (Census, 2011/12). State and private enterprises have resulted in the emergence of business process outsourcing, knowledge process outsourcing, and IT-enabled services. There are around 700 *Nena Sela*, a semigovernment initiative in the realm of ICT in Sri Lanka, *Vidatha* Centers of the Ministry of Science and Technology in all divisional offices, cybercafés, and e-kiosks for public access. Several e-programs such as for governance, commerce, and learning have been developed. Unicode and fonts in Sinhala and Tamil are being developed to overcome the barrier of lack of English proficiency in rural, plantation, and low-income urban areas. Computer centers in senior secondary schools and, hopefully, in other secondary schools, with donor assistance, is perhaps the most effective strategy to eliminate the gender divide, as all students in schools with such centers.

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72 Footnote 16.

73 *Nena Sela*: IT telecenters; *Vidatha* centers: resource centers for technology transfer.
Figure 4: Top 15 Recruitments in Vocational Training Authority by Course and Gender in First Half of 2013

<table>
<thead>
<tr>
<th>Course</th>
<th>Male %</th>
<th>Female %</th>
</tr>
</thead>
<tbody>
<tr>
<td>NC—Automobile Mechanic</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>NC—Motorcycle Mechanic</td>
<td>100.0</td>
<td></td>
</tr>
<tr>
<td>NC—Electrician (Domestic)</td>
<td>1.1</td>
<td>98.9</td>
</tr>
<tr>
<td>NC—Welder</td>
<td>1.8</td>
<td>98.2</td>
</tr>
<tr>
<td>NC—Electrician (Industrial)</td>
<td>3.2</td>
<td>96.8</td>
</tr>
<tr>
<td>NC—Wood Craftsman (Furniture)</td>
<td>3.6</td>
<td>96.4</td>
</tr>
<tr>
<td>NC—Cook</td>
<td>5.5</td>
<td>95.5</td>
</tr>
<tr>
<td>NC—Construction Craftsman...</td>
<td>6.4</td>
<td>94.6</td>
</tr>
<tr>
<td>PC Based Application</td>
<td>7.4</td>
<td>93.6</td>
</tr>
<tr>
<td>NC—Information and...</td>
<td>23.3</td>
<td>76.7</td>
</tr>
<tr>
<td>NC in Information and...</td>
<td>24.8</td>
<td>75.2</td>
</tr>
<tr>
<td>NC—ISM Operator</td>
<td>23.7</td>
<td>76.3</td>
</tr>
<tr>
<td>NC—Hairstylist</td>
<td>10.2</td>
<td>89.8</td>
</tr>
<tr>
<td>NC—Beautician</td>
<td>9.1</td>
<td>90.9</td>
</tr>
<tr>
<td>NC—Tailor (Ladies and Children)</td>
<td>5.0</td>
<td>95.0</td>
</tr>
</tbody>
</table>

NC = National Certificate.

* Provisional.


Figure 5: Registrations Details—National Apprentice and Industrial Training Authority in the First Half of 2013

facilities have equal access to IT skills irrespective of sex or socioeconomic background. Social media, such as Facebook and Twitter, are limited to a minuscule proportion of the population.

6. Nonformal Education

Low priority has been given to nonformal education as Sri Lankan policy makers rely on the formal education sector to universalize access to education. Nonformal education was integrated into community development projects in the 1980s, when nonformal literacy centers were organized to provide alternative educational opportunities for out-of-school children. These programs had minimal reach and were largely ad hoc responses. The Education Sector Development Framework Program in 2006 gave the responsibility to the Non-formal Division of the Ministry of Education for bringing all out-of-school children of compulsory school age into schools or nonformal centers. In 2009, in these centers, 5,530 boys and 5,923 girls were enrolled in basic literacy programs; 865 boys and 1,206 girls in functional literacy programs; and 4,478 boys and 22,199 girls in income-generating programs. Community learning centers for adults had 2,154 men and 8,492 women. These centers, however, are inequitably distributed and do not meet the needs of all disadvantaged families.74

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74 Footnote 70.
7. Literacy

At the 2011/12 national census, the literacy rates of the total population was 95.6%, with a male literacy rate of 96.8% and a female literacy rate of 94.6%, a great leap from 76% (male literacy) and 46% (female literacy) in 1946, almost eliminating the gender gap, clearly as a result of free education and expansion of education facilities. Among the districts, the lowest female literacy rate was 77.7% in Nuwara Eliya where the male literacy rate was 91.4%, underscoring the legacy of the historical disadvantaged status of plantation women.75

H. Economic Activities

Women in Sri Lanka have been engaged for centuries in economic activities, such as in agriculture, local industries, and in services, but, as some of their activities are undertaken at home or outside a formal workplace, they have not been included in the official labor force statistics. The labor force participation rate of women in the labor force survey in mid-2014 was 35.3% while the male participation rate was 75.9%, and the percentage of women in the total official labor force was 35%. Employment growth rates have been lower than GDP growth rates.76

1. Employment Profile

The sectoral distribution of the employed population among men and women was 26.4% and 31.5% in the agriculture sector, 25.9% and 26.4% in the industry sector, and 47.2% and 42.1% in the services sector. Employment, status-wise, as seen in Figure 7 shows that 3.4% of the male labor force and 1.0% of the female labor force were in the category of employers, 13.5% and 20.0% were public sector employees, 43.7% and 35.9% were private sector employees, 36.4% and 22.6% were own-account workers, and 3.0% and 20.4% were contributing (unpaid) family workers.

A major concern is that informal sector workers are deprived of their economic rights. There is no universal right to employment, as relevant rights including right to equality, articulated in sections 12(2) and 14 (c, d, and g) of the constitution, are applicable only to employment in the public sector, thus depriving protection against discrimination to those employed in the private and informal sectors.

Labor legislation entitles employees in the public and private sector to equal remuneration, maternity benefits, and conditions of services, but they are limited to the formal sector and the amorphous informal sector is outside the ambit of these laws. Sri Lanka has ratified the core ILO conventions but has not ratified the conventions that seek to protect rural workers, migrant workers, subcontracted workers, and domestic workers, all of whom work in the informal sector.

75 Footnote 1.
Women workers are disadvantaged by the inequitable gender division in the labor market as well as by the “glass ceiling” that is a barrier to reaching the highest decision-making positions in the employment structure. A recent study found that women held only 25% of positions in grade 1 in the Sri Lanka Administrative Service while upward occupational mobility was even more limited in other state services. In the private sector, only 6.1% of directors of boards of establishments registered in the Colombo Stock Exchange were women. It is also interesting to note that in the education sector, over 70% of teachers, 25% of principals, and a few high-level administrators are women. This trend is confirmed by the data on the distribution of the employed in occupational groups in Table 1. The majority of those employed in the professions are women, as the teaching and nursing professions are feminized. At the same time, women are underrepresented among senior officials, managers, and proprietors of enterprises, although 58% of university students are women.

2. Agriculture

The majority of agricultural workers are farmers who own or operate smallholdings, own only home gardens, or are agricultural wage workers. They are trapped in poverty at subsistence level by low productivity and low economic returns that have been characteristic of the agriculture sector. Women are involved actively in the sector but have unequal access to skills, agriculture extension, and markets, or are relegated to the role of unpaid family workers without access to independent income or are agricultural laborers receiving lower wages than male laborers. The only alternative available to them is to seek employment in garment factories or as migrant domestic workers. The large

settlements in the dry zone have replicated these employment patterns, as the expectation that small commercial farmers would emerge from the Mahaweli Development Program has not been realized.79 Women have engaged in traditionally female tasks in developing their family allotments but are still largely part of unpaid family labor.80 In addition to their exclusion from labor legislation in the rural informal sector, women in state settlements are further discriminated against by the inheritance schedule in the Land Development Ordinance (1935), which gives preference to males, resulting in loss of equal rights to land, to which women living outside settlements are entitled under the general law.81 Advocacy by women’s organizations over several years to introduce amendments to this schedule, to ensure gender equality in access to land, has had no impact.

The plantation sector, created by the British colonial administration in the 19th century, employed both men and women of immigrant families, but women were paid lower wages, worked longer hours, and had minimal facilities. The nationalization of the estates, development of trade unions, introduction of equal wages for men and women, and

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79 Mahaweli Development Program: a multi-purpose integrated rural development for the area downstream from hydroelectric and irrigation projects on the Mahaweli River.


the privatization of plantation management have brought about many changes and improvements, but the legacy of disadvantage still persists, and they remain at the lowest level in the formal sector. A recent development is that plantation women now seek employment outside the estates, chiefly in domestic service within and outside the country.

3. Industry

Traditional, small industries that collapsed with the liberalization of the market are yet to recover. A large number of women in this unprotected, informal sector are confined to low-skill and low-income economic activities. At the same time, employment opportunities increased chiefly for young women as an outcome of the international division of labor and the entry of transnational companies of labor-intensive industries or labor-intensive processes in export-oriented industrial establishments within and outside export processing zones (EPZs), and concomitant recourse to the “comparative advantage” of low-cost female labor. The original three EPZs have been followed by industrial estates islandwide. In late 2010, there were nine EPZs and four industrial parks employing 123,633 employees, of whom 61.9% were women. Women became economically empowered, with control over the income they generated, but were compelled to work long hours in repetitive assembly work in unstable jobs, with minimal opportunities for upward occupational mobility. Women were confined to semiskilled work and men were mainly in managerial, professional, and technical employment (Tables 2 and 3).

The links to large overseas firms and the “Ethical Trading Initiative” movement have improved working conditions, with the exception of long hours of work and overtime work to meet production targets and the right to freedom of association. The recent global

<table>
<thead>
<tr>
<th>Employment Category</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>%</td>
<td>No.</td>
</tr>
<tr>
<td>Administrative Staff</td>
<td>2,128</td>
<td>4.8</td>
<td>1,002</td>
</tr>
<tr>
<td>Technical Staff</td>
<td>3,491</td>
<td>7.8</td>
<td>1,145</td>
</tr>
<tr>
<td>Clerical</td>
<td>1,435</td>
<td>3.2</td>
<td>1,474</td>
</tr>
<tr>
<td>Supervisory</td>
<td>4,444</td>
<td>9.9</td>
<td>1,950</td>
</tr>
<tr>
<td>Supervisory</td>
<td>8,990</td>
<td>20.1</td>
<td>18,613</td>
</tr>
<tr>
<td>Skilled</td>
<td>11,805</td>
<td>26.4</td>
<td>24,468</td>
</tr>
<tr>
<td>Unskilled</td>
<td>5,844</td>
<td>13.0</td>
<td>9,067</td>
</tr>
<tr>
<td>Trainees</td>
<td>4,832</td>
<td>10.8</td>
<td>8,945</td>
</tr>
<tr>
<td>Others</td>
<td>1,827</td>
<td>4.1</td>
<td>1,134</td>
</tr>
<tr>
<td><strong>Total Local Employment</strong></td>
<td><strong>44,796</strong></td>
<td><strong>100.0</strong></td>
<td><strong>67,798</strong></td>
</tr>
</tbody>
</table>

Source: Board of Investment, Sri Lanka. 2010.

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83 Footnote 82.
economic crisis and the declining demand for products from export-oriented industries have increased job instability and closure of smaller factories.

A further impact of the extension of the international division of labor was the proliferation of subcontracting through “chains,” extending finally to small units or to home-based workers. The use of the low-cost, peripheral, and flexible labor of women to promote linking the “large investor and small producer” reduced infrastructure costs and increased profits. But it created an almost invisible labor force of semiskilled workers who are outside the purview of labor legislation, are vulnerable to job insecurity determined by instability in demand for labor, and receive low and irregular incomes below the minimum wages enforced in the formal sector. It also resulted in the emergence of intermediaries or subcontractors who siphon off some of the profits of entrepreneurs and receive disproportionate incomes relative to that of the producers. As Sri Lanka has not ratified ILO Convention 179 on piece-rate workers, their working conditions and prospects are unlikely to improve. The gender division in the labor market and women’s lack of relevant skills also confined women in the formal and informal sectors to the conventional areas of employment in the industry sector such as textile and garments and food preparation and excluded them from other categories of manufacturing industries.

4. Services

While a few women have reached the highest level in the employment hierarchy in the judiciary, universities, scientific professions, and in private enterprises, the concentration of
women continues to be in the education and health sectors, in secretarial positions, and in the unprotected, low-income, household domestic service in the informal sector. A recent trend is the increase of women in telecommunications, IT, travel, and financial services.

A major development was the phenomenon of women in low-income families seeking employment as migrant domestic workers to meet the demand for such labor in Bahrain, Cyprus, Jordan, Kuwait, Lebanon, Malaysia, Qatar, Saudi Arabia, Singapore, and the United Arab Emirates. The outflow increased from 0.4% of migrant workers in the late 1970s to nearly 80% in the 1990s and declined, not in numbers but as a proportion of migrant workers, to 55% in 2006 and to 49.1% in 2010, the year in which the number of male migrants slightly exceeded that of women (Table 4).

Table 4: Departures for Foreign Employment by Workforce Levels, 2012

<table>
<thead>
<tr>
<th>Workforce Levels</th>
<th>Total</th>
<th>Male</th>
<th>Female</th>
<th>% Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional, middle, and clerical level</td>
<td>29,539</td>
<td>27,480</td>
<td>2,059</td>
<td>6.97</td>
</tr>
<tr>
<td>Skilled level</td>
<td>66,275</td>
<td>59,115</td>
<td>7,160</td>
<td>10.80</td>
</tr>
<tr>
<td>Semiskilled level</td>
<td>3,406</td>
<td>2,971</td>
<td>435</td>
<td>12.77</td>
</tr>
<tr>
<td>Unskilled level</td>
<td>62,027</td>
<td>52,765</td>
<td>9,262</td>
<td>14.93</td>
</tr>
<tr>
<td>Housemaid jobs</td>
<td>118,235</td>
<td>0</td>
<td>118,235</td>
<td>100.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>279,482</strong></td>
<td><strong>142,331</strong></td>
<td><strong>137,151</strong></td>
<td><strong>49.07</strong></td>
</tr>
</tbody>
</table>

Source: Sri Lanka Bureau of Foreign Employment.

Overall, the inflow of remittances increased to $4.1 billion in 2010. Women migrant workers are concentrated at the bottom (over 90% as domestic workers) and in lesser numbers as unskilled labor in Bahrain, Jordan, Kuwait, Lebanon, Qatar, Saudi Arabia, the United Arab Emirates, and a smaller number in Cyprus, Malaysia, and Singapore, and recently as garment workers in factories in Mauritius and Oman. Only Cyprus and Mauritius have extended local labor legislation to migrant workers.

Some of them achieved their aspirations to acquire resources to construct a brick-and-tile house and to educate their children and achieve some degree of upward socioeconomic mobility. Others have experienced continuing poverty through the abuse and waste of their hard-earned resources by alcoholic spouses. These migrant women workers have continued to be exposed to abuse and corruption, despite the establishment of the Sri Lanka Bureau of Foreign Employment—which implemented an ad hoc and relatively unsuccessful program to control abuse by recruitment agencies—and more recently introduced registration, insurance, minimal training, and welfare measures. It was only in 2008/09 that the whole issue of migration for employment was examined from the perspectives of governance, protection, and development, and a national

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85 Footnote 81.
policy was launched.\textsuperscript{87} Since 2011, steps are being initiated to implement several of the policies recommended; officials of the Sri Lanka Bureau of Foreign Employment are being established island-wide to monitor recruitment and to assist returnees. For the first time, health issues of migrants are receiving the attention of the Ministry of Health and a National Migration Health Policy was launched in 2013.\textsuperscript{88} In recent years, memorandums of understanding have been signed with Italy, the Republic of Korea, Bahrain, the United Arab Emirates, Qatar, and Jordan. The major policy focus appears to be to promote migration by skilled workers and to integrate migration in the development process. It has been proposed that the NVQ Level 1 should be achieved by all migrant workers. The migrant domestic workers’ training program and the domestic housekeeper course have been upgraded to NVQ Level 3 from September 2012. However, it has to be noted that the majority of migrant women workers lack specific skills and have sought overseas domestic service as a strategy to exit poverty. Previous attempts to offer an alternative to migration by promoting self-employment have failed to generate a sustainable income. The recent program to restrict women with children aged less than 5 years from working overseas has been contested on the grounds of violation of their human rights.

5. Self-Employment and Microcredit

A substantial group of women workers in the informal sector is engaged in low-skill, low-income, home-based self-employment; microenterprises; or large-scale enterprises. Women with economic resources and initiative have succeeded as entrepreneurs, and some of them have been able to sell their products in export markets. The large majority lacks the capacity to develop such enterprises, and their access to microcredit alone is not sufficient. They can generate incomes that could move them out of poverty if they are provided a package of services comprising vocational and management skills, equipment, credit, and access to market information. A policy for small and medium-sized enterprises is being developed.

6. Unemployment

The unemployment rates of women have been double that of men since the late 1960s, and this trend has continued even though male and female unemployment rates declined from 4.4\% and 9.5\% in 2007 (excluding the North and Eastern provinces) to 3.4\% and 6.7\% in mid-2014 (all Island). Age-specific unemployment rates reflect the same trend—15.8\% male and 26.3\% female unemployment rates in the 15–24 age group, 6.9\% and 13.9\% in the 25–29 age group, and 1.0\% and 2.6\% in the over 30 age group (Figure 8).

The disadvantaged status of women is clearly reflected in rising unemployment rates at each educational level in mid-2014—male 2.4\% and female 3.9\%—among school dropouts below the GCE (OL), 5.0\% and 7.4\% among GCE (OL) qualified, and 5.7\% and 11.9\% among those with GCE (AL) or higher qualification (Figure 9).

\textsuperscript{87} Footnote 82

\textsuperscript{88} Footnote 9.
It appears that women have not been able to translate equality in access to general education to equality in access to employment. This could be because of gender imbalance in access to programs for the development of skills that are in demand in the labor market and are provided by higher technical and vocational education.
I. Gender-Based Violence

Violence against women (VAW) emerged from being a private, family problem to being an issue of public concern after the Declaration on the Elimination of Violence against Women at the UN Human Rights Conference in Vienna in 1993. It is possible that the perceived increase in violence in recent years is the result of the current high visibility of offenses in the press and the campaigns against such violence, particularly around Human Rights Day in December each year.93 There is, however, a paucity of quantitative data to estimate the incidence of violence, other than those from limited samples in studies and from the records of the Women and Children’s Police Desks.90

A large number of qualitative studies provide information on the many facets of VAW, underscoring the fact that such violence is found to occur irrespective of income, employment and education levels, and ethnicity.91 Some information pertaining to rape, sexual abuse, and sexual harassment in public places, workplaces, educational institutions, police stations, and homes are available, although sexual harassment tends to be trivialized. Incest and domestic violence are perceived to be private family issues concealed within a facade of shame, depriving victims of relief or redress. Few studies are available on incest, and few organizations support victims, including premature, young mothers deprived of access to schooling.92 Perpetrators are the older male family members, chiefly the father, and daughters are seen to be particularly vulnerable in households where mothers have migrated for long intervals for employment.

A relatively high incidence of domestic violence has been noted in studies.93 Reasons for spousal violence have been usually attributed to alcoholism and interspousal conflict on various issues. However, underpinning these reasons, there was evidence of a desire to exert masculine power and authority in the marital relationship and to preempt any challenge or threats to the power structure based on asymmetrical gender relations.94 According to the victims, there has been an incredible level of physical violence. On the part of many women victims, acceptance of the norm of unequal gender relations within the family was reflected in their passive submission to battering and harassment over many years. Few have sought the help of mediation boards or the police, who have been reluctant to act as they too accepted this norm, or had recourse to courts. Penal code amendments from 1995 have increased penalties for rape and have made grave sexual abuse, sexual

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90 Data reported by Women’s and Children’s Desks, Sri Lanka Police to CENWOR record that there were 928 cases of reported sexual harassment in 2009 and 1,074 in 2010, 279 and 235 cases of rape, 16 and 23 cases of grave sexual abuse, 9 and nil cases of incest, 109 and 83 cases of murder, 291 and 209 cases of grievous hurt, and 54 and 60 cases of kidnapping and trafficking. These could be a small fraction of cases of violence, and the minimal cases of incest reported and the absence of any record of domestic violence indicates that the image of the family is strongly protected.
harassment, and incest criminal offenses. The Prevention of Domestic Violence Act of 2005 introduced a protection order to safeguard victims and to enable them to seek the assistance of courts. While such legislation is critiqued to be inadequate to address the needs of victims or to eliminate VAW, studies indicate that there is a very low level of awareness of these laws among victims and their families as well as potential perpetrators who appear to continue to inflict violence with impunity. There is reservation among victims regarding recourse to courts for redress or other forms of action.95

A lacuna that needs to be filled is the lack of adequate support services for victims of VAW. Legal aid is available through the Legal Aid Commission which has branches islandwide as well as a few NGOs. Counseling services are also provided by few such organizations whose outreach is therefore limited. Only four women’s organizations and two NGOs have organized crisis centers to support women victims.

Inevitably, women are reluctant to seek external advice as they are compelled to return to live with the abusers. Advocacy programs have been conducted by women’s organizations on an ad hoc basis. While the first step has been taken to promote official recognition of the incidence of VAW and its impact in terms of trauma, and health problems arising from physical violence and sexual abuse, there is yet a long agenda of action required to reduce and eliminate such violence as a violation of human rights.

J. Environment

The UN Rio Conference on Environment and Sustainable Development in 1992 brought environmental issues to the attention of national policy makers. In Sri Lanka, drastic depletion of forest cover; depletion of biodiversity; land degradation; depletion of natural resources; hazardous impact of poor waste management; air pollution and pollution of inland, coastal, and marine resources; pollution from power plants; and implications of climate change are issues to which solutions are sought. The tsunami in December 2004 that devastated the coastal regions in the South, the East, and the North, and the 3 decades of armed conflict that caused environmental damage to dwellings, forests, and water sources exacerbated the situation. Women are vulnerable, as deforestation deprives the access of poor rural women to natural resources such as fuelwood, food, and water; raw materials for industries and cultivation; and herbal medicines. Women and men in urban low-income neighborhoods face environmental health hazards from industrial effluents, pollution of canals, and pollution from garbage in the absence of landfills. Women in their kitchens are affected by the absence of fuel-efficient stoves.

1. Women’s Access to Natural Resources and Role in Environment Programs

Forests protect soil, water, and biodiversity, and provide the rural poor with access to timber for fuelwood, to food, and to medicine. Forest cover, however, has declined over the years...
Women in Sri Lanka: An Overview

2. Climate Change

Climate change affects weather patterns and causes droughts, floods, and landslides, which have a negative impact on agriculture, particularly rice cultivation. Rise in sea levels creates enormous problems for the coastal population, especially for poor families. Sri Lanka ratified the UN Framework Convention on Climate Change in 1993, and the Ministry of Environment has developed a strategy to meet problems and has set up a Climate Change Secretariat to implement it.

Sri Lanka has ratified a number of multilateral environment agreements, and the Ministry of Environment and the Central Environment Authority have attempted to reconcile the demands of development and environmental concerns. A national strategy for sustainable development and an action plan encompassing 10 areas have been developed to be implemented from 2009 to 2016 under the supervision of the National Council for Sustainable Development, but the absence of coordination by the line ministries involved is reported to have affected effective implementation. Efforts have been made recently to reduce air pollution from transport by enforcement of fuel emission tests. The Divi Neguma program of home gardens promotes sustainable practices such as using organic farming, and industries with minimum waste.

Women have been guardians and managers of home gardens over centuries but despite the role proposed for women in Agenda 21 of the Rio Action Plan, national plans have not been gender-sensitive. Donor-funded projects have allotted an active role for women in natural...
resource management and women have been proactive in environmental NGOs. A major lacuna in national programs is the very low priority given to gender in environmental impact assessments, even in social impact assessments.

K. Infrastructure

In the contemporary context, infrastructure development is a major area of priority in national policy. While roads and other forms of transport, energy, and water and sanitation have been components of development policies over the years, it is within the past decade that programs have moved apace to accelerate transformative changes. Gender issues have been largely invisible in infrastructure-related policies and do not receive adequate recognition, although, that apart, a holistic perspective is adopted for infrastructure development as an agent of economic growth, balanced regional development, poverty reduction, and national integration.

1. Water and Sanitation

Water and sanitation have received attention since the 1980s. As women are often the water collectors and water bearers in rural communities, they continue to be negatively affected by lack of easy access to safe water. Water quality in rural areas is affected by fertilizer, agrochemicals, and industrial and domestic waste entering the system and creating health hazards, and the unregulated extraction of groundwater, which reduces the quantum of water available. Water supply and irrigation projects have been implemented across the country in which women farmers and NGOs have a role in assisting at the local level. Infrastructure facilities have improved over the years. Sri Lanka is reported to have nearly achieved the target for safe drinking water and safe sanitation in the MDG 7. Women are involved as engineers and technical officers in the Ministry of Water Supply and Drainage, and as women officers in community water supply community-based organizations. Community water supply is now handled by a new department, which does have women officers.

2. Energy

In 2012, the sources of primary energy supply were biomass, petroleum, coal, major hydro projects, and new renewable energy. Electrical energy sources were from hydropower, petroleum, coal, and a limited amount of renewable resources. In the rural sector, biomass is the main source of energy for cooking. Rural women collect biomass residue from forests, plantations, and home gardens. Urban women use gas or buy fuelwood from vendors. The major issues in the power sector are (i) costs that limit its use by householders thus depriving women of clean and useful energy source for their domestic chores and (ii) the need to increase the contribution of renewable resources to reduce costs.
3. Transport

An improved road network for enhanced accessibility will provide forward and backward linkages to the development process. Among the results of policy priorities, the most dramatic changes have been the availability of accessible and quality roads as a result of the highest priority given to modernizing the network of roads. The National Road Master Plan (2007–2017) was drawn to overcome challenges encountered in the road sector and to meet the growing demand for road infrastructure. Construction of highways and expressways under the Randora infrastructure development program of the government and the rural road development under the Maga Neguma program were speedily implemented. The Southern Expressway to Matara, the Colombo–Katunayake Expressway, and part of the Outer Circular Highway (the ring road around Colombo) were completed and opened to traffic. Extension work on the Southern Expressway and the Outer Circular Highway are continuing. Several other road development projects have been undertaken such as the Veyangoda flyover, the Maga Neguma rural roads, and the reconstruction of the road network in conflict-affected provinces. Women can be considered as major beneficiaries of these developments as their mobility issues will be reduced by easier access to transport, but women’s needs have not, specifically, been a major factor in formulating road development programs. Parallel to these developments, six ports are being developed—improvement of the Colombo port; the development of the Hambantota, Galle, and Oluvil ports; and the planned development of the Trincomalee and Kankesanthurai ports. These are expected to facilitate international trade, tourism, and other links.

4. Recovery, Reconciliation, and Social Integration

Subsequent to the destruction and damage caused by over 2 decades of armed conflict, the cessation of war in May 2009 surfaced the need for relief, rehabilitation, resettlement, reconstruction, and reconciliation. Activities were accelerated by the Mahinda Chintana 2010 proposal for specific regional development programs in each of the nine provinces. The programs in the Northern and Eastern provinces focused on recovery from the war. The most onerous task was the recovery in the Northern provinces in which four of the districts had been the main theater of the war and its immediate aftermath. Medium-term plans were developed for the districts in the North and the East chiefly by the Ministry of Resettlements and the Ministry of Economic Development and the district administrations.

The Northern province received a large inflow of displaced persons from the direct conflict-affected areas, and the immediate task was to provide relief to over 250,000 displaced persons and to meet the specific needs of women, men, children, and families. A large area, not far from Vavuniya town, was selected for the establishment of the Menik Farm comprising six relief villages in which the displaced were accommodated in temporary and semipermanent shelters. Relief was provided by the supply of food, water, health services, transport, and protection, particularly of women and children, and gradually community kitchens, water tanks, tube wells, primary health care centers, primary schools, vocational training centers, welfare shops, post offices, banks, and places of religious worship were set up to meet the needs of the large population. There were problems caused by the
lack of sufficient financial resources, the magnitude of the problem, and for women, the inadequate privacy in the temporary shelters.

In the second stage, resettlement was under the direction of the Presidential Task Force for Resettlement, Development and Security, and began with a 180–day accelerated program implemented through line ministries. A demining program by the army assisted by donor-funded agencies cleared 1,319 of 1,419 of hazardous areas for resettlement in original homes, and a mine risk education program was conducted by UNICEF. Cash grants and shelter materials for housing by the government and houses constructed by UN and international NGOs were provided. Efforts were made to restore livelihoods in the main occupations of the province, that is, agriculture, particularly rice cultivation in cleared lands, and for women, particularly home gardening, dairy farming, and raising livestock such as goats and poultry, and self-employment but are yet to meet the needs of all affected by war and displacement. Men and women in the poorest families were given cash for work in infrastructure projects.

Reconstruction in the form of infrastructure development and reestablishment of administrative mechanisms was undertaken by relevant ministries with donor assistance. Health services were restored and upgraded, school buildings were repaired, 990 of the 1,020 schools in the province were functioning and “catch up” programs were conducted in many schools to assist students in schools that had been closed.

Assistance was provided to restore two main occupations in the province: agriculture in which both women and men traditionally participated, and fishing. About 90% of abandoned rice lands were cleared and inputs such as seed, subsidized fertilizer, and equipment, and fishing gear and equipment for seas, lagoon, and inland fishing were provided and the ministry’s freezer trucks provide transport to Colombo. State and private banks have reopened branches and offer credit. International NGOs and NGOs are active in meeting family needs, and the private sector has begun to undertake hotel and infrastructure projects.

Despite these efforts, many families are yet to be resettled with adequate housing and livelihoods to generate incomes. Land rights issues are critical particularly for women. A sense of insecurity is still reported to prevail among some families.

Women in families in conflict-affected areas and in families of soldiers killed or incapacitated during the war have shared these experiences and tribulations during and after the war, and are relatively more disadvantaged. Several thousand war widows in the North and the East are without access to adequate resources, infrastructure and housing, basic facilities, and vocational skills and livelihoods to support their families. They are often denied land rights and are exposed to sexual violence and trafficking. Many women have been traumatized by their experiences, particularly the 2,240 women ex-cadres who need to reintegrate into the mainstream society. An undetermined number of women in other provinces and in families of soldiers have become breadwinners and face similar pressures.

97 Footnote 41.
The low priority given to the needs of all these women is seen in the absence of a woman or a representative of the Ministry of Child Development and Women’s Affairs in the Presidential Task Force.

The state has concentrated largely on resettlement and livelihoods in the agriculture and fisheries sectors, and lower priority has been given to reconciliation and healing to remove the scars of conflict and to promote national harmony. It has been left to other organizations to move to accelerate attitudinal change through specific programs. However, the state has focused on the rehabilitation of former men and women Liberation Tigers of Tamil Eelam cadres and former child soldiers.

A social cohesion program was developed in 2005 to facilitate attitudinal change among boys and girls in schools and to promote harmony in the multiethnic society of Sri Lanka but is yet to be implemented in all schools. A National Policy and a Comprehensive Framework of Action on Education and Social Cohesion and Peace were developed to incorporate relevant activities in the national curriculum and a Peace Education and Social Cohesion Unit was established in the Ministry of Education in 2008. However, the process of curriculum reorientation has been slow.

The Lessons Learnt and Reconciliation Commission 2011 has proposed institutional, administrative, and legislative measures, which need to be taken to resolve present problems and future conflict and to promote national unity and reconciliation among all communities. The Lessons Learnt and Reconciliation Commission has also referred to the role of women in this process and is formulating action programs for implementation.

In 2012, the Ministry of National Languages and Social Integration produced a National Policy Framework for Social Integration under the theme “Social Cohesion Through Access to Everyone” in six areas—education, economic activities and employment, justice and legal resources, safe and secure social environment, safe and secure physical environment, and political participation. Gender is an issue that cuts across all these areas. Action programs are being developed and activities implemented at the local level to bring communities together.

The resilience of Sri Lankan society in recovery from disaster has been commented on in the years after tsunami and in the present context, but these initiatives need to be followed by proactive implementation of programs if the country is to move forward.

Over 11,000 of around 12,000 ex-cadres are reported to have returned to their homes or communities after participating in a program comprising education, basic life skills, medical assistance, psychosocial counseling, and mentoring to encourage acceptance of diversity and coexistence and peace building. Vocational training for livelihoods was organized including self-employment and small business for which loans of SLRs250,000

100 Footnote 13.
102 Footnote 13.
103 Footnote 98.
at low interest have been offered to men and women. Men and women trainees have also been directed to the Sri Lanka Bureau of Foreign Employment for assistance in seeking employment overseas. Around 600 ex-child combatants who surrendered were placed in rehabilitation centers and returned to their homes after a program of counseling and education, particularly in English, IT, and vocational training, with the assistance of the National Child Protection Authority, UNICEF, and Deutsche Gesellschaft für International Zusammenarbeit in the North and the East. Those seeking to complete their education and appear for public examinations were moved to a center near a school in Colombo and some are reported to have entered universities. Vocational training programs are being organized by the VTA and NAITA, and by agencies such as GIZ, which is also establishing the Ceylon–German Technical Training Institute in Kilinochchi. In the context of the large inflow of internally displaced persons, low priority has been given to other affected groups, chiefly Muslim families evicted summarily from Mannar and other northern districts nearly 2 decades earlier, some of whom are still in settlements in Puttalam, as well as the affected families in villages in the North Central and Uva provinces.
2. Gender Equality Policy Initiatives

A. National Framework

The Policy Framework developed in 2006 has been reframed into two documents that were published in 2010: (i) Mahinda Chintana—Vision for the Future and (ii) Mahinda Chintana—Vision for the Future: The Development Policy Framework, Government of Sri Lanka (based on the directions of the first report). The first document presents, as its overall objective, the development of Sri Lanka as a dynamic, global hub for naval, aviation, commercial, energy, and knowledge domains, besides striving “to ensure that the growing economic prosperity and the recent benefits in development will filter down to all our people” and “to lay the foundation for long-term sustainable development.”

The statement “as women make a major contribution to the economy, they should be given not ‘equality’ but ‘higher priority,”’ calls for specific measures to be implemented, such as (i) establish a Women’s Entrepreneurship Development Fund to provide financial assistance to enhance self-employment and to create additional income-generating opportunities, (ii) ensure women receive equal remuneration as men for similar jobs, (iii) construct a Women’s Data Bank to facilitate access to economic and professional data on women and design a legal framework to recognize women as the head of the household where they shoulder responsibility for the family and eradicate any related legal or administrative barriers, (iv) implement measures to increase the representation of women within the political and administrative framework, and (v) mandate the participation of women in decision making and policy matters through representation in Jana Sabha (community organizations). Special measures are proposed for financial assistance to “ensure the economic development and security of all women-headed households” created by the conflict in the North and the East and by violence from 1987 to 1989 or by natural disasters. Proposals, several of which impinge on gender issues, have been made for development in the total spectrum of activities and are spelled out in documents as a policy framework.

The second document expands on the aforementioned objectives and prioritizes policies and programs in each sector for national development. It outlines a development strategy to accelerate the progress of Sri Lanka from a middle-income country toward a knowledge-based society. It emphasizes equitable development of pro-poor, pro-growth, and pro-regional programs and development initiatives focused on regional and provincial development and for reducing rural–urban imbalances.

Footnote 3.

Footnote 3.
Specific programs are identified for women as pioneers of development, “creating a conducive environment where women can utilize their knowledge in emerging opportunities.” These programs cover a range of current issues: (i) promoting quality and productive employment for women; (ii) expanding the range of skills of women in nontraditional courses in technical education to meet future labor demand; (iii) equal opportunities in the labor market along with equal working conditions, services, and wages for women; (iv) bilateral agreements to protect migrant women workers from economic and sexual exploitation; (v) support services for child and dependent care for working mothers; (vi) sufficient representation for women in communities to organize and act as catalysts in community development and increased female nominations to contest local elections; (vii) ensuring nutritional standards of pregnant women, nutritional supplements, good hygiene practices, and special quality health care services; (viii) support for destitute and vulnerable women—widows, disabled, elderly, and conflict-affected women; and (ix) legal recognition of women as household heads where they are responsible for the family, with equal access to productive resources such as land.

However, neither document focuses on women’s rights or on gender equality per se, but the proposals are based on the recognition of some of their rights and some critical issues that adversely affect women. Elimination of gender-based violence does not seem to be a priority. Summaries of some sectoral initiatives are presented here to indicate their relevance for equal access of women to opportunities and for future initiatives for women.

Education policies are expected to ensure that all children complete primary and secondary education irrespective of their socioeconomic background, gender, and ethnicity, and are equipped with functional and technical skills and competencies. Policies will promote equity, and values and attitudes needed to live in peace and harmony. Higher education is perceived as a driver of economic development and innovations. A competitive workforce is expected to be built through technology and skills development.

A modern economy is to be developed through science and technology, and technology is to be disseminated also to rural areas. The objectives of agricultural policy would be to ensure food security to all people, and higher and sustainable incomes for farmers, promote farm mechanization and a shift from low-value-added products to high-value-added products, and improve productivity and competitiveness in the market. The fisheries and aquatic resources are to be used efficiently while conserving the coastal environment, and self-sufficiency in national fish supply, diversification of produce, and increase in exports are to be achieved. The livestock industry is to be developed to achieve a higher supply of milk and livestock produce, thereby increasing employment generation and incomes of rural farmers and decreasing poverty in rural families.

The priority for the industry sector is increasing global competitiveness through productive investments, balanced regional development, value addition and diversification of exports, and educated and skilled human capital. Promoting small and medium-sized industries for regional growth, implementing entrepreneurship programs to create a business climate, setting up a credit guarantee system to ensure easy access to finance, and increasing marketing opportunities are perceived to be important areas for development. New design concepts are to be introduced to both technology-intensive industries and revitalized traditional industries.
As seen in chapter 1, women are engaged in these sectors, and there is space for interventions to strengthen their participation and to fill gaps in policies and programs that will enhance their productivity and incomes. A lacuna is the exclusion of the services sector, which has witnessed rapid development, and the absence of reference to migrant workers, who are among the highest contributors to revenue and among whom around half are women. Policy directions are given for the development of an “excellent health care system” and for nutritional surveillance to reduce levels of malnutrition. Despite the preoccupation with economic goals, programs are proposed for vulnerable groups such as children in need of care and protection; the elderly who need income security, health care, and safety nets; and differently abled people who need to be brought into the mainstream and included in policies. There is a strong focus on rapid development of infrastructure, which has been accelerated in the postconflict years. The serious issue, however, is effective implementation and monitoring of these programs.

1. National Policies on Concerns Pertaining to Women

A major concern is that there has not been any mainstreaming of specific national policies or plans for the advancement of women in the public domain since the formulation of the Women’s Charter and its acceptance as an instrument to develop national policies in 1993. The National Committee on Women appointed under the Charter in 1993 formulated a draft for a Bill of Women’s Rights and developed a National Plan of Action for Women with state and nonstate participation. During the last 2 decades, the draft bill and the plan have seen ad hoc amendments but are yet to be accepted and published as official documents. Nor has the National Committee achieved the status of an independent National Commission as envisaged. The effectiveness of the ministry responsible for women’s affairs has depended on the quality of its personnel in a transferable service. Advocacy, research, and action programs of women’s organizations have contributed to the increasing visibility of gender issues in recent policy documents.

2. National Plan of Action to Implement the Recommendations of the Lessons Learnt and Reconciliation Commission

Among many recommendations in the Lessons Learnt and Reconciliation Commission report and plans to resolve the issues arising during the conflict, ensure human rights, address the need for a smooth resettlement program, and promote reconciliation, there are recommendations that have salience for policies and programs improving women and their family welfare in conflict-affected areas and for the promotion of national harmony. These include: (i) providing comprehensive, island-wide human rights education programs targeting, among others, school children, youth, and members of the security forces and police, and formulate a module for inclusion in the secondary school curriculum; (ii) establishing an interagency task force mandated to address in a comprehensive manner the needs of women, children, the elderly, and other vulnerable groups such as those with disabilities and provide relief; (iii) reducing and eventually eliminate inequality in the availability of educational facilities in different areas in the country; (iv) providing on a
priority basis for teacher training and staffing for a trilingual nation by 2020; (v) ensuring the right of any citizen of Sri Lanka to acquire land in any part of the country in accordance with its laws and regulations, and reside in any area of his or her choice without any restrictions or limitations; (vi) granting legal ownership of land to internally displaced persons who have been resettled; and (vii) continuing with the government program for the rehabilitation and reintegration of ex-combatants and a reconciliation program.


The National Action Plan was developed over many months with the cooperation of government agencies and civil society. It has eight sections, and Section IV on Rights of Women is a positive development at the policy level as a government commitment to ensuring gender equality. It has 10 subsections:

(i) **Health.** Improving nutritional status of pregnant women and lactating mothers, and improving reproductive health and contraceptive services; decriminalizing medical termination of pregnancy in the case of incest, rape, and major congenital abnormalities; improving awareness on the use of contraceptives with a view to reducing unwanted pregnancies.

(ii) **Economic empowerment.** Increasing earning capacity of women.

(iii) **Employment.** Reducing unemployment and improving working conditions of women; formulating policy on protection of rights of women in the reproductive age group in the private sector.

(iv) **Violence against women.** Reviewing the existing legal regime and social issues and implementation gaps to enhance the protection of women; ensuring collection of disaggregated data regarding crimes and appropriate measures to address issues; strengthening Women and Children’s Police Desks with adequate resources and trained staff to enhance performance; implementing the Plan of Action supporting the Prevention of Domestic Violence Act, 2005; implementing an Anti-Sexual Harassment Policy in government institutions; and formulating and implementing an effective Anti-Harassment Policy, including a grievance mechanism, in the private sector.

(v) **Political representation.** Achieving a minimum representation of 30% for women in Parliament, provincial councils, and local authorities;

(vi) **Discrimination.** Eliminating discriminatory policies, laws, and practices, including discriminatory inheritance provisions in the Third Schedule of the Land Development Ordinance and outdated provisions of the Vagrants Ordinance leading to harassment and detention of women.

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(vii) **Women affected by conflict.** Ensuring the effective reintegration of women ex-combatants into society; ensuring the development of policies and programs for war widows which focus on economic issues, land and housing rights, and vulnerability to exploitation.

The remaining three subsections that focus on internally displaced women, women in the informal sector, and women migrant workers were dealt with in the sections on internally displaced persons; economic, social, and cultural rights; and migrant workers. For example, Rights of Migrant Workers focus on ensuring the protection of migrant workers overseas and preventing violation of employment conditions; providing medical and psychological assistance to victims of trafficking and exploited migrant workers; right to vote; and giving effect to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. These proposals complement and strengthen those in the national policy framework.

**B. International Commitments**

Sri Lanka has ratified several conventions that protect the rights of women and promote equal access with men to opportunities, resources, and services. From a gender perspective, two overarching and crosscutting instruments are the Convention on the Elimination of All Forms of Discrimination against Women and the MDGs.

1. **UN Convention on the Elimination of All Forms of Discrimination against Women**

Sri Lanka endorsed this convention at the UN Mid-Decade World Conference for Women in Copenhagen, Denmark, in 1980 and ratified it in 1981 and subsequently also its optional protocol. As the Constitution does not provide for incorporating international instruments that are ratified in the legal system, there was no specific follow-up action until the 1990s when regular reports had to be submitted to the UN Monitoring Committee in New York. Both national and shadow (nongovernment organization) reports have been submitted. The concluding observations of the UN Committee on the 2011 report have indicated the gaps in policies that need to be filled, but the official response has been relatively lukewarm. In this context, it has to be noted that several of the ILO conventions on labor rights have been ratified and labor legislation has been amended or introduced to protect the rights of men and women workers although there are notable omissions pertaining to the protection of women workers in the informal sector.

2. **Millennium Development Goals**

The MDGs introduced in 2000 set targets for 2015. The second national MDG report was published in 2010, and subsequent Household Income and Expenditure Survey and administrative statistics have provided more data to assess Sri Lanka’s progress toward
these goals.\textsuperscript{108} The gender dimensions of all the goals have been reviewed by a women’s research organization. These reviews identify gaps in policies and programs and indicate future directions for initiatives to promote gender equality.\textsuperscript{109}

Considerable progress has been reported in poverty reduction toward achieving Goal 1 “Eradicate extreme poverty and hunger,” as the national poverty count declined from 22.7\% in 2002, to 15.2\% in 2006, to 8.9\% in 2009/10, and to 6.5\% in 2012/13. Nevertheless, besides continuing sectoral differences in poverty—2.4\% in the urban sector, 7.5\% in the rural sector, and 6.2\% in the estate sector—there is a high incidence of poverty inevitably in conflict-affected districts and also in economically disadvantaged districts such as Nuwara Eliya and Moneragala. Moreover, Gini coefficients of 0.49 in both 2006 and 2009/10 and 0.48 in 2012/13 show a persistent inequality in income between the poorest and the richest quintiles, and in the average per capita consumption in kilocalories between poor and nonpoor households. There are, therefore, no grounds for complacency, and there is a need to focus on programs to reduce socioeconomic and regional disparities that exacerbate gender inequality.

Extension of educational opportunities in Sri Lanka is perceived as a “success story” in the region. However, policy makers need to examine why the country has only “nearly” achieved Goal 2 “Universal primary education,” with an enrollment rate of 98.6\% and a retention or completion rate of over 90\%, despite many years of positive policies and incentives to facilitate educational participation. Although the commitment is clearly expressed, there has been an absence of purposefully focused programs implemented effectively to ensure access to education for vulnerable groups such as the poorest, those living on streets, and those with disabilities.

Goal 3 “Promote gender equality and the empowerment of women” is first to eliminate gender disparities at all levels of education, which Sri Lanka has achieved already in primary, secondary, and university education and in nontechnical tertiary education, to which free state education has been a contributory factor. Wide disparities exist in technical and technology-related education and training programs as seen in chapter 1, and reduction of these disparities need to be prioritized. Two other goals are to empower women by ensuring gender equality in the labor market and in access to decision-making positions. As noted in chapter 1, the inequitable gender division in the labor market has not changed over the years even with more educated women seeking employment. Other critical issues are that the unemployment rate of women has been and continues to be around double that of men and that the majority of women are working in the informal sector, which is outside the ambit of labor legislation. While control over resources generated by employment is a crucial agent of empowerment, clearly the majority of women in Sri Lanka are far from achieving such empowerment. The third avenue to empowerment is access to decision-making positions, and studies have shown that only a minority of women have been able to reach the highest decision-making levels in administration and management in the public and private sectors and that the percentage of women in Parliament and assemblies is unacceptably low, the lowest in the region. Gender imbalances in vocational education, gender role stereotypes of male excellence in technology and management, and the


internalization of gendered norms for women have contributed to this situation. Progress has been slow, and multipronged strategies are necessary to effect a transformation in gender roles and relations to ensure not only gender parity but also gender equality and empowerment.

Goal 4 “Reduce child mortality”, Goal 5 “Improve maternal health”, and Goal 6 “Combat HIV/AIDS, malaria and other diseases” relate to health status, another area in which a policy of providing free health services has enabled Sri Lanka to move toward the MDG targets. Maternal mortality has declined from 55 per 100,000 live births in 2000 to 39 per 100,000 live births in 2011 but still has not reached international norms, HIV/AIDS prevalence is low (0.1%), and malaria is claimed to be nearly eradicated. Although these goals could be reached by 2015, there are many health-related problems that can impede progress, such as low nutritional levels and anemia among women and children.

Progress toward Goal 7 “Ensure environmental sustainability” would ensure a better quality of life for women. Currently, Sri Lanka’s forest cover has been reduced to about 21%, thus depriving poor rural women’s access to fuelwood, food, water, raw materials for rural industries, and herbal medicine. Both urban and rural women are affected by lack of effective fuel-efficient stoves and, along with men, are exposed to different forms of pollution, climate change, and natural disasters. These problems are likely to increase in the years ahead. Access to water and sanitation has improved through policies and large-scale projects. However, women’s concerns have tended to be of low priority in environmental assessments and plans.

Goal 8 “Develop a global partnership for development” has a confusing assortment of goals, two of which are particularly relevant to women—productive work for youth and making available new technologies, particularly ICT. As seen in chapter 1, the highest unemployment rates are among youth, and those of young women have been more than double those of young men over several decades, and gender equality has yet to be achieved in the access of women to ICT and to acquisition of IT skills.

This review of the extent of progress in achieving the MDGs with special reference to women indicates that despite positive developments, gender inequalities still prevail, exemplified strongly in the situation with respect to Goal 3 “Gender equality and the empowerment of women.”

3. Sectoral Policies

Sri Lanka has initiated several sectoral policies during the last few years, and their major provisions are presented here to assist in identifying space for intervention to promote gender equality.
4. Health and Nutrition

The Health Master Plan (2013–2016) has the overarching aim of improving health status and reducing inequalities. Implicit in its following five strategies are women and children as potential beneficiaries:

- Ensure the delivery of comprehensive health services, which reduce the disease and burden and promote health to the total population.
- Empower communities (including households, families, women, and men) toward more active participation in maintaining their health.
- Improve the management of human resources comprising large numbers of women health workers.
- Improve health financing, resource allocation, and utilization to ensure equitable distribution.
- Strengthen stewardship and management functions of the health system.

Twenty-five activities aligned with the five strategies have to be identified for action. Maternal and child health have always been priority areas for action, as reflected in the following recommendations:

- Improving existing preventative health programs including maternal and child care and strengthening health promotion for education of preventable disease and disabilities by promoting healthy behaviors, community participation, and community empowerment.
- Improving nutritional status of targeted population including pregnant mothers, infants, and preschool children less than 5 years.

5. Education and Training

In the education sector, the second phase of the Education Sector Development Framework (ESDF; 2012–2016), funded largely by the World Bank, has as its subtitle Human Capital Foundation for a Knowledge Economy: Transforming the School System. Its overall objective is “to enable future Sri Lankan citizens to acquire the knowledge, attitudes, skills and values to meet the requirements of a modern, national and global knowledge economy.” Despite this emphasis on economic development, the policies also retain the directions of the first ESDF. It aims to

- increase equitable access to education, extend the limits of compulsory education up to 16 years, and develop selected secondary schools in all divisions to reduce disparities; and
- improve the quality of education; increase access to science education; and as a new initiative, incorporate human rights, social cohesion, value education, and trilingualism in the program.
As in the first ESDF, promoting gender equality is not recognized or not explicit, presumably because of the mistaken assumption that gender parity in enrollment is adequate to achieve gender equality. Curriculum reform thus excludes measures to eliminate gender role stereotypes and promote equality in gender relations. However, under the GIZ-supported Education for Social Cohesion project, efforts are being made to address gender issues.\footnote{99}

The National Policy Framework on Higher Education and Technical and Vocational Education presents proposals to improve the quality and relevance of higher education but likewise expresses no concern regarding the gender imbalances in technical and technology-related education programs.\footnote{100} However, the National Strategy on Technical and Vocational Education and Training Provision for Vulnerable People in Sri Lanka has as one of its target groups, “disadvantaged women” and includes strategies to meet their needs based on identified constraints.\footnote{101}

6. Employment

The employment sector has received considerable attention in recent years. In 2007, the ILO-supported National Policy for Decent Work, and its offshoot, the National Plan for Decent Work, set some standards for the workforce in its four components: (i) jobs of acceptable quality; (ii) rights at work according to international standards; (iii) participatory social dialogue; and (iv) social protection of the unemployed, the sick, and the elderly.\footnote{102}

In 2012, another ILO-supported initiative, the National Human Resources and Employment Policy for Sri Lanka, with a wider canvas was launched to provide a framework to existing policies related to employment and human resources formulated by different ministries to concretize government commitment to employment and decent work. Its objectives are to work towards a competent, globally competitive, multi-skilled and productive workforce, improve incomes and quality of life of working population, provide fullest opportunity to workers without discrimination and safeguard basic rights interests of workers in line with national labor laws and international labor standards. A rights-based perspective, including countering gender stereotypes in employment (Box 3) is reflected in several of the proposals.\footnote{103}

The policy document is being followed up for the formulation of a plan for action. It covers the full spectrum of employment, including school education, higher education, and vocational training reorganized to match the requirements of the world of work, to improve, in particular, the employability of youth, and to promote the scientific and technological knowledge and innovative skills needed to accelerate economic growth.

\footnote{99} footnote 99.
\footnote{103} Footnote 7.
Sectoral policies are identified: promoting mechanization and modernization, and increasing productivity in agriculture, and transforming from low-value–added, labor-intensive industries to more capital- and knowledge-intensive manufacturing industries. In the services sector, proposals encompass investment, productivity, and professionalism in travel and hotel services to meet the demands of tourism; skills training for expanding opportunities in the ICT and business process outsourcing sectors; equitable distribution of health services and managing rise in noncommunicable diseases; and public service employment and foreign employment with the emphasis on “skilled, safe migration.” Importance is given also to the informal sector by promoting the employability of workers in higher-skilled occupations generating higher incomes, expanding the access to entrepreneurship training, and providing supporting services for small and medium-sized industries to use higher technologies and create more jobs. Environment-friendly “green” jobs, skills training for infrastructure development, labor market information, employment security, a national minimum wage for all workers, and prevention of discrimination in wages are envisaged. The performing arts are to develop creative skills for remunerative livelihoods. Vulnerable groups are identified to restore and develop employment opportunities in the conflict-affected Northern and Eastern provinces, eliminating hazardous labor, and creating a conducive environment for persons with disabilities to access vocational training and employment.

Another major intervention is the ILO-supported National Labor Migration Policy for Sri Lanka launched in 2009 as the first document in nearly 4 decades to examine issues

Box 3: Gender Elements in National Human Resources and Employment Policy, 2012

A significant feature of this policy is the attention given specifically to gender mainstreaming in employment. Although the objective is “to enable women to participate in the labor market and access jobs that pay better,” for the first time an attempt is made to propose policies to meet gaps in practices as well as to eradicate attitudinal barriers. These include increasing women’s participation by providing incentives for support services such as child and elderly care, flexible work arrangements, training for higher-skilled jobs, a multipackage of services going beyond microcredit for entrepreneurship development, a secure environment for women’s safety; attitudinal change to confront sexism and gender stereotyping, inequitable sharing of household tasks between men and women, and the gender division in the labor market; legal and institutional structures to deal with discrimination and sexual harassment; special services for war widows; and a contributory social security scheme for employed women. However, there are two concerns regarding these policies. Although gender stereotyping is to be countered, the proposed policies tend to reinforce it. Occupations preferred for women are conventional jobs as fewer opportunities are expected in “rapidly growing sectors treated as male sectors”. It has to be noted that employed or self-employed workers in the vulnerable informal sector have not been able to generate adequate resources to contribute the existing “pension” schemes and are, therefore, unlikely to be benefited by the proposed scheme.

Source: Author.
from a holistic perspective. The policy addresses three aspects of the labor migration process: (i) promoting good governance with legislation and institutions in compliance with international and national laws and obligations, a rights-based regulatory framework and a process of consultation; (ii) protecting and empowering migrant workers and their families during the phases of predeparture, in-service, and return and reintegration; and (iii) linking migration and development processes through contribution to economic growth and development, promoting skilled worker migration and local employment and enterprises, decent work and poverty reduction, and constructing and regular monitoring of a comprehensive database.

A plan of action is incorporated in the policy document, and subcommittees located in the Ministry of Foreign Employment and Welfare and the Sri Lanka Bureau of Foreign Employment are engaged in developing programs. Amidst the positive approaches proposed in the third section of the National Labor Migration Policy, there is a need for caution in implementing strategies that may adversely affect the economic rights of women migrant domestic workers.

Two main policies promoted are to (i) increase the proportion of skilled workers (preferably high-skilled workers) and gradually cease sending low-skilled workers; and (ii) increase the number of male workers, reducing rapidly the proportion of women domestic workers (still half the migrant workers), on the grounds that they have been exploited, they need to be trained for higher-skilled jobs, and children are neglected.

A recent initiative in a hitherto neglected area has been the approval of the National Migration Health Policy (2013) “to engage all relevant sectors and agencies that are responsible to ensure the health of migrants throughout the migrant cycle”—outbound, internal, and inbound migrants and the families left behind by outbound migrants.

The right to equal remuneration and benefits, maternity protection and benefits, and equal treatment in conditions of services for men and women workers in the formal sector is reflected in labor legislation—the Factories Ordinance (1942), Shop and Office Employees’ Act (1954), Employment of Women, Young Persons and Children Act (1956), Maternity Benefits Ordinance (1985), Wages Boards on Conditions of Services (1941), Workmen’s Compensation Ordinance (1935), State Pensions Fund (1949), Widows and Orphans Fund (1898), Employees’ Provident Fund (1958), and Employees’ Trust Fund (1980); punishments for grave sexual abuse and sexual harassment in amendments to the

Footnote 8.

Footnote 118.

Footnote 9.

Note that the majority of migrant workers were, until recently, women from low-income families responding to the demand for domestic labor in countries in the Persian Gulf, the rest of Asia, and Europe, as a strategy to increase family resources and escape from poverty. Reduction in numbers of these vulnerable women needs to be accompanied by skills training for better jobs overseas or locally, so that they may continue to have the equal right to pursue options available to them and be empowered. The social costs of migration for work can be mitigated by other strategies, such as providing support services and promoting an equitable gender division of labor in the household. The concluding comments in the Sri Lanka report of the UN Committee monitoring the implementation of the UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, ratified in 1996, have also surfaced gaps between policy and practice (Footnote 117).
Penal Code in 1995; the ratification of the UN Convention on the Protection of All Migrant Workers and Their Families, the UN Protocol on the Suppression and Punishments for Trafficking, especially Women and Children, and the Optional Protocol to the Convention against Transnational Crime are positive developments. The two major concerns are the weak enforcement of labor legislation and the exclusion of women from protection in the informal sector, who constitute over half of the female labor force (Box 4).

**Box 4: Framework of Labor Legislation**

Employment-related programs are implemented within a framework of labor legislation so that women’s labor rights are ensured. In this context, it is useful to identify gaps that deny women’s economic rights. The 1978 Constitution recognizes the fundamental right of every citizen to engage in any lawful occupation or enterprise [Art. 14(g)], the right to equality and nondiscrimination [Art 12 (2)], and the entitlement to freedom of association (Art 14[c] and Art 14[d]). These rights are applicable only to those employed in the public sector, thereby depriving those employed in the private and informal sectors of protection against discrimination. Although the Convention on the Elimination of All Forms of Discrimination against Women, which Sri Lanka ratified in 1981, and the Sri Lanka Women’s Charter (1993) identify the economic rights of all women, all their provisions are not incorporated in national legislation. Sri Lanka has ratified many International Labour Organization Conventions including Convention 103 on Maternity Protection, C182 on Worst Forms of Child Labor, which are reflected in legislation, and C111 on Discrimination (Employment and Occupation). However, Sri Lanka has not ratified International Labour Organization Conventions on rural workers and migrant workers and the recent Conventions C177 on Home Work (subcontracted workers) and C189 on Decent Work for domestic workers, which provide protection for many workers in the informal sector and for migrant domestic workers who are currently outside the ambit of labor legislation.

Source: Author.

7. Environment

The National Action Plan for the *Haritha Lanka* Program (2009–2016) of the Ministry of Environment for sustainable development was launched in 2009 with short-term, medium-term, and long-term targets and has 10 broad thrust areas: (i) Clean Air—Everywhere; (ii) Saving the Fauna, Flora, and Ecosystems; (iii) Meeting the Challenge of Climate Change; (iv) Wise Use of the Coastal Belt and the Sea Around; (v) Responsible Use of the Land Resources; (vi) Doing Away with the Dumps—Waste Management; (vii) Water for All and Always; (viii) Green Cities for Health and Prosperity; (ix) Greening the Industries; and (x) Knowledge for Right Choices. However, although action is being taken to implement programs such as the National Climate Change Policy (2012), since climate change is a critical concern, gender concerns are not integrated in policy or in environmental impact assessments.

Footnote 10.
8. Infrastructure

As discussed in the earlier section, infrastructure development has become an area of priority in national policy. While water and sanitation have been areas of concern in recent decades, wide urban–rural disparities still exist, resulting into continued difficulty of women in the rural sector to access water. The policies Rural Water Policy 2001–2010 and Financing for Water and Sanitation (2011) have sought to address this issue. The National Energy Policy and Strategies of Sri Lanka (2008) has extended, among others, the supply of electricity to rural communities, but the high cost of electricity, which is a major constraint to both women and their families in the majority of the population, is still to be addressed.123

Massive development has been taking place in road development, of which the Southern Expressway and the Colombo–Katunayake Expressway are forerunners. The National Transport Policy (2009)124 and the National Road Master Plan (2008–2017)125 of the Ministry of Highways and the Road Development Authority present the ongoing activities and plans for the immediate future. National interregional highways, provincial roads, and rural access roads are being upgraded to benefit the total population. Another facet of development is the policy to increase the number of ports in the country. The development policy focuses on the renovation of the Colombo port and the construction of five other ports in Hambantota, Galle, Oluvil, Trincomalee, and Kankasanthurai.

C. Recovery after Armed Conflict and Reconciliation

The cessation of conflict in May 2009 added momentum to policies and programs to facilitate ongoing relief, rehabilitation, resettlement, reconstruction, and reconciliation programs coordinated by the Ministry of Resettlement and the Presidential Task Force on Resettlement, Development and Security. They encompass assistance for shelter, protection, security, access to basic services, food, livelihoods, psychosocial support; rehabilitation and reconstruction of infrastructure for health, education, housing, and economic development to restore normalcy; and resettlement of families in own land or elsewhere after demining to ensure safety. Former Liberation Tigers of Tamil Eelam cadres and child soldiers have been rehabilitated to enter mainstream society through the National Action Plan of the National Proposal for Reintegration of Ex-combatants into Civilian Life (2009) with assistance from the United Nations Development Programme and the ILO.126 Other target groups of programs on a smaller scale are the Muslim refugees evicted from the Northern province; affected families in the Uva, North Central, and North Western provinces; and the widows of soldiers. While households have been a major target, focus is also on the large number of war widows and women heads of household who bear the burden of family maintenance and need considerable support. Land issues have risen with the possibility that some women could lose their right to land.
D. Social Integration

An imperative need, however, is conflict prevention through reconciliation programs to promote national harmony. National harmony and social integration were proposed as priority issues in 1943, and again in 1992 and 2003. But specific policies and programs were conceived belatedly only in the first decade of the 21st century after 2 decades of armed conflict, as the need for a reconciliation process became imperative as a prerequisite to achieving social harmony in a plural society:

(i) An Education for Social Cohesion program was introduced in selected schools during 2005–2008 and 2009–2012 with limited outreach.

(ii) A National Policy and a Comprehensive Framework of Action on Education and Social Cohesion and Peace (2008) were developed to incorporate relevant activities in the national curriculum and a Peace Education and Social Cohesion Unit (2008) was established in the Ministry of Education. However, the curriculum orientation has been a slow process.

(iii) The Lessons Learnt and Reconciliation Commission (2011) proposed administrative and legislative measures and programs to resolve problems, prevent future conflict, and promote national unity.

(iv) The Ministry of National Languages and Social Integration produced a National Policy Framework for Social Integration (2012) under the theme Social Cohesion through Access to Everyone in six areas: Education, Economic Activities and Employment, Justice and Legal Resources, Safe and Secure Social Environment, Safe and Secure Physical Environment, and Political Participation. Action programs are being developed and activities are being implemented at the local level to bring communities together. Gender is a crosscutting issue.

The sectoral policies that have given adequate attention to gender mainstreaming are the National Human Resources and Employment Policy and the National Policy Framework for Social Integration, in which gender is specifically mentioned as a crosscutting issue.

E. Gender-Based Violence

A second issue is gender-based violence, or more specifically violence against women. No new legislation has been introduced since the Prevention of Domestic Violence Act in 2005 although suggestions have been made for amendments to make it more effective. The issue is gaining more visibility with media coverage of incidents of rape, sexual harassment, domestic violence, and abuse of girls, but there is still widespread ignorance regarding the available means of redress, protective measures, and potential for legal action. The underlying issues of unequal gender relations in the family and the acceptance of violence to safeguard family privacy and prestige are yet to be addressed.
## Gender Equality Issues

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<td></td>
<td>Delay in approval of Women’s Rights Bill</td>
</tr>
<tr>
<td></td>
<td>Gender discriminatory Personal Laws of different communities</td>
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<tr>
<td></td>
<td>Weak law enforcement affects access to justice (e.g., violence against women)</td>
</tr>
<tr>
<td></td>
<td>Gender discrimination—inheritance rights in Land Development Ordinance (1935)</td>
</tr>
<tr>
<td></td>
<td>Informal sector workers excluded from protection by labor legislation</td>
</tr>
<tr>
<td>Political Representation</td>
<td>Low representation of women in Parliament and local assemblies</td>
</tr>
<tr>
<td>Poverty</td>
<td>Wide income gap between men and women workers in the informal sectors</td>
</tr>
<tr>
<td>Health and Nutrition</td>
<td>Administrative procedure of consent of husbands for sterilization</td>
</tr>
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<td></td>
<td>Lack of adequate geriatric care for elders (majority being women)</td>
</tr>
<tr>
<td>Education and Higher Education</td>
<td>Exclusion of concept of gender equality in curriculum content and reinforcement of gender role stereotypes from preschool to higher education</td>
</tr>
<tr>
<td>Vocational and Technical Education</td>
<td>Gender imbalances in enrollment in technical-related training programs</td>
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<td>Gender imbalances in enrollment and gender bias of employers in recruiting women for technical employment</td>
</tr>
<tr>
<td>Economic Activities</td>
<td>Unemployment rates of women have been double those of men at all ages</td>
</tr>
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<td></td>
<td>Feminization of unpaid family workers</td>
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<tr>
<td></td>
<td>Nonratification of International Labour Organization Conventions that protect rural workers, migrant workers, subcontracted workers, and domestic workers (majority being women)</td>
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<td>Unequal gender division of the labor market</td>
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<td>Unequal opportunities for upward occupational mobility to the highest level</td>
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<td></td>
<td>Absence of bilateral agreements with receiving countries to protect women migrant workers from sexual abuse and exploitation</td>
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<tr>
<td>Violence against Women</td>
<td>High incidence of rape, sexual abuse and harassment, and domestic violence</td>
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<td></td>
<td>Passive acceptance by women of violence and lack of awareness of provisions of Penal Code, Prevention of Domestic Violence Act</td>
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<td></td>
<td>Acceptance of unequal gender relations by many law enforcement officials</td>
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<td>Lack of adequate support services for women victims of violence such as crisis shelters</td>
</tr>
<tr>
<td>Environment and Infrastructure Development</td>
<td>Inadequate assessment of women’s specific needs, and limited participation in planning, implementation, and monitoring of programs</td>
</tr>
<tr>
<td>Post Conflict Recovery Rehabilitation</td>
<td>Inadequate attention to needs of war widows and women heads of household (e.g., regarding land, housing, access to services, livelihoods)</td>
</tr>
<tr>
<td>Gender Mainstreaming</td>
<td>Lack of adequate gender awareness and sensitivity in design, implementation, and monitoring of development programs</td>
</tr>
</tbody>
</table>

Source: Author.
Country Gender Assessment, Sri Lanka
An Update

The Sri Lanka Country Gender Assessment Update revises information and data presented in the 2008 Country Gender Assessment published by the Asian Development Bank (ADB). It was prepared jointly by ADB and GIZ and comprises two main sections: first, an overview of the situation of women in Sri Lanka, which identifies gender gaps in various sectors; and second, a review of gender equality policy initiatives in the country. An appendix contains a table identifying gender equality issues in various areas such as women’s rights, political representation, health education, and postconflict recovery.

About the Asian Development Bank

ADB’s vision is an Asia and Pacific region free of poverty. Its mission is to help its developing member countries reduce poverty and improve the quality of life of their people. Despite the region’s many successes, it remains home to the majority of the world’s poor. ADB is committed to reducing poverty through inclusive economic growth, environmentally sustainable growth, and regional integration.

Based in Manila, ADB is owned by 67 members, including 48 from the region. Its main instruments for helping its developing member countries are policy dialogue, loans, equity investments, guarantees, grants, and technical assistance.

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