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- Development of a hospital based reporting mechanism on cases of gender-based violence
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ADDRESSING GENDER-BASED VIOLENCE AT THE COMMUNITY LEVEL

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- Supporting the establishment of women and children units as a hub to address gender-based violence at the community level
- Integration of UNFPA supported women centres into the community support system
- Provision of legal support and counselling through the network of community support
- Promoting men and boys as agents of change in preventing gender-based violence

POLICY ADVICE ADVOCACY DIALOGUE

LEADING ADVOCATE ON GENDER-BASED VIOLENCE

- Leading the Forum Against Gender-based Violence and United Nations Gender Theme Group to facilitate a platform to strengthen the response to gender-based violence with a wide spectrum of stakeholders, including development partners, UN gender mechanism and established forums
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Comparison of the Rank in Gender Gap Index in Selected Countries, 2011

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Component | Rank
---|---
Overall | 31
Economic Participation and Opportunity | 102
Educational Attainment | 103
Health and Survival | 1
Political Empowerment | 7

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Fewer girls (4.8%) attended school compared to boys (2.7%) in 2012.

Although fewer girls are in primary and junior secondary education, they perform better at secondary and degree levels in comparison to boys.

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Women form the backbone of Sri Lanka’s economy bringing in income from tea, textile manufacturing and remittances from abroad.

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49% more girls are enrolled in university than boys.

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- The 1978 constitution which contains provisions that guarantee fundamental rights and offers protection against violence by the state (Art. 11; Art 12(1), (2) and (4));
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The penal code prohibits the act of procuring a person of either gender and of any age to become a sex worker within Sri Lanka or in another country, regardless of whether such person’s consent has been obtained. The code also prohibits the acts of removing a person from Sri Lanka for purposes of prostitution, procuring a person for employment in a brothel, and detaining a person without consent in a brothel for purposes of sexual intercourse or sexual abuse. There are no specific government policies on commercial sex work. However, the Women’s Charter enjoins the government to take measures to eliminate all forms of exploitation of women and children, such as prostitution and trafficking.

Sex-trafficking

Sri Lanka is a country of origin for the trafficking of women and children for the purposes of sexual exploitation. The law prohibits trafficking in persons. The government of Sri Lanka ratified the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, the first sub-regional treaty addressing trafficking in persons, in the year 2002.

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The practice of female circumcision on newborns is fairly widespread among the Muslim community in Sri Lanka; the practice is not prohibited or regulated by law. A 1998 survey by the Muslim Women’s Research and Action Forum confirmed that female circumcision is practiced in all parts of the country. The practice involves a symbolic incision on the clitoris of the girl-child on or before the 40th day after birth.
The constitution guarantees the rights to equality, equal protection of the law, and non-discrimination on grounds of race, religion, language, caste, sex, political opinion, or place of birth, and grants them the status of fundamental rights. The constitution also authorizes the state to make “special provisions … by law, subordinate legislation or executive action” for the advancement of women, children or “disabled groups”. The constitution’s Directive Principles of State Policy enjoin the state “[t]o ensure equality of opportunity to citizens, so that no citizen shall suffer any disability on the grounds of … sex”.

The National Plan of Action for Women (2002 - 2007) aims to implement the goals of the Beijing Declaration and Platform for Action. The plan identifies a number of issues of concern with regard to women’s rights and sets forth goals, strategies and activities to advance its objectives within the time frame of 2002-2007. It addresses issues including access to education, health care and related issues, and violence against women. In response to UNSCR 1385, this action plan has a section on women, armed conflict and peace building.

The Women’s Charter (1993) calls for gender equality and freedom from gender discrimination in recognition of Sri Lanka’s obligations under its own constitution and international human rights law, notably CEDAW, although it has no enforcement mechanism. It enjoins the state to take certain measures to ensure women’s rights within seven broad areas:

- political and civil rights;
- rights within the family;
- right to education and training;
- right to economic activity and benefits;
- right to health care and nutrition;
- right to protection from social discrimination; and
- right to protection from gender-based violence.

SAARC Social Charter: Sri Lanka Action Plan (2008 – 2015) The thrust of this policy is women’s empowerment, hence it addresses issues such as discrimination against women in legal provision and in law enforcement; inadequate women’s representation in decision making and in public life; gender inequality in the labour market; and inadequate support services for women to prevent gender-based violence in areas such as domestic violence, trafficking, and commercial sex work.

The Population and Reproductive Health Policy (1998) is another important policy document that includes a separate goal for achieving gender equality and countering violence against women. This policy calls for the strengthening of “laws and enforcement procedures, so that violence and sexual exploitation against women are eliminated.” It is important to note that Sri Lanka does not have a separate policy that champions gender equality and addresses violence against women.

Women’s Rights Act (Draft) in 2002-2003 the Sri Lankan government proposed an act that addressed gender discrimination and advocated equal opportunities for women. The structure and provisions of the proposed policy, did not however meet the standards of the Constitution or CEDAW, and was critiqued by women’s groups.

Gender-based Violence
Available evidence suggests that the prevalence of Gender-based violence (GBV) varies a wide range in Sri Lanka according to various studies carried out on different aspects of GBV. Although they are based on different sample sizes in various locations and among different sub-groups of the population, it is reasonable to assume that evidence gathered through such studies can provide an important insight about the magnitude of GBV in Sri Lanka.

Key Factors influencing Gender-based Violence in Sri Lanka
- Disaster situations make women more vulnerable to various types of abuse
- General intention of domestic violence is not primarily to harm the women but to uphold power and control over the victim
- Disorderly and scarce coverage actions by legal officers, police as well as medical systems produce barriers to legal proceedings and proper documentation of GBV
- Incest: unable to resist due to ignorance, fear and helplessness
- Close kinship ties that attach women to their households set them vulnerable to abuse by their kith and kin who exploit the helpless situation of the victims
- Family conflict, alcoholism and assault can also be interrelated to each other as collective factors influencing GBV
- Sexual abuse is highly correlated with poverty, family size, and history of child abuse in the family
- Alcoholism of father and long-term absenteeism of mother due to foreign employment
- Sexual jealousy and reluctance, refusal of the woman to have sex are the main causes that lead to intimate partner violence
- Superiorty, authority, patriarchal attitudes are the leading causes of intimate partner violence
- Domestic violence occurs as a result of the matters related to dowry, alcohol, and adultery of both partners
- Younger age of the victim, shorter duration of marriage, low parity, low educational level and the consumption of alcohol or drugs are the main causes of intimate partner violence
- Suspicion, alleged misbehaviour of the victim, authority of the abuser, and extra-marital relationships appear to be the major causes that lead to violence
- Economic dependence and low educational level also seem to be two major factors influencing partner violence
- Women in nuclear family set up seem to be more vulnerable to GBV compared to extended family units
- Wearing ‘unsuitable’ clothes, travelling alone, falling sleep, crowding, and not protesting against sexual advances seem to be the contributory factors leading to GBV in public transport
- Unemployment among men and men’s suspicion of the actions of women appear to be factors leading to domestic violence in internally displaced settings
Characteristics of Survivors of Gender-based Violence

- **Women and adolescent girls** are at high risk of GBV: one out of four females are sexually abused by the time they reach 18 years of age.

- **Majority of women** are being abused during their adulthood.

- **Elderly women** appear to be more vulnerable to abuse than elderly men and most common forms of abuse have been assault and neglect in providing medical care.

- **An interesting feature of GBV in Sri Lanka** is its occurrence commonly among all the ethnic groups.

- **The poorest socio-economic** groups in the Sri Lankan society appear to be more vulnerable to GBV.

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- **Migrant women** appear to experience both physical as well as psychological abuse while employed abroad.

- **Employed women in Free Trade Zone factories** are also exposed to the risk of GBV.

- **Pregnant women** also appear to be vulnerable to GBV.
<table>
<thead>
<tr>
<th>Author</th>
<th>Year</th>
<th>Prevalence</th>
<th>Type of GBV</th>
<th>Sample size</th>
<th>Respondents</th>
<th>Study Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moonesinghe</td>
<td>2002</td>
<td>18.3%</td>
<td>Physical abuse</td>
<td>1,200 pregnant women</td>
<td>Pregnant women</td>
<td>Badulla district</td>
</tr>
<tr>
<td>Wijayatilake</td>
<td>2003</td>
<td>83%</td>
<td>GBV</td>
<td>350 women</td>
<td>Women</td>
<td>Plantation sector</td>
</tr>
<tr>
<td>Senanayake</td>
<td>2003</td>
<td>64%</td>
<td>GBV</td>
<td>991 women</td>
<td>Women</td>
<td>Anuradhapura district</td>
</tr>
<tr>
<td>Amarasinghe et al.</td>
<td>2004</td>
<td>94%</td>
<td>Sexual harassment in public transport</td>
<td>200 women</td>
<td>School girls, girls in higher education and working women</td>
<td>Maradana Railway Station</td>
</tr>
<tr>
<td>Muslim Women’s Research and Action Forum</td>
<td>2004</td>
<td>48%</td>
<td>Domestic violence</td>
<td>357 Muslim families</td>
<td>Families</td>
<td>15 districts in Sri Lanka</td>
</tr>
<tr>
<td>National Committee on Social Development</td>
<td>No date</td>
<td>31% of victims</td>
<td>Incest</td>
<td>97 persons between the ages 15 and 28 years</td>
<td>Girls, women, youth and boys</td>
<td>Anuradhapura, Polonnaruwa, and Moneragala districts</td>
</tr>
<tr>
<td>UNICEF</td>
<td>2004</td>
<td>10%</td>
<td>Sexual abuse</td>
<td>1,152 adolescents (both school going and out of school)</td>
<td>Adolescents</td>
<td>Sri Lanka</td>
</tr>
<tr>
<td>Adikaram</td>
<td>2005</td>
<td>62.3%</td>
<td>Sexual harassment in the workplace</td>
<td>321 women</td>
<td>Women in wholesale and retail industry, educational sector and financial intermediary sector</td>
<td>Colombo</td>
</tr>
<tr>
<td>SLDHS 2006/07</td>
<td>2006/07</td>
<td>30% of women</td>
<td>Wife beating</td>
<td>Ever-married women between 15-49 years</td>
<td>Sri Lanka</td>
<td></td>
</tr>
<tr>
<td>Peerera &amp; Oliyide</td>
<td>2009</td>
<td>22.4%</td>
<td>Physical and emotional abuse</td>
<td>2,389 school going students</td>
<td>School-going students</td>
<td>Southern province</td>
</tr>
<tr>
<td>Fernando &amp; Karunasekera</td>
<td>2009</td>
<td>44%</td>
<td>Sexual and physical abuse</td>
<td>1,322 undergraduates</td>
<td>Undergraduates</td>
<td>Sri Lanka</td>
</tr>
<tr>
<td>UNOPS</td>
<td>2011</td>
<td>51.2%</td>
<td>Domestic violence</td>
<td>4,004 households</td>
<td>Households</td>
<td>Jaffna, Mammot, Vavuniya, Kilinochchi, Mullaitivu, Batticaloa, Ampara, Trincomalee, Anuradhapura, Polonnaruwa, Puttalam</td>
</tr>
<tr>
<td>Samarakoona</td>
<td>2011</td>
<td>8.43%</td>
<td>Child abuse</td>
<td>-</td>
<td>-</td>
<td>Mithuru Piyasa at Malara Hospital</td>
</tr>
<tr>
<td>Jayasuriya, Wijewardena, and Asamo</td>
<td>2011</td>
<td>34%</td>
<td>Physical violence, 30% controlling behaviour, 19% emotional abuse, 5% sexual abuse</td>
<td>750 ever-married women aged 18-49 years</td>
<td>Ever-married women</td>
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