

*Submission to the 90th session of the UN Committee on the Elimination of  
Discrimination against Women  
for the review of Sri Lanka*

# **Impact of the Economic & Debt Crisis on Women in Sri Lanka**

Joint report submitted by the Women and Media Collective and fourteen  
CSOs

6 January 2025

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## 1. Overview

This report was prepared by the Women and Media Collective (WMC), a non-profit civil society organisation (CSO) working on women's rights in Sri Lanka. It was written collaboratively with women from national and local CSOs - Affected Women's Forum, Center for Poverty Analysis, Chrysalis, Community Trust Fund, Dabindu Collective, Family Planning Association, Human Development Organization, International Center for Ethnic Studies, Law and Society Trust, Suriya Women's Development Center, Uva Wellassa Women Organization, Women's Education and Research Center, Women's Resource Center, Youth Advocacy Network Sri Lanka and independent researchers and activists. The report responds to relevant questions in the List of Issues and addresses existing and emerging critical concerns vis-a-vis the ongoing financial, debt and economic crisis in Sri Lanka and its impact on women.

The report covers CEDAW's Core Articles with particular emphasis on Articles 11, 12, 13 and 14. It is a [companion report](#) to that submitted by WMC for the Committee's preparation of the [List of Issues for Sri Lanka at its 86<sup>th</sup> Pre-sessional Meeting in February 2023](#).

The analysis and proposed recommendations were developed using an intersectional approach and are inclusive of all women and gender diverse people.

## 2. Background: The economic crisis and women's human rights in Sri Lanka today

Sri Lanka is in a severe economic crisis, compounded by the economic devastation caused by the COVID 19 pandemic, directly affecting lower and middle-income families, [raising the poverty rate to 25% from 2019 to 2022](#), adding 2.5 million people to poverty. The crisis has resulted in unsustainable public debt, totaling US\$100,184 million in early 2024. The government has sought IMF support for debt restructuring and a four-year extended fund facility. The domestic economic restructuring programme has resulted in severe austerity measures, financialisation, trade liberalisation, and privatisation aimed at debt resolution. This is [expected to impact future generations](#) drastically.

Our Shadow Report presented during the [pre-session](#) held in January 2023, noted that Sri Lanka has been sliding into a multidimensional economic crisis of unprecedented proportions since 2020. In 2022 Sri Lanka's economy contracted by 10% resulting in unprecedented loss of incomes, food insecurity, scarcity in essential food and medicines leading to malnutrition and ill health and rapidly rising levels of poverty. It was [estimated](#) that extreme poverty doubled trapping households into long term poverty.

The economic situation overall has improved marginally since then. However, analysis of published data up to March 2024, in the [Sri Lanka Development Update, Bridge to Recovery](#),

indicates this recovery will not reverse welfare losses and poverty rates continue to rise with an estimated 25.9 percent of the population living below the poverty line in 2023. Households continue to reel under income and employment loss, high inflation and consumption taxes and under employment leading to a spiral of indebtedness to meet costs of essential food, health, education and utilities. 22.3 percent of households are in debt to meet food needs and changing negative food habits have resulted in malnutrition and stunting, particularly among poor rural and plantation [communities](#).

Elections held in September 2024 brought to power President Anura Kumara Disanayake the leader of the National People's Power (NPP) alliance and subsequent Parliamentary elections in October saw the NPP sweep into power securing 159 seats in the 225-member Parliament. The number of women winning seats in Parliament doubled to 21. The new cabinet of 21 Ministers is headed by a woman Prime Minister who also holds the portfolio of Education. The only other woman in the cabinet is the Minister of Women and Child Affairs. Unfortunately, no women were appointed to the 21 Deputy Ministerial posts, as a result no women were appointed to portfolios that address economic affairs.

Between 2022 and 2024, Sri Lanka passed 59 laws aimed at modernising the judicial system and improving economic conditions. However, some judicial provisions have been detrimental. The Economic Transformation Act in particular seeks to enshrine IMF-imposed austerity measures and economic targets into domestic law, effectively giving the IMF substantial influence within the country. These measures prioritise creditor interests, perpetuate neo-colonial economic dependency, and exacerbate socioeconomic inequality, particularly for small-scale farmers and women workers.

The change of government brings new hope and in order for the new government's promises to become a reality, a CEDAW-compliant economic transformation is needed. This report sets out key areas of concern that must be addressed, along with recommendations to ensure a gender just economic recovery.

### **3. The cross-cutting impacts of unpaid care work, paternal leave and inadequate social protection measures (Articles 2, 5, 11, 13, 14, GR 34, LOI 17)**

#### *Unpaid Care Work*

The Committee has repeatedly recognised the discriminatory impact of unpaid care work burdens and directed State Parties to take proactive measures to [create income-generating opportunities](#); to [offer alternatives to unpaid work](#); [reduce the burden of unpaid work](#); and [generate data on the monetisation of unpaid care work](#) as a basis for its recognition and compensation.

In addition to States parties' obligations under article 11, the Committee has repeatedly called on States to ensure access to paid parental leave (GRs [11 \(1989\)](#), [24 \(1999\)](#), [30 \(2013\)](#) and [37 \(2018\)](#)),

recognise unremunerated work performed by women (GRs [16 \(1991\)](#), [17 \(1991\)](#), [25 \(2004\)](#), [30 \(2013\)](#), [35 \(2017\)](#) and [37 \(2018\)](#)).

In Sri Lanka, unpaid care work remains primarily the responsibility of women and has not been adequately recognised, economically and socially. Women represent 34.7 of the workforce and in 2022 the economically inactive population was 8,614,911 (8.6 million), with approximately 27% being men and 73% being women.<sup>1</sup> Of them 1.52 million are in the Urban Sector of which 72% are women. A total of 6.79 million economically inactive persons are in the Rural Sector of which 73.3% are women. The majority of economically inactive women in rural and urban settings are engaged in housework and yet their labour is uncounted, unrecognised and unvalued.

Unpaid care work remains the most salient factor preventing women from taking on regular paid work, and limiting their avenues for employment in better paying jobs. A standalone Time Use Survey by the Department of Census and Statistics found that women spent 5 hours and 36 minutes and men 1 hour and 30 minutes in unpaid domestic services and unpaid caregiving services. [An independent study which captured the simultaneous nature of unpaid care work, estimates that women spend 8.2 hours on average on unpaid housework and care compared to 5.09 by men.](#) In the context of the severe impact of the economic crisis in the country, increasing levels of poverty have compounded women's access to resources within and outside the household, resulting in further overburdening women's unpaid care work.

The government has no formal Care Policy. This is needed to establish regulations and measures for reducing and redistributing unpaid care work through extensive provision of adequate quality, accessible and affordable care services by the state and private sector as well as effective paternal leave provisions.

### *Social Protection*

Sri Lanka's social protection programs, particularly the recently implemented Aswesuma program, [are gender-unaware in their selection criteria](#). Women-headed households, war widows, many of them rural women, and women living in urban poverty [have been identified](#) as groups who are particularly disadvantaged under the current system. The eligibility criteria for receiving Aswesuma benefits [often perpetuate existing gender inequalities](#), with some families reportedly keeping children at home in the hopes of qualifying for assistance, inadvertently limiting educational and economic opportunities for the next generation.

Additionally, the issue of urban poverty, which has been largely neglected by current policies, must be addressed. Women located in urban settings face distinct challenges, including precarious

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<sup>1</sup> Department of Census and Statistics (2022), *Labour Force Survey*, Annual Report 2022 (Charts 3.5 & 3.6, pp 10-11).

housing, limited access to social services, and higher costs of living, all of which demand tailored support mechanisms.

The Committee's [2017 concluding observations](#) recommended that Sri Lanka create more uniform, gender-responsive welfare policies and programmes, including creating a social security system for women heads of households alongside the introduction of low-interest or interest-free credit schemes. These reflect the Committee's recommendations to other States parties to ensure [social protection access](#) and [non-contributory social protection schemes](#) for women in the informal sector, and its [GR 27](#) affirmation of [CESCR Committee's general comment No. 19 \(2008\) on the right to social security](#). The inadequacy of Sri Lanka's social protection programmes nonetheless continue with disproportionately detrimental impacts on women and girls.

#### **4. Protecting the rights of rural women: Micro, Small and Medium Enterprises (MSMEs), microfinance and land (Articles 5, 13, 14, 16, GR 34 and 37, LOI 18 and 19)**

The Committee's [GR 34](#) and previous concluding observations call on State Parties to promote inclusive and sustainable economic development that recognises rural women's crucial contributions to local and national economies, to food production, and to their families and communities through unpaid care work and work on family farms.

The specific application of these requirements to the MSME sector, microfinance, and land is described in further detail below.

##### *Rural Women in the MSME Sector*

Rural women represent a significant portion of the population, with approximately [80% living in rural areas](#). These women play a crucial role in local economies, especially within the MSME sector, including those at the nano level, which has scant data. Despite their important contributions, rural women face numerous barriers that limit their participation and success in entrepreneurial activities. The lack of data complicates addressing these challenges.

Regulations of most financial institutions discriminate against women through demands such as sufficient collateral, or evidence of financial [management](#). These biases compounded by the lack of tangible assets—such as land and property make it [difficult for women to access formal financial support](#). Consequently women are forced to depend on informal financing sources paying exorbitant interest rates.

Many women lack the vocational and technological skills needed to compete in the marketplace, limiting their business growth, innovation and scaling up. This contributes to the underrepresentation of women in decision-making within entrepreneurship.

### *Women victimized by microfinance debts*

GR 34 calls for expanded opportunities for rural women to run enterprises, including through microcredit facilities. Concluding observations have made detailed recommendations, including the requirements to effectively regulate the industry.<sup>2</sup>

Microfinance, which lends money to low-income women at high interest rates due to their lack of regular income or assets required by traditional banking, has triggered a socio-economic and humanitarian crisis at the grassroots level. Women farmers in Polonnaruwa conducted a [55-day Satyagraha against microfinance debt and high-profit companies](#) from March 9 to May 1, 2021. The Parliamentary Sectoral Oversight Committee (SOC) on Alleviating the Impact of the Economic Crisis meeting on 14<sup>th</sup> February 2024 discussing the repercussions of microfinance [highlighted](#) that [28,000](#) rural persons have been affected by the microfinance crisis, 48% of the loans have been given at a high interest rates, resulting in out migration of women to Middle Eastern countries. The Microfinance Act 2016, doesn't address these realities and [only four Microfinance institutions are registered with the Central Bank](#).

### *Women and Land*

Approximately [35%](#) of the Sri Lankan population depends directly or indirectly on land. Gender-discriminatory land laws and practices have constrained women's land ownership and control. Only [16%](#) of women in Sri Lanka own private land, even though their labour participation in agriculture is [27.7%](#), comparatively higher than that of men.

The laws affecting land ownership include:

- Kandyan Marriage and Divorce Act (KMDA): No. 44 of 1952
- Tesawalamai<sup>3</sup> Law: affecting Tamil in the district of Jaffna.
- Land Development Ordinance No 19 of 1935 (LDO) amended in 2022 removes a significant gender discriminatory provision, which gave priority to men over women in its third schedule. Yet the reforms did not sufficiently provide for the co-ownership of land between husband and wife.

These concerns are captured within GR 34, which recommends that State Parties establish quotas and targets for rural women's representation in decision-making in land governance bodies, and

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<sup>2</sup> See COBs on the [Democratic Republic of Congo](#) (para 39(c)), [the Former Yugoslav Republic of Macedonia](#) (para 40), [Saudi Arabia](#) (para 50), [Nigeria](#) (para 42(b)), [Turkmenistan](#) (para 43(c)), [Mozambique](#) (para 40(a)) and [Zimbabwe](#) (para 44(b)).

<sup>3</sup> The word Tesawalamai means the "customs of the land": see Mayne, J (1938), *Hindu Law and Usage*. Madra, p 41.

[GR No. 21 \(1994\) on Equality in Marriage and Family Relations, which](#) recognises the right of women, regardless of marital status, to share in the distribution of land on equal terms with men.

The Committee has also previously made recommendations to [facilitate](#) and [protect rural land acquisition](#); [prevent forced evictions](#); and [protect rural women's land ownership from large-scale development projects](#). Nonetheless, Sri Lanka continues to fall short of the Committee's guidance and its obligations to rural women under the Convention.

## **5. Protecting the rights of women workers: parental leave, unpaid care work, gender pay gaps, free trade zones (Article 11, LOI 15 and 18c)**

In addition to States parties' obligations under article 11, the Committee has repeatedly called on States to address the gender pay gap (GRs [13 \(1989\)](#), [19 \(1992\)](#), [25 \(2004\)](#) and [37 \(2018\)](#)) and address the impact of free trade zones on women workers ([GR 26 \(2008\)](#)).

An estimated 8.5 million persons out of a population of 23.1 million in Sri Lanka are in the labour force. Female labour force participation rate has been historically half that of men; in 2022 it was [32.1%](#). Women are concentrated in the lower strata of the labour force in low paid, low skilled occupations in the formal sector; informal sector occupations are additionally irregular and unregulated with minimum safeguards.

### *Parental Leave*

The Maternity Benefits Ordinance [provides](#) paid maternity leave of 84 days to employees in the formal sector. Women workers in the informal sector are not covered. A token 3 days of paternity leave was [introduced](#) in 2006 for male employees in the public sector. This does not apply to the private sector where paternity leave, if at all, is at the discretion of employers. A few large Mercantile sector companies have [introduced](#) provisions for 100 days of paid paternity leave. This is a welcome development which should be adopted by both the private and public sectors.

### *Proposed Labour Law Reforms*

Over the past decade, there have been [several attempts](#) to amend labour laws. The former government intended to formalise these proposals in May 2024. The proposals include new measures to increase women's labour force participation through provision of 'part time work' and 'flexible' working hours. In effect, this push towards casualisation and flexibility will lead to expanding and reinforcing the precariousness of employment where women will not be entitled to the protection that current law provides for formal sector employees. It also [accommodates employers' concerns](#) that they should not be liable to provide paid maternity leave to female employees. These proposals must be rescinded forthwith.



## *Gender Pay Gap*

Government data on the Gender Pay Gap is limited to the Informal Sector. An ILO study on the gender pay gap has found that the average female hourly wages are approximately [27% lower than that paid to men](#). A more recent study [found](#) that there is a higher demand for women workers for low productivity and low paid jobs confirming that '*the gender-based segregation of occupations observed in Sri Lanka .....reveal the presence of gender based wage discrimination in industry and services sectors that others have found*'. Efforts by the state to increase opportunities for women to take up paid work do not show cognizance of these factors. These findings must inform government and private sector employers' policies to ensure clear pathways to increasing women's labour force participation including opening up better quality, paid employment.

## *Women Workers in Free Trade Zones (FTZ)*

Collective bargaining is not available in this sector. The determination of the annual wage increment is carried out bilaterally by the regulatory agency for the zones and the employers and excludes representative organisations of workers from the decision-making process. This undermines the rights of workers and the fairness and equity of the wage determination process.

Freedom of association and the right to organise is systematically suppressed in the FTZs disproportionately affecting women workers, who form the majority in these zones. Ensuring this freedom is crucial to protect the rights and well-being of women workers. It is imperative to conduct a thorough examination of the existing dynamics between the Board of Investment, employers, and workers to ensure the comprehensive protection of workers' rights.

The National Labor Association Committee (NLAC) reports a limited increase to 4% in national-level representation of women. Currently, discussions are on-going to increase the number of women representatives. However, Workers' Councils have not been adequately involved in discussions regarding wages. The apparel sector, with a high proportion of women has faced challenges in ensuring dignity of work, sustainability of the workforce, occupational health and safety, and effective regulation by national-level organisations. Gender biases have resulted in depriving women of adequate access to leadership positions in male led Trade Unions. Over the past five years, there has been an increase, from one to five, in women-led Trade Unions in the apparel sector. Issues specifically related to women employees can now be raised.

The absence of proper employment contracts for workers in non-standard employment, is a grave concern. The issuance of appointment letters by private employment agencies, without comprehensive terms and conditions, and the association of attendance sheets, leave applications, and salary slips with manpower agencies rescind protection and rights of these workers.

Manpower workers hired by third-party agencies or subcontractors and deployed in another organisation are among the most vulnerable workers in FTZ. They exemplify ‘part time workers’ due to the lack of job security, decent work arrangements, or access to social safety nets such as entitlement to maternity leave, sick leave or contribution to retirement funds.

### *Women Workers in the Plantation Sector*

Women comprise the majority of the working force in the tea and rubber plantation sector. UN Special Rapporteur on contemporary forms of slavery, observed that

“Women and girls have been disproportionately affected by contemporary forms of slavery in Sri Lanka. This demonstrates persisting, significant levels of gender inequality, patriarchal attitudes and intersecting forms of discrimination. In particular, Malaiyaha Tamils – who were brought from India to work in the plantation sector over 200 years ago under British colonial rule – continue to face multiple forms of discrimination based on their descent, making them vulnerable to labour exploitation. Women generally have to [work twice as long as men](#) to earn the same wage , due to the low wages for plucking tea leaves.”

### *Women Ex-Combatants*

Many of the women ex-combatants are now considered to have been ['re-integrated'](#). While some have been accepted by their families, [others continue to face obstacles finding paid work or live with fear of intimidation by different actors, both at community and state levels.](#)

Based on direct discussions with women ex-combatants in the Mullaitivu District of the Northern Province, women ex-combatants face problems from government security forces.

Illustrative of this situation is a case of one woman ex-combatant living without rehabilitation who is the wife of a missing combatant. Since 2010, she has been continuously interrogated by the state intelligence agency every 3 months and her home has also been subjected to GPS surveillance.

At the last interrogation in 2023, she was interrogated for three hours using the name she was called during her days as a combatant. Due to that, she lives in fear of future arrests and of the future security of her children.<sup>4</sup>

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<sup>4</sup> This case and source has been anonymised due to security considerations

Ex-combatants are also heavily affected economically. The burden of the family rests on women ex-combatants, as many women's husbands were injured, maimed or missing. They also suffer economically due to lack of job opportunities and their disabilities and injuries.

### *Domestic Workers*

Sri Lanka has not ratified ILO Convention 189 on protecting the rights of Domestic Workers despite strong advocacy by Domestic Workers Unions as well as civil society organisations. There is no regulation of working hours, wages, working conditions or entitlement to leave. Domestic workers are predominantly women who are from urban, semi-urban, rural and the plantation sectors. Domestic workers [are expected to do housework](#) as well as be caregivers for children and the elderly and do not have, in practice, written contracts with employers. Domestic Workers Unions [continue their strong advocacy](#) to bring regulated working conditions that protect the rights of these workers.

## **6. The political economy of bodily Autonomy, the right to health, and domestic violence (Articles 5, 12 and 13, LOI 10b, 10c, 11, 14c and 16)**

### **Bodily Autonomy and the Right to Health**

A feminist, human-rights based assessment of Sri Lanka's economic crisis requires consideration of bodily autonomy, the right to health, and the incidence of domestic violence; both as realities impacting women's economic rights and opportunities and as deeply embedded in the structures of economic systems, institutions, and recovery plans. Restrictions to women's bodily autonomy detailed below impact directly on women's ability to face and survive the economic crisis. Economic policies must be developed in tandem with those that protect women's bodily autonomy, sexual reproductive health and rights, and the right to live free from violence.

### *Family Planning/Contraception Services*

Women access family planning (FP) and contraceptive services through state, private and NGO sectors. State FP/contraceptive service strategies include, among others, maintaining a continuous supply of contraceptive commodities; reducing abortions and teenage pregnancies by addressing the unmet need for contraception; and providing male & female sterilisation services in hospitals.

Between 2016 and 2023, eligible couple uptake of all FP methods increased from 66.5% to 69.4%, with modern methods increasing from 57% to 60.2%, and the unmet need for contraceptives decreasing from 6.2 to 5.4%. (*Family Health Bureau*).

However, gaps in state services that include the lack of availability of emergency contraception options and safe medical abortion facilities pose serious threats to the health and well-being of married and unmarried sexually active women and girls.

Among currently married women, knowledge of female sterilisation (96%) far exceeds method uptake (14%) (*SLDHS2016*) and available data points to married women who have completed their family using abortion as a family planning method. Reproductive health policy amendments have provided FP/contraceptive services for sexually active unmarried women/girls, but the stigma of extra-marital sex is a barrier to accessing services.

Acceptance of Vasectomy as an FP method has largely declined due to the myths and misconceptions about possible onset of erectile disorder, and the occurrence of pregnancy when couples fail to engage in protected sex for the prescribed period after surgery.

Eligibility criteria for female sterilisation mandated in [General Circular No. 1586](#) (spousal consent, an age limit, having 2 living children) need to be amended to better recognise women's autonomy for their health and well-being, and will particularly benefit victims and survivors of gender based violence (GBV).

Requiring medical officers to obtain prior parent./guardian consent for continued provision of contraceptives to adolescents who have stopped cohabiting ([General circular no.01-03/2024](#)) contradicts previous instructions to provide contraceptives to sexually active adolescents in their best interest even when such consent is withheld. ([GC My No FHB/AH/TP/2014 of 2015/07/08](#)). The Committee has expressly told State Parties in [General Recommendation No. 24 \(1999\): Article 12 of the Convention \(Women and Health\)](#) ('GR 24') to not restrict women's access to health services on the ground that they do not have parental authorisation, and noted that such requirements are a barrier to women accessing health-care services.

As ceasing to cohabit does not necessarily mean becoming sexually inactive, it is imperative that health staff are not restrained in continuing to uphold the principle of "best interest of the child" through providing contraceptive and other services to non-cohabiting adolescents who may engage in casual sex and risk exposing themselves to unplanned pregnancies and STI/HIV. GR 24 directs States parties to allocate resources for programmes directed at adolescents for the prevention and treatment of sexually transmitted diseases, including HIV/AIDS, and to provide family planning and sex education to prioritise the prevention of unwanted pregnancy.

### *Abortion*

The Committee has [repeatedly stressed](#) that the "denial of access to safe and legal abortion is a severe restriction on women's ability to exercise their reproductive freedom, and that forcing women to carry a pregnancy to full term involves mental and physical suffering amounting to gender-based violence against women and, in certain circumstances, to torture or cruel, inhuman or degrading treatment, in violation of the CEDAW Convention."

Abortion has significantly declined as a cause of maternal death due to the increasing use of drugs such as postinor and misoprostol to procure safe but unlawful medical abortions. The commendable provision of quality non-judgmental post-abortion services by the State despite a highly restrictive abortion law must be noted. However, women who cannot access postinor or afford the more expensive misoprostol are forced to seek risky illegal abortions as the drug is not registered for use as an abortifacient by the Ministry of Health.

Previous advocacy focused amending the existing law to provide relief in instances of rape/incest and lethal foetal abnormalities. However, recent efforts of the Sri Lankan Perinatal Society selectively focus lethal foetal anomalies. This denies women and girl victim/survivors of rape and incest access to legally sanctioned abortions.

### *Comprehensive Sexuality Education*

Knowledge gaps and unsafe behaviours among adolescents and youth continue to evidence the unsatisfactory delivery of secondary school curriculum-based SRH information introduced in accordance with ICPD recommendation in the mid-nineties.

Strengthening CSE delivery is an imperative as low socio-economic status, low educational attainment, and poor parental supervision have been identified in Sri Lanka as major risk factors for teenage pregnancies. The Committee recognised this in its 2017 concluding observations, which [recommend](#) that Sri Lanka “Institutionalize age-appropriate comprehensive education on sexual and reproductive health and rights, addressing responsible sexual behaviour with special attention to the prevention of early pregnancy”.

This requires better collaboration between the different State, private, and NGO actors who are addressing the issue, strengthened policy implementation and convincing parents and clergy that provision of all information to promote healthy sexuality among adolescents and youth is not promoting promiscuity.

Seeking support from Nepal which is currently the only South Asian country where CSE has been formally introduced into the school curriculum with relevant teacher training may be useful.

### *Menstrual Hygiene Management Education; Period poverty*

Nearly 66% of girls in Sri Lanka are not aware of menstruation until menarche (*UNICEF 2018*) and the dearth of accurate information promotes stigma, myths and misconceptions among women and girls about this normal bodily function. The current [Period poverty rate of 50%, points to a significant proportion of households not spending any money on menstrual products.](#)

A single-use menstrual product packet imported from India and taxed at 51%, despite the presence of free trade agreements, costs LKR 500/= i.e, the same as two kilos of rice, forcing low-income families to sacrifice women and girls' hygiene and well-being for food.

Repealing menstrual hygiene product taxes to list it as an essential medical device and incentivise local manufacture appears feasible as their estimated contribution to total tax revenue is an insignificant 0.0002%. Period poverty is considered an important cause of absenteeism among girls in secondary school (70% of girls aged 10-19 year) but confirmatory data is lacking.

Recognising period poverty through the National Strategic Plan on Adolescent and Youth Health 2023-2028 (NSPAYH) could facilitate a State response towards improving the well-being of adolescent girls and young women.

## **Sexual and Gender-Based Violence (SGBV)**

### *Violence Against Women and Legal System Reforms*

Recognising the links between SGBV, women's economic rights, and macro-level economic policy more broadly we focus on some relevant aspects below.

As outlined in the State Report to the CEDAW Committee, some strides have been made in combating SGBV through measures such as specialised police units, training programs, and safe shelters for victims.

SGBV, particularly domestic and sexual violence, continues to be a pervasive issue, exacerbated by gaps in the legal framework and the inefficiencies in law enforcement and judicial systems. Additionally, the implementation of existing laws like the Prevention of Domestic Violence Act remains limited. Despite affording some protections it lacks a direct connection to penal law. [This disconnect means abusers often evade penalties under the Penal Code. Victims frequently prioritize protection over initiating criminal proceedings against abusive family members.](#) Many survivors [struggle to access justice](#) due to delays, with court cases related to sexual violence often taking years to conclude, leaving victims in a prolonged state of vulnerability.

A recurring issue is the lack of sufficient safe houses for survivors of domestic and sexual violence. While some safe houses exist, including those run by non-governmental organisations, they are [under-resourced and cannot meet the growing demand for their services.](#) Women and child desks, at Police stations require continuous support and training in legal procedures, as well as sensitivity to handle cases or the local language skills necessary to address the issues presented by victims/ survivors and direct them to the relevant service providers. More recent interventions by UNFPA with local experts to provide training in Case Management is a positive development that needs to be [expanded.](#)

The existing exceptions for Statutory rape are identified as counterproductive to the provision itself, and such exceptions should be removed to prevent legal loopholes that diminish the protection of minors. It has been [recommended](#) that Sri Lanka expand the availability of juvenile courts beyond Colombo to other provinces, to ensure timely and appropriate handling of cases involving children.

## **7. List of Recommendations**

Based on the information set out above, we respectfully request that the Committee make the following recommendations:

### **a. Gender Budgeting and Amendment of the Economic Transformation Law (Articles 2-5, 13)**

- Review and reform the Economic Transformation Act and make it CEDAW compliant to prevent the exacerbation of existing economic crisis induced socio-economic inequalities for women.
- Adopt and implement transparent gender budgeting practices, focused on ensuring accountability in fund allocation for programmes on gender equality and women's rights, and those impacting gender equality, such as public sector funding, public wage bills, tax policy, agriculture and industrial policy, among others.
- Adopt clear principles of gender responsive budgeting, including a gender budget tracer to track how budgets are spent in different sectors ensuring instituting incremental allocations for meeting needs of underserved populations such as elderly and persons with disabilities.

### **b. Unpaid Care Work and Labour Rights (Articles 5, 11, 13 and 14)**

In line with the new government's promise to recognise and account for unpaid care work and reduce the burden of unpaid care work on women,

- Recognise and assign an economic value to unpaid care work in both rural and non-rural settings. Acknowledge and include women's contributions to GDP through unpaid household work and caregiving for children, the elderly, the sick and individuals with disabilities and the annual labour force surveys.
- Provide infrastructure at local government bodies and district secretariats to reduce unpaid household care work enabling women to have choice in engaging fully in paid economic activities.

- Introduce affordable and accessible childcare centres, provide paid leave for those caring for young children, persons with disabilities, and the elderly, revise labour laws to ensure economic security for women in caring roles.
- Address the core causal factors of inequalities relating to unpaid care labour, such as gendered social norms and stereotypes and the lack of adequate quality care services and flexible work arrangements that guarantee women's access to their full rights and protection as workers, including social benefits and social security.
- Ensure that proposed amendments to labour laws, which are not yet in force, are not detrimental to the rights of women workers and ensure access to social benefits.
- Take steps to ensure that employers in public and private sectors introduce mandatory guidelines to respond to sexual harassment and abuse of women in consultations with trade unions and Employers Federation.
- Withdraw current discriminatory regulations, such as the mandatory Family Background Report, that restrict the right of women to migrate for overseas employment.
- Introduce a formal Care Policy to establish regulations and measures for reducing and redistributing unpaid care work through extensive provision of adequate quality, accessible and affordable care services including effective paternal leave provisions.

**c. Social Protection (Article 13)**

- Conduct a comprehensive review of the existing "Aswesuma" social protection scheme, and eligibility criteria to ensure alignment with Sri Lanka's current economic conditions, and adapt the scheme to better address the needs of the most economically vulnerable segments of society.
- Comprehensive review and revision of the Aswesuma program to incorporate gender-sensitive criteria that recognises the intersectional vulnerabilities of women, particularly those facing multidimensional poverty.
- Ensure that livelihood support provided to women go beyond traditional and stereotypical income-generating opportunities. Instead, align support with market value chains, enabling women to access sustainable income-generating opportunities and contribute meaningfully to their households' needs and the economy.



**d. Access to Justice including for Domestic and Gender Based Violence (Articles 5, 13)**

- Extend constitutional provision on judicial review of legislation for a minimum of one year after a law has been passed and provide for judicial review of past laws (not currently available) that violate fundamental right to equality through Constitutional reform.
- Introduce amendments to the Domestic Violence Act to respond to an evidence base on barriers to effective implementation (including the emphasis on mediation) when the Act has a clear objective on preventing domestic violence as a grave violation of women's rights to bodily integrity and personal security.
- Strengthen existing shelters based on agreed gender sensitive guidelines and accountability processes and provide funding for at least one safe house and shelter per district for victims of all forms of VAW.
- Develop or facilitate public awareness campaigns to shift societal attitudes that often normalise domestic and gender-based violence
- Remove statutory rape exceptions, such as judicial discretion, and providing suspending sentencing when the age gap of the victim and perpetrator is small, or the exception for statutory rape for Muslim girls under the Sri Lankan Penal code and the Muslim Marriage and Divorce Act of 1951
- Conduct a comprehensive review of the existing laws related to domestic and sexual violence to identify gaps and ensure that they are properly enforced and develop toolkits for police and legal professionals which would serve as practical resources to improve the handling of domestic and sexual violence cases.
- Increase specialised women and children's desks in police stations, staffed by trained gender sensitive officers who are conversant with relevant legal frameworks and can communicate effectively in the local languages.
- Expedite the hearing of sexual violence cases to ensure that they are resolved within a two-year timeframe from the date of the alleged incident.

## **Bodily Autonomy, Sexual and Reproductive Health, and the Rights to Health and Comprehensive Sexuality Education (Articles 5, 10 and 12)**

Recognising the links between bodily autonomy, women's economic rights, and macro-level economic policy more broadly:

- Provide and promote emergency contraception options through state family planning and contraceptive services to reduce unplanned pregnancies.
- Further strengthen health staff to support cohabiting and non-cohabiting sexually active adolescents with reproductive health information, commodities and services to prevent unplanned pregnancies and STD/HIV
- Address structural barriers to vasectomy uptake through the Family Health Bureau Men's health unit such as myths and misconceptions about the side effects of the procedure.
- Adopt the CEDAW recommendation on decriminalising abortion legislation.
- Recognise and provide medical abortions based on the WHO guidelines on use of misoprostol through state health services.
- Provide robust data on abortions, provision of post-abortion care, and teenage pregnancies in the public domain.
- Facilitate consensus and provide adequate funding for a state-NGO partnership for (effective) delivery of the state approved CSE curriculum for secondary school students 16+ years of age.
- Review and amend the current comprehensive sexual education curriculum to align with the international technical guidance on sexuality education.
- Repeal menstrual product taxes and list menstrual products as an essential medical device
- Disseminate information on menstruation through strengthened CSE delivery in secondary schools and capacitating women CBOs and NGOs

**e. Rural women in the Micro and Small Enterprises (MSME) Sector (Articles 5, 13 14, GR 34)**

- Closely monitor the implementation of the established credit guarantee fund for women entrepreneurs. This fund, if properly managed and monitored, could help mitigate the risks that financial institutions associate with lending to women, thereby encouraging more inclusive and equitable lending practices.
- Require the Central Bank to conduct a gender audit of current financial practices and issue guidelines to banks and other financial institutions on loan processing. These guidelines should specifically address the discriminatory practices that women face, ensuring the meeting the CEDAW standards of non-discrimination and substantive equality. they are treated fairly and equitably in their loan applications.
- Facilitate “credit plus” services, which include coaching and mentoring programs aimed at improving financial literacy, financial capabilities, and IT literacy.
- Promote and facilitate risk-related insurance products for micro and small entrepreneurs.

**f. Victimisation of Rural Women through Microfinance Debts (Articles 5, 13 14, GR 34)**

- Repeal the proposed Microfinance and Credit Regulatory Authority Bill and articulate a new regulation considering demands of victims of microfinance debts.
- Enact the Finance Consumer Protection Bill
- Require the registration of all microfinance lending companies and institutions at the Microfinance Regulatory Authority, a State regulatory body and Microfinance Credit Information Bureau created under the Central Bank of Sri Lanka

**g. Rural Women and Land (Articles 5, 13 14, 16 GR 34)**

- Amend gender discriminatory legal, policy and regulatory practices specifically inhibiting women’s land rights and access to resources, including those described in more detail below.
- Recognising that women labourers are the main contributors to the payment of housing loans provided to plantation dwellers, legally guarantee house ownership and land ownership by issuing land and housing title deeds to women.