



Canadian Tamil Congress
கனடியத் தமிழர் பேரவை
Congrès Tamoul Canadien
"Voice of Tamil Canadians"

Head Office:
Toronto
216-31 Progress Ave.
Toronto, On M1P 4S6
Canada

Tel: 416 240 0078
Fax: 416 240 1601
www.canadiantamilcongress.ca
info@canadiantamilcongress.ca

Universal Periodic Review of Sri Lanka
14th Session

Submission from the Canadian Tamil Congress to the
United Nations Human Rights Council
April 23rd, 2012

on

"THE PLIGHT OF TAMIL WOMEN IN SRI LANKA"

The Plight of Tamil Women in Sri Lanka

Summary:

1. During its first Universal Periodic Review in May 2008, it was recommended that Sri Lanka should give special attention to the rights of women and further promote education and development and their representation in politics and public life.¹ The Government of Sri Lanka reported to the UN Human Rights Council, that it will continue to take steps that seek to advance the empowerment of women and women's rights and gender equality at national levels.² As will be detailed in this report, it is clear that Sri Lanka has not taken these steps and the situation for Tamil women in Sri Lanka continues to deteriorate despite the end of the armed conflict.
2. In this submission, CTC will provide an overview of the issues affecting Tamil women in post-war Sri Lanka and makes the following recommendations:

Recommendations

3. The Government of Sri Lanka and the international community as a whole should immediately take action to address the most pressing issues confronting Tamil women in Sri Lanka with particular attention given to Tamil war widows and female-headed households.
4. The Government of Sri Lanka and the international community must address ways in which Tamil women can explore and develop forms of economic enterprise. In order to liberate Tamil households from the omnipresent threat of sexual assault or exploitation, it is essential that the north and east regions be substantially demilitarized and replaced with local civil administrative authorities and the rule of law that can both encourage economic development and provide physical security to families.
5. The Government of Sri Lanka should ensure that adequate procedures are in place to address the psychological/medical and rehabilitative needs of women who have experienced considerable trauma, tragedy and stress as a result of the war. Women should also be granted a significant role in the process of civil reconstruction and peaceful reconciliation since as heads of households, many of them possess the knowledge and experience needed to contribute significantly to civil project planning and humanitarian assistance programs that will effectively address the needs of families.
6. The United Nations Human Rights Council should set up an effective, transparent, independent investigative mechanism which adheres to international standards to investigate credible allegations of human rights violations, war crimes and crimes against humanity during the final stages of the war – violations which were outlined in the UN Secretary General's Panel of Expert report on accountability in Sri Lanka.

¹ United Nations General Assembly. Human Rights Council, Eighth Session, Agenda Item 6. "Universal Periodic Review: Report of the Working Group on the Universal Periodic Review Sri Lanka." June 2008.

² *Ibid.*

Key words: war widows, female-headed households, economic subsistence, sexual abuse

Introduction:

7. Almost three years after the end of the 30-year war between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam, first-hand accounts report that large numbers of Tamil women in the north and east regions of Sri Lanka still suffer from sexual violence, poverty and displacement.³ More generally, women in Sri Lanka's predominantly Tamil-speaking north and east continue to face highly vulnerable circumstances that imperil their economic, physical, and sexual safety. Women have suffered from the loss of husbands and children, multiple displacements and have become victim to indiscriminate sexual abuse and rape.
8. While Tamil war widows and Tamil female heads of households have been forced to take on new and often multi-faceted roles, they have demonstrated their powers of endurance and tenacity and sustaining families under the harshest of circumstances. The voices of these women must be taken into consideration before any rehabilitative steps are taken towards the restoration of a healthy and functioning civil society in Sri Lanka.
9. Despite such egregious living conditions, neither the Government of Sri Lanka nor the international community has responded with any type of appropriate action to address the plight of such Tamil women. In December 2011, the Brussels-based International Crisis Group (ICG) concluded in its expansive analysis of the dire circumstances facing Tamil women in Sri Lanka that, "the government has mostly dismissed women's security issues and exacerbated fears, especially in the north and east."⁴ Even more alarming is the ICG's finding that the global community of nations has similarly ignored the ongoing plight of Tamil women in Sri Lanka:

"The international community has failed to appreciate and respond effectively to the challenges faced by women and girls in the former war zone... Not only have Sri Lanka's international partners, including the United Nations, failed to speak out publicly and clearly about threats to women and allegations of abuse, but they have agreed to work within militarized structures that have amplified vulnerability and reduced transparency. Unless they do more to demand changes to those structures and to target funding and assistance at initiatives that can help protect and empower women, their engagement will be ineffectual, at best."⁵

10. Since the 1980s, the women of Sri Lanka's Tamil minority confronted conditions that included torture, disappearance, displacement, and politically motivated murder and sexual abuse. In the summer of 2000, Amnesty International released an alert recognizing the widespread incidence of sexual abuse directed against Tamil women in Sri Lanka, citing

³ Lisa Anderson, "Trustlaw: Sri Lankan Women, Girls Face Dire Security Threats in Tamil Areas." December 21, 2011. Retrieved from: <http://crisisgroup.tumblr.com/post/14574339333/trustlaw-sri-lankan-women-girls-face-dire...> Accessed: March 14, 2012.

⁴ International Crisis Group. "Sri Lanka: Women's Insecurity in the North and East." Asia Report N.217—20 December 2011, p.i.

⁵ *Ibid.*, p.i-ii.

specific cases in which Tamil women taken into official custody have been vulnerable to torture and sexual abuse at the hands of police and military soldiers.⁶

11. In 2007, a coalition of female Tamil peace activists published a report that made clear both the sufferings endured by Tamil women during armed conflict and the need for their voices to be heard in the reconstruction of a civil society:

“We recognize that women in particular have been victimized by war and conflict in Sri Lanka, that they have been subject to the worst forms of violence, been displaced, made into refugees, and compelled to live as war widows. ..They have suffered physical disabilities and psychosocial trauma because of the war. Therefore, women’s realities and women’s voices must be an essential part of the peace process in Sri Lanka.”⁷

12. Yet, in 2012, almost three after the cessation of war, the plight of Tamil women in Sri Lanka has not improved. Women have become victim to domestic abuse, rape, discrimination in the workforce, torture and detention. Rape, which once used to be a tool of war has now become a tool of oppression. Neither the Government of Sri Lanka nor the international community seem to be prepared to address the most pressing concerns of women. Issues involving the economic, physical, and sexual security of Tamil women in Sri Lanka must become a priority. The voices of the Tamil women in Sri Lanka, forged through experiential wisdom, must be provided with a significant role in the processes of civil reconstruction and peaceful reconciliation.

The War Widows: Female-Headed Households

13. Although Tamil women were among the civilians and combatants killed in the final stages of Sri Lanka’s war, the vast majority were men. As a consequence of these deaths, tens of thousands of war widows and female-headed households were created in the north and east. They became a second generation of this ‘role’ - joining the many thousands of women whose husbands were killed or disappeared during the Indian Peacekeeping Force (IPKF) era of the 1980s and early 1990s.
14. Today, almost three years after the end of war, it is estimated by a women’s rights organization in Sri Lanka that there are 89,000 Tamil widows and female-headed households in the Northern and Eastern Provinces of Sri Lanka as a consequence of the war.⁸ Steering committee member of the Women for Rights organization, Dr. V. Sarojini Savithri, indicates that some 12,000 of these widows are below the age of forty.⁹

⁶ Jimmie Briggs. *Innocents Lost: When Child Soldiers Go to War*. New York: Basic Books, 2005, p.91.

⁷ Patricia Lawrence, “The Watch of Tamil Women: Women’s Acts in a Transitional Warscape.” In *Women and the Contested State: Religion, Violence, and Agony in South and Southeast Asia*. (Eds.) Monique Skidmore & Patricia Lawrence. Notre Dame, IN: University of Notre Dame Press, 2007, p.114.

⁸ Global Peace Support Group. “Women’s Rights Organization Says Sri Lankan Women Suffer Many Hardships.” December 13, 2011. Retrieved from: <http://www.globalpeacesupport.com/globalpeacesupport.com/post/2011/12/13/-Womens-ri...> Accessed: March 14, 2012.

⁹ *Ibid.*

15. There appears to be some strong evidence that the Government of Sri Lanka has embarked on a revisionist effort to unfairly retract and to inaccurately minimize previous acknowledgments on the numbers of Tamil war widows and female-headed households that resulted from the war. Although in September 2010 the Sri Lankan Government's Ministry for Child Development and Women's Affairs acknowledged that it had lists of 40,000 war widows in the north, in August 2011 the same Government Ministry inexplicably and without any explanation reduced the number to only 16,936.¹⁰ Similarly, in September 2010 the Government of Sri Lanka acknowledged some 89,000 war widows in the north and east, yet in August 2011 the Government cited the figure of only 59,000 war widows in Sri Lanka's north and east, again without any explanation for such a change.¹¹
16. Some areas of the north and east in Sri Lanka are especially characterized by female-headed Tamil households. It is estimated that 30,000 out of 110,000 households in the Vanni are headed by women and a survey by the Jaffna-based Center for Women and Development estimates that there are 40,000 female-headed households in the north, half of those in Jaffna.¹²
17. A survey conducted by the World Food Programme (WFP) of the United Nations in ten districts in the Northern and Eastern Provinces of Sri Lanka on the marital status of the head of the household found that among the recently returned households in Vavuniya, Killinochchia, Mullaitivu and Jaffna, the proportion of widows is large, most likely as a result of male casualties during the three decades of war, including, for example, 23% of the recent returnees in Vavuniya reporting to be widows.¹³

War Widows and Female-Headed Households: A Plurality of Consequences

18. There exists a plurality of consequences for war widows and female-headed households that range from the struggle for subsistence and economic survival to exposure to the threat of sexual violence and sexual exploitation. As Medina Haeri and Nadine Puechguirbal observed in their study of women's experiences in armed conflict, "it is women who must pick up the pieces, support their families, raise their children on their own and keep their communities going despite the emotional, physical, and financial losses caused by the absence of their men folk."¹⁴

The Consequences: The Struggle for Subsistence and Economic Survival

¹⁰ International Crisis Group. "Sri Lanka's North I: The Denial of Minority Rights." Asia Report N.219—16 March 2012, p.6, footnote n. 28.

¹¹ *Ibid.*

¹² *Ibid.*

¹³ Anders Petersson, Laksiri Nanayakkara, R.H.W.A. Kumarasiri & Rupasena Liyanapathirana. "Food Security in the Northern, Eastern and North Central Provinces." A Food Security Assessment Report on Sri Lanka, April 2011. World Food Programme, United Nations, p.7.

¹⁴ Medina Haeri & Nadine Puechguirbal. "From Helplessness to Agency: Examining the Plurality of Women's Experiences in Armed Conflict." *International Review of the Red Cross*. Volume 92, Number 877, March 2010, p.106.

19. Tamil women in the north and east of Sri Lanka reside in a highly precarious socio-economic context. Despite claims by both the Government of Sri Lanka and humanitarian agencies, including those of the United Nations, that assistance is flowing to war widows and female-headed households, it is clear that such assistance is either severely inadequate or non-existent. For example, although it is said that over 300,000 people in the north have received food assistance from the UN, an April 2011 food security assessment “demonstrated that widespread food insecurity, low income levels, asset depletion, high indebtedness and the adoption of relatively harmful coping behaviours prevailed in the province.”¹⁵ The Vanni and many parts of Jaffna continue to be deeply impoverished.
20. The following is a first-hand account of an interview conducted with a Tamil female head of a household that seems to contradict any notion that the Government of Sri Lanka or any humanitarian agency is providing adequate assistance to female-headed households. Her name is “Indradevi” and she and her children reside in the village of Puthukkudiyiruppu in the Vanni in northeastern Sri Lanka:

We hear that the government is telling everybody that they are taking care of female-headed households. They say they are providing us employment, housing and food. But in reality nothing, I repeat nothing, has been given to people like me. I don't know where my husband is, even if he is alive or dead. I am struggling to feed my three children.

For several years we have lived on this land. Even though the tiny house is leaking and may collapse one day, I am still living here with my kids waiting for the government or the NGO to give us temporary housing. The government is saying that they are taking care of the war widows and employing them. But they are asking women to dig up sewers so the waste water can be navigated. Then they give us a little bit of money and rationed rice as pay. This job is particularly hard for even men to do especially in the dry season when the ground is so very hard to break. Women still go to do these jobs so they can feed their children. They take their kids with them to work and leave them on the side of the road while they work. This is the most inhumane work government can give women with toddlers.

21. The struggle by female-headed households to survive has produced the most unfortunate consequence of mothers being forced into prostitution as the last economic alternative to provide subsistence for themselves and for their children. Human rights groups in the northern districts of Sri Lanka have documented that the wives of men who were killed as a result of the conflict have often fallen victim to prostitution because of their economic vulnerability.¹⁶ Geetha Lakmini of the World Fisherfolk Solidarity Movement observes, “one village in the Madhu area is infamous for prostitution because they have no male family members, no jobs and there is no other way of survival. The only way to feed their children is to sell their body.”¹⁷ In a questionnaire of Tamil widows in Trincomalee, over 65% said that a woman without a husband faces “pressure to have sexual relationships to get work done.”¹⁸

¹⁵ International Crisis Group. “Sri Lanka: Women’s Insecurity in the North and East,” op.cit., p.23.

¹⁶ U.S. Department of State (U.S. DOS), 8 April 2011.

¹⁷ BBC Sinhala.com. “War Widows Forced into Prostitution.” March 18, 2012. Retrieved from: http://bbc.co.uk/sinhala/news/story/2012/03/printable/120318_women_war.shtml Accessed: March 24, 2012.

¹⁸ International Crisis Group. “Sri Lanka: Women’s Insecurity in the North and East,” op.cit., p.29.

22. Other Tamil war widows who head households are forced to turn to other types of illicit and dangerous activities in an effort to provide economic sustenance for their families. Brewing illicit alcohol has become one such popular means of income generation in the Vanni. However, although women are reportedly increasingly taking it up since it is considered comparatively easy work and one that is very lucrative, such activities expose both them and their daughters to violence, exploitation, and other serious threats to their safety.¹⁹

The Consequences: Sexual Abuse and Sexual Exploitation

23. It has been substantially documented that for many years it was a fundamental military tactic of the Sri Lankan armed forces to engage in a consistent policy of rape and violence against Tamil women.²⁰ Sri Lankan soldiers have raped both women and young girls on a massive scale and often with impunity since reporting often leads to reprisals against the victims and their families.²¹
24. Sexual abuse and the threat of sexual assault by Sri Lankan security forces against Tamil women have not ended since the cessation of war. The UK-based organization Freedom from Torture, detailed numerous cases of the rape of Tamil women between May 2009 and February 2011. The organization noted that “all instances of rape are reported to have been perpetrated in cells by guards or by officers usually at night, sometimes repeatedly and sometimes by more than one individual.”²²
25. Since the policy of resettlement has been introduced, particularly in the north, the threat of sexual abuse by Sri Lankan armed forces has increasingly focused on the home fronts of Tamil war widows and Tamil female-headed households. The fear of sexual violence in the home is increasingly widespread because of the military’s unfettered access and because women often have no choice except to interact with them. In one documented case in September 2010, a soldier in Mullaitivu brought a food basket to a war widow and sexually assaulted her, yet no legal prosecution of the soldier took place.²³
26. The dominant and overwhelming presence of government military and security forces plays a significant role in consistently exposing war widows and female-headed households to the ever present threats and pressures of sexual exploitation. The following is a first-hand account of an interview conducted with a war widow, “Chandrani,” who resides in the community of Mullaitivu:

Those women who live within High Security Zones (HSZs) face numerous problems in their lives. The army sexually harasses these women during interrogations when they conduct frequently held registration exercises. Soldiers use the phone numbers they obtain from the registration procedures to call women during the night, asking for sexual favours. When the women reject the soldiers, they are put through a lot of hardship and harassment. The soldiers, either individually or in groups, often visit, uninvited and

¹⁹ International Crisis Group. “Sri Lanka’s North II: Rebuilding Under the Military.” Asia Report N.220, 16 March 2012, p.12.

²⁰ International Educational Development.

²¹ World Organization Against Torture.

²² Freedom from Torture. “Out of the Silence: New Evidence of Ongoing Torture in Sri Lanka: 2009-2011.”

²³ International Crisis Group. “Sri Lanka: Women’s Insecurity in the North and East,” op.cit., p.27.

unwanted, young widows who have lost their husbands during the war. Even when the women complain and identify the soldiers to authorities, no action is taken against them.

Women released from detention centers are frequently summoned to army bases under the guise of inquiry and are tormented by predators. In Jeyanthipuram in Kilinochchi, a sexual relationship was revealed between the widow of an LTTE cadre and a government army officer.

27. The highly coercive environment that emerges from the omnipresent role of the army and government security presence consistently exposes war widows and female-headed households to the ever-present threat of sexual assault and sexual exploitation. Regardless of whether the threat is one of rape or exploitation of economic vulnerabilities in exchange for sexual favours, what is clear in these interactions is that they are occurring in a context in which Tamil women have no control over their economic and physical security and where power relations are extremely imbalanced.