

General Comment No.36 to Article 6. Right to Life of the International Covenant on Civil and Political Rights (ICCPR) by Human Rights Committee

Written and Oral Submission by Women and Media Collective (WMC), Sri Lanka

Women and Media Collective, based in Sri Lanka, has been working since 1984 in creating a just society that does not discriminate based on gender. Our work has contributed to the inclusion of women and gender concerns in the peace process, increased state recognition of women's rights, the enactment of new legislation or legislation and policy reform promoting and protecting women's rights and recognition for the need to increase women's representation in politics.

We look forward to the opportunity to inform this Public Hearing, as well as the entire process related to the development of the General Comment over the next two years. We welcome the opportunity to inform this process with the Sri Lankan experience and engage with the Human Rights Committee, the Officer of the High Commissioner of Human Rights, State parties and other civil society organizations.

We would like to stress the importance in upholding the hard-won agendas on human rights, which should cut across all processes, including this one. In particular, we demand for the recognition of women's rights as human rights and that women's bodies and decisions pertaining are free from control of regressive religious and/or political ideals.

Sri Lanka was in civil war for almost three decades, ending in 2009 with a final battle between the Sri Lankan forces and the Liberation Tigers of Tamil Eelam (LTTE). The war has ended but its impact is long term and can be seen in the country today.

The post war context has also seen the increase in extremist ethno-religious and nationalist views against minority communities expressed by largely Sinhala Buddhist extremist groups. Disregarding the country's multi-ethnic and pluralist society, these groups have been advocating that Sri Lanka has only the one identity of a Sinhala-Buddhist nation. There have been reports of attacks on places of worship of other religions. These cannot be condoned.

Family planning and reproductive health in Sri Lanka has seen effective Government programmes and initiatives for over five decades, resulting in the country successfully achieving its desired Total Fertility Rate (TFR) of 2 in 1995. This achievement for Sri Lanka, however, is at risk with growing political and religious overtones that run counter to the reproductive rights of women which in turn is challenging women's ability to access education and employment. Adequate measures need to be taken to address these emerging challengers.

People of diverse sexual orientation and gender identities, including lesbians, gays, bisexuals, transgender and inter-sex (LGBTQ) people face a multitude of discrimination in both in the society and the legal system which consequently leads to them facing inadequate protection from violence. Homosexuality is also criminalised in Sri Lanka, ensuring the lack of rights and protection by the state system for people of diverse sexuality. There is a need for reformation of legislation; development and implementation of non-discriminatory policies; and the expansion of health services to address the needs of LGBTQ persons.

Sexual and gender based violence has emerged as one of the most serious issues affecting women across ethnic, religious, class and caste identities. Sexual violence against women is exacerbated by a pervasive sense of male entitlement and a culture of impunity. Despite Sri Lanka's commitments to

United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); International Conference on Population and Development (ICPD) Programme of Action; the International Covenant on Civil and Political Rights; the Declaration on the Elimination of Violence Against Women; and the Millennium Declaration, Gender based violence continues to take place in the private and public sphere and the measures taken to prevent and redress remain insufficient.

We strongly reiterate the need for political commitment at international as well as national levels that would ensure women's sexual and reproductive rights, non-discrimination on the grounds of sexual orientation and gender identities, and, the right to live free from violence.