



# Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General  
6 March 2025

Original: English

---

## Committee on the Elimination of Discrimination against Women Ninetieth session

### Summary record of the 2135th meeting

Held at the Palais des Nations, Geneva, on Thursday, 13 February 2025, at 3 p.m.

*Chair:* Ms. Haidar

## Contents

Consideration of reports submitted by States parties under article 18 of the Convention  
(continued)

*Ninth periodic report of Sri Lanka (continued)*

---

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.



*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** *(continued)*

*Ninth periodic report of Sri Lanka (continued)* ([CEDAW/C/LKA/9](#);  
[CEDAW/C/LKA/Q/9](#); [CEDAW/C/LKA/RQ/9](#))

1. *At the invitation of the Chair, the delegation of Sri Lanka joined the meeting.*
2. **The Chair** invited the delegation of Sri Lanka to continue replying to Committee members' questions.

*Articles 7–9*

3. **A representative of Sri Lanka** said that the Online Safety Act contained definitions of the terms “private information” and “harassment”. Section 25 of the Act provided that information to which the Act applied must be kept confidential and set out the procedure for dealing with complaints of prohibited statements. The term “social media platform” had been defined as broadly as possible in order to maximize the protection that the Act afforded. While freedom of expression was expressly recognized in the Constitution, that freedom was subject to certain restrictions in order to prevent the infringement of other people's rights.

4. The Election Commission was an independent body endowed with wide-ranging powers under the Constitution. The Commission defined what were known as election offences and was empowered to receive and investigate complaints relating to such offences. Any interference with the work of the Commission was considered to be a constitutional offence. Any person subjected to hate speech could file a complaint with the Commission. Complaints could also be filed with the Women's Commission, the Human Rights Commission or, in cases where a fundamental right had been violated, with the Supreme Court.

5. The law governing citizenship had previously established that a person could be granted citizenship by descent if, at the time of his or her birth, his or her father had been a citizen of Ceylon, as the country had formerly been known. An amendment made to the Citizenship Act in 2003 established that the right to citizenship by descent depended on the nationality of the person's parents. Under the Citizenship Act, a certificate of citizenship could be granted to persons whose parents' citizenship had not been clearly established. That provision was of particular benefit to members of the Malayaga Tamil community.

6. **A representative of Sri Lanka** said that there was no legal impediment to any person from any community obtaining a birth certificate under the Citizenship Act. However, the implementation of the Act was hindered by practical challenges that particularly affected members of plantation communities. The Government had issued a policy statement establishing that Tamils of Indian origin were to be recognized as Sri Lankan Malayaga Tamil. In the Malayaga Tamil community, many children were born to parents whose births had not been registered, which made it difficult to obtain the information required to grant citizenship to the children by descent. In order to address that problem, the Government would consider taking steps to grant permanent residence status to all members of the Malayaga Tamil community to ensure their access to birth certificates, education and other public services. Mobile services advised members of the community on how they could overcome administrative challenges.

7. **A representative of Sri Lanka** said that, in 2024, the Government had launched a project to identify children without birth certificates across the entire country. Child rights promotion officers attached to the Department of Probation and Child Care Services submitted the information gathered to the Registrar General's Department in order to facilitate the issuance of birth certificates. In addition, the Department of Probation and Child Care Services, in collaboration with the Registrar General's Department, conducted mobile services to issue birth certificates, including to families living on plantations.

8. In June 2013, the Government had introduced a policy establishing that women who wished to migrate for employment purposes must be subject to a family background report to determine whether they met certain criteria. Under the policy, which had originally been

intended to protect children's well-being, women with children under 5 years of age were prevented from migrating while those with older children had to nominate a suitable carer and obtain authorization from government officials. The family background report had been the subject of widespread criticism as it had disproportionately restricted women's access to employment overseas. Critics of the policy argued that it reinforced traditional gender roles by placing the burden of childcare solely on women without offering alternative support mechanism for the families of migrant workers.

9. In June 2022, the Cabinet of Ministers had responded to the criticism by ruling that women migrant workers would no longer be subject to a family background report. The purpose of that decision was to reduce irregular migration and ensure greater access to safe and formal migration pathways. However, in order to ensure the well-being of children, the Government had subsequently decided that mothers should be required to nominate a carer to cover their absence and that the maximum age of children whose mothers would be subject to migration restrictions would be lowered from 5 years to 2 years. The Government had also made a policy decision to change the minimum age at which Sri Lankan women were permitted to work abroad. Currently, efforts were being made to strengthen pre-departure training, expand social protection programmes and improve support services for migrant workers' families.

10. **A representative of Sri Lanka** said that a government committee had found that the Vagrants Ordinance Act was discriminatory and should be repealed. On the basis of that decision, recommendations had been submitted to the Ministry of Social Empowerment, which had drafted a cabinet paper on the matter. That paper had subsequently been submitted to the Prime Minister's Office for its consideration.

11. **Ms. Stott Despoja** said that she would welcome information on barriers to voting, particularly those faced by women belonging to minority groups. It was not clear whether the Online Safety Act was being implemented effectively or whether any investigations or prosecutions had been initiated under the Act. It would be interesting to know whether the constitutional status of the laws governing elections prevented them from being amended. Given that elections for the local authorities had been not held since 2018, she wished to know what the State party was doing to ensure that such elections took place and that women participated in them.

12. **Ms. Toledo Vásquez** said that she wished to know when the decision to repeal the Vagrants Ordinance Act would come into effect. With regard to the family background report, she wondered whether women with children under 2 years of age continued to be subjected to discriminatory restrictions that were not applied to men. It would be useful to know whether any plans were in place to extend the period in which births could be registered free of charge and whether free translation and interpretation services would be provided for persons who wished to register a birth but did not speak one of the official languages. She would like to know whether the authorities might consider accepting alternative proofs of residence from workers who lived in dormitories and therefore did not have an individual address.

13. **Ms. Reddock** said that it was not clear whether the members of the Tamil community to whom residence permits would be granted were recent migrants or persons who had arrived in Sri Lanka many years previously to work in the plantations.

14. **A representative of Sri Lanka** said that Malayaga Tamil was the term used to refer to the community that had previously been known as the Tamils of Indian descent. No law prohibited the amendment of the laws governing elections except for the relevant provisions of the Constitution. The Online Safety Act was a very new piece of legislation that had not yet been fully implemented. The Online Safety Commission provided for in the Act had not yet been launched.

15. The right to vote was an entrenched right under the Constitution. It was incumbent on all organs of government to ensure that citizens could exercise the right to vote. Any restriction that had the effect of denying citizens the right to vote was considered to be a violation of their fundamental rights.

16. The Constitution provided for the establishment of an independent election commission to ensure the conduct of free and fair elections. Elections were governed by specific laws such as the Parliamentary Elections Act, the Presidential Elections Act and the Provincial Council Elections Act. Those laws were independent but must be read in conjunction with the Constitution. Any failure to comply with the directions of the Elections Commission was punishable under the Constitution.

17. The Supreme Court had ruled to ensure the right to vote for a large number of citizens whose voting rights had previously been restricted. The Court had also held that a citizen's right to vote in a free and equal secret ballot was an integral part of his or her freedom of expression. The Court had been requested to give its opinion on the question of whether the local government elections could be conducted under the pre-existing law. The Court had considered the matter and found that, as the pre-existing law had been repealed, the elections must be held under the new law.

#### *Articles 10–14*

18. **Mr. Safarov** said that he would be grateful for up-to-date information on any measures being taken to reduce the primary and secondary school dropout rates for girls, particularly those belonging to minority groups and those living in rural or low-income areas. He wished to know what was being done to promote the development of gender-sensitive curricula. He would welcome information on the content of the awareness-raising programme on gender mainstreaming in the education system, including the textbooks published by the National Institute of Education.

19. He would be interested to hear about any measures being taken to ensure that girls belonging to minority groups enjoyed equal access to education and could exercise their right to freedom of religion. Information on any steps being taken to increase the number of girls who enrolled in academies specializing in science, technology, engineering and mathematics would be welcome. He wished to know what measures were being taken to eliminate gender stereotyping from the education system. Did national action plans relating to education provide for the elimination of gender stereotypes?

20. **A representative of Sri Lanka** said that the right to education was guaranteed for every child up to the age of 16 years and that girls had the same opportunities as boys to pursue any academic or vocational course. No barriers prevented girls from excelling in traditionally male-dominated fields, such as science and technology. The Government provided free textbooks, uniforms, school meals and health insurance to all students, including those from low-income backgrounds. The Government's education policy established that education was a primary responsibility of the State. In accordance with that policy, it was committed to reducing the burden on parents for the provision of education. Efforts would be made to eliminate regional disparities in education services.

21. **A representative of Sri Lanka** said that education was compulsory up to the age of 16 years and guaranteed for every child up to the age of 18 years. In order to boost school enrolment and retention rates, the Government had issued a circular establishing that all 1.5 million children in grades one to five of a government primary school would receive a morning meal. In addition to providing all students with free textbooks and uniforms, the Government allocated school shoe vouchers to students living in low-income families. In 2024, 800,000 girls had been provided with vouchers for purchasing sanitary pads.

22. In 2024, insurance had been made available to all students in government, private and religious schools. Every year, 250 scholarships were allocated to girls from low-income families who participated in the advanced level technology stream. Boys and girls had equal access to the 700 scholarships allocated to students of technology. Over the previous three years, the number of girls participating in the advanced level vocational stream had increased significantly.

23. **Ms. Akizuki**, noting that women's labour force participation rate was about 30 per cent, compared with about 70 per cent for men, said that she would like to know what specific steps had been taken to close the gender pay gap and to establish effective monitoring and regulatory mechanisms. Given that approximately 60 per cent of women in the labour market worked in such informal sectors as domestic work and agriculture, she wished to

know what measures, including skills training and incentives, had been taken to encourage women's entry into traditionally male-dominated fields and to protect and promote the labour rights of women in the informal sector.

24. She would be interested to learn whether the State party planned to establish labour inspection, monitoring and complaints mechanisms to ensure that domestic workers could seek redress in cases of abuse and how it ensured the investigation and hearing of all complaints against employers. She wished to know whether there were any plans to extend paid maternity leave to at least 14 weeks, in line with International Labour Organization (ILO) standards, and to introduce compulsory paternity or shared parental leave. She wondered whether the State party intended to ratify the ILO Private Employment Agencies Convention, 1997 (No. 181), and Domestic Workers Convention, 2011 (No. 189). Details of any measures that had been taken to protect migrant domestic workers from abuse by their employers would be useful. In addition she wondered whether any initiatives had been launched to raise awareness among woman migrant domestic workers about their rights and what legal aid was accessible for such workers.

25. She wished to know whether the State party had a plan to introduce specific workplace anti-harassment legislation. Disaggregated data on sexual harassment cases in both the public and private sectors, including sanctions imposed on perpetrators, would be helpful. Lastly, she wondered whether the State party intended to ratify the ILO Violence and Harassment Convention, 2019 (No. 190).

26. **A representative of Sri Lanka** said that her Government was taking steps to address women's low labour force participation rate by improving care services for children, persons with disabilities and older persons, thereby reducing the burden of unpaid care work that women bore. The Government was also trying to professionalize care work by offering training programmes to women who were engaged in such work. In addition, the Women's Bureau ran special self-employment programmes to help women to generate income from their own homes.

27. **A representative of Sri Lanka** said that the Government had identified gaps in the employment bill concerning violence and harassment at work and had made the necessary amendments with a view to ratifying ILO Convention No. 190. It expected to consult trade unions and employers' organizations on the new bill and then start the process of ratifying the Convention.

28. **A representative of Sri Lanka** said that a number of legislative and policy measures contributed to reducing the gender pay gap. Since Sri Lanka had ratified the ILO Equal Remuneration Convention, 1951 (No. 100), the Constitution, along with the Labour Code and other laws, incorporated the prohibition of sex discrimination. Related policy measures included the National Policy on Gender Equality and Women's Empowerment, which had been introduced in 2023. The majority of trade union members were women, who accounted for 25 per cent of the members of unions' executive committees.

29. **A representative of Sri Lanka** said that the gender pay gap would form part of the mandate of the National Commission on Women, established pursuant to the Women Empowerment Act, No. 37 of 2024.

30. **Ms. Rana** said that she would be interested to hear the State party's assessment of the National Strategic Plan 2019–2023 for the Well Woman Programme and whether a new version of the Plan would be introduced to address gaps in maternal, sexual and reproductive health and mental health services. In the light of the difficulty faced by many women and girls, in particular those living in rural and plantation areas, she wished to know what steps the State party was taking to eliminate or reduce the high taxation on menstrual products; how it was ensuring access to menstrual hygiene facilities in workplaces, schools and marginalized communities; and whether it had conducted any awareness-raising programmes in respect of menstrual health.

31. She would appreciate an update on the draft amendment to the Penal Code to legalize abortion in cases of rape, incest and fetal malformation. She wished to know what steps the State party was taking to ensure women's access to safe abortions, in both urban and rural areas. She was also eager to know what measures the State party had taken to prevent forced

or coerced sterilization and to ensure informed consent in all reproductive health services. In addition, she wondered how the State party ensured that marginalized women, including women with disabilities, had access to comprehensive reproductive healthcare, without coercion or discrimination. Moreover, she would be interested to learn whether obstetric violence was recognized as a criminal offence in Sri Lanka and, if not, whether the Government intended to criminalize it.

32. She would like to know what steps were being taken to remove barriers to girls' access to sex education, in particular regarding menstruation, early pregnancy and family planning. She wondered what measures were being taken to reduce early pregnancies and would appreciate updated statistical data on adolescent fertility rates.

33. Further details of the Government's plans to expand access to mental health services for women, in particular survivors of domestic violence, and of related training provided within the healthcare system would be helpful. She would also appreciate details of the steps that the State party was taking to criminalize female genital mutilation and of any campaigns that were being conducted to raise awareness among the general public and medical professionals about female genital mutilation as a human rights violation.

34. **A representative of Sri Lanka** said that a number of products, including sanitary napkins and infant formula, were now exempt from taxation.

35. **A representative of Sri Lanka** said that a budget had been allocated to cover the sexual and reproductive health needs of women throughout the country. The Ministry of Health had established special units to meet the health needs of marginalized groups, such as those living in plantation areas, led by the Director General of Health Services. There were 90 hospital-based care facilities for victims of sexual and gender-based violence – called “Mithuru Piyasa” service points – throughout the country, including in conflict areas, which supported more than 10,000 survivors every year, the majority of them women. All children in grades 6 to 13 were given teaching on sexual and reproductive health; in grades 12 and 13, they received a comprehensive handbook that contained details of all aspects of sexual and reproductive health, including non-consensual, unwelcome sexual advances, gender-based violence and the prevention of unwanted pregnancy. The Ministry of Health had issued a circular prohibiting all medical practitioners from practising or promoting female genital mutilation; those who failed to comply faced disciplinary action. With regard to obstetric violence, the National Strategic Plan on Maternal and Newborn Health for the period 2017–2025 contained a number of measures to promote mother-centred, respectful care during pregnancy, childbirth and the post-partum period.

36. **A representative of Sri Lanka** said that, while female genital mutilation and obstetric violence were not specifically criminalized in Sri Lankan law, they were encompassed by other offences. The protections afforded to victims under the Assistance to and Protection of Victims of Crime and Witnesses Act included medical care, financial assistance and psychosocial support.

37. **Ms. Akia** said that she would like to know what steps the State party was taking to ensure that women and girls, in particular women with disabilities, women working in the informal sector and women living in poverty, were aware of all laws pertaining to economic empowerment and of the removal of the collateral requirements for microfinance and other loans. She would also be interested to learn what preventive and protective measures the State party was taking in relation to the financial abuse of women and girls by financial institutions of all sizes, thereby increasing women's access to credit. In particular, she wished to know how the Financial Consumer Protection Regulations protected women from such abuse.

38. Concerning the fiscal measures and reforms imposed by the International Monetary Fund, she wondered whether the State party had conducted a comprehensive assessment of their impact on the rights of women and girls. Given that such measures and reforms hit women and girls disproportionately hard, details of any steps that the State party was taking to alleviate their impact would be welcome. She wished to know what measures the State party was taking to mitigate the disproportionate burden on women and girls of increased value added tax, among other taxes, in particular on necessities, such as medicine, school supplies, energy and food.

39. She wondered what steps the State party was taking to ensure the equal representation of the sexes in decision-making, in both the private and the public sector, in relation to economic empowerment. It would be useful to know how the voices of women and girls were included in the development, implementation, monitoring and evaluation of laws, policies and programmes pertaining to economic empowerment.

40. She would be interested to learn what measures the State party was taking to ensure that social protection schemes, including the Aswesuma cash transfer programme, actually benefited women and girls and reduced existing gender inequalities. More details of the comprehensive social welfare policy would be appreciated, in particular data disaggregated by age, sex and disability on the number of beneficiaries.

41. Lastly, she would like to know what steps the State party was taking to help woman and girl athletes to overcome structural and practical barriers in sports.

42. **Ms. Pia-Comella** said that she wished to know what measures had been taken to increase women's access to agricultural development programmes and government subsidies, including greater access to microcredit programmes for rural women. She also wondered what steps the State party was taking to make inclusive educational programmes more accessible for women and girls with disabilities and to adapt infrastructure to increase accessibility for them.

43. She would be interested to hear about the efforts being made to prevent and address hate crimes and gender-based violence against lesbian, bisexual, transgender and intersex women. She would also appreciate information about any plans to repeal sections 365 and 365A of the Penal Code, under which same-sex sexual acts were criminalized. In addition, it would be useful to have details of the measures taken in response to threats, harassment and abuse, such as those to which the author of the Committee's communication No. 134/2018 ([CEDAW/C/81/D/134/2018](#)) had been subjected.

44. She wished to know what legal reforms the State party had implemented to improve the protection of migrant woman workers' labour rights. She would also be interested to hear about the status of compliance with bilateral agreements with destination countries to improve working conditions and protect the rights of domestic workers.

45. She would welcome an update on the reforms aiming at ensuring adequate facilities for women in prisons, including through the deployment of specialist medical care in the areas of hygiene and of sexual and reproductive and mental health. Further information on the efforts made to ensure that the young children of woman prisoners were kept with their mothers would be helpful.

46. Lastly, she would be interested to learn about the amendments to the Prevention of Terrorism Act and about how it related to the operations of women's organizations and organizations working in the field of women's rights.

47. **A representative of Sri Lanka** said that action taken by the Government to economically empower women included the welfare benefit payment scheme called "Aswesuma", which targeted poor and vulnerable people and had approximately 1.7 million beneficiaries as at 2022, of whom nearly 300,000 belonged to families headed by women. The Sri Lanka Women's Bureau, which operated under the Ministry of Women and Child Affairs, had implemented various programmes for empowering female-headed households, women in the plantation sector, women planning to migrate, especially for domestic work, women heavily in debt, women with disabilities, widows and others. In 2024, more than 300,000 programmes had been funded directly from the State budget with financial assistance from the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and other international organizations.

48. With State assistance, the banking system had taken various steps to support women entrepreneurs, particularly during the economic crisis in the country and its aftermath. The Bank of Ceylon had extended a range of credit facilities to women-led businesses, with a focus on short-term cash-flow needs and long-term growth, including revolving lines of credit with favourable interest rates and flexible repayment terms. Many banks had offered such businesses support with restructuring in the form of deferred payments and extended loan tenors. Non-financial assistance provided by banks included business advisory services,

workshops and one-to-one consultation aimed at improving financial literacy and business acumen. In the post-crisis period, banks had introduced restart and recovery loans that were intended to help businesses led by women expand and diversify their operations. Women entrepreneurs were also assisted by dedicated banking teams, clinics for small and medium-sized enterprises (SMEs) and an SME forum that provided them with networking opportunities and training and policy support.

49. **A representative of Sri Lanka** said that, between 2022 and 2024, the Sri Lanka Women's Bureau had provided self-employment support to 185 rural women who had been affected by unregulated microfinance credit schemes. Training programmes had been conducted for members of women's societies operating under the Bureau with the objective of improving economic stability. Steps taken to empower women in rural areas included implementation of the Saubhagya Production Villages programme, a social protection and economic empowerment initiative launched in 2021 during the coronavirus disease (COVID-19) pandemic that had helped to ease food shortages, improve nutrition and mitigate losses of income caused by unemployment for more than 30,000 persons from rural areas, who had been assisted in engaging in economic activities, including vegetable and poultry farming, from home. In 2021, 574 such production villages had been established in which women and girls were the key beneficiaries.

50. With the support of the Information and Communication Technology Agency of Sri Lanka, initiatives had been taken to empower women through information and communication technology skills that included the Suhuruliya programme, which had been launched in 2016 with the aim of narrowing the gender digital divide and encouraging the active participation and leadership of women in the digital economy and had benefited more than 10,000 women in all districts of Sri Lanka. The Agency had incorporated gender perspectives into its strategies, including a national digital strategy for women's development for the period 2024–2026 that was focused on equipping women with essential digital skills, promoting online safety through cybersecurity education and ensuring women's digital freedom and security; 17,500 women entrepreneurs and 340 women development officers had benefited from it so far.

51. The Department of Prisons had been allocating funds on an annual basis to improve sanitary, accommodation, health and other infrastructure at women's prisons. Voluntary organizations had been assisting the Department of Prisons in improving conditions for children staying in prisons with their mothers; in 2024, the United Nations Children's Fund (UNICEF) had donated 2 million Sri Lanka rupees for that purpose. Plans were in place for a separate women's prison facility to be established in Colombo.

52. **A representative of Sri Lanka** said that on 5 April 2024, Children and Women's Desks at police stations had been instructed to receive complaints submitted by members of lesbian, gay, bisexual, transgender, queer and intersex communities. Since then, the Police Academy had thus far conducted 12 awareness-raising programmes with the support of community organizations through which 257 police officers had received training.

53. **A representative of Sri Lanka** said that a private member's bill amending section 365 of the Penal Code submitted in 2022 had been challenged before the Supreme Court, which had recognized that article 12 of the Constitution provided implicitly for equality regardless of sexual orientation and determined the bill to be constitutional. Although the bill had lapsed on the dissolution of Parliament, it was possible that a policy directive would be issued in relation to it. Women were now protected from discrimination on grounds of gender or sexual orientation under the Women Empowerment Act, No. 37 of 2024, while the Assistance to and Protection of Victims of Crime and Witnesses Act, No. 10 of 2023, provided that sexual orientation was a factor that might be considered in determining the vulnerability of a victim or crime or witness.

54. Sri Lanka had given effect to the recommendations of the Committee until, in the case *Singarasa (Nallaratnam) v. Attorney General*, the Supreme Court had found that, in view of the country's dualist legal system, that practice contravened article 4 (c) of the Constitution, which provided that courts and tribunals were to exercise the judicial power of the people. The matter would be heard by a divisional bench of the Supreme Court on 27 March 2025.



55. Several steps had been taken to implement the provisions of the Prevention of Terrorism (Temporary Provisions) (Amendment) Act, No. 12 of 2022, with a view to making provision for bail, especially in the case of prolonged trials, recognizing the Human Rights Commission as the relevant national preventive mechanism and providing for magisterial supervision of places of detention. A policy regarding future amendments to that Act was under consideration.

56. **A representative of Sri Lanka** said that the Ministry of Rural Development, Social Security and Community Empowerment had issued a circular in which it had requested the use of Unicode-compatible fonts in texts published on websites with a view to making them easier for persons with a visual impairment to read. A notification setting forth regulations for ensuring that persons with disabilities had access to public buildings had been published in the Gazette of the Democratic Socialist Republic of Sri Lanka in 2006.

57. **Ms. Akia** said that she wondered whether the State party had been able to carry out a comprehensive assessment of the impact of fiscal reforms on women's and girls' rights.

58. **A representative of Sri Lanka** said that the Financial Intelligence Unit of Sri Lanka, which operated under the Central Bank of Sri Lanka, regulated lending institutions, and that the Financial Consumer Protection Regulations, No. 1 of 2003, governed financial service providers. However, in practical terms, the real issue that needed to be addressed was the use of unregistered lending institutions, including by women.

59. **A representative of Sri Lanka** said that the Prevention of Terrorism (Temporary Provisions) (Amendment) Act had not recently been applied in any matters pertaining to women's organizations. The Government had made a commitment before the Human Rights Commission that the Act would only be applied in circumstances of extreme necessity; the Inspector General of the Police had also issued a circular providing that the Act was only to be applied when absolutely necessary.

#### *Articles 15 and 16*

60. **Ms. Barriteau** said that she would be grateful to receive confirmation that steps had been taken to amend section 363E of the Penal Code to ensure that it provided equal protection against statutory rape to all girls under the age of 16 years without exception, including married girls over the age of 12 years who were not legally separated. She would welcome an update on the status of the bill aimed at amending the Muslim Marriage and Divorce Act with a view to addressing all discriminatory provisions, including eliminating child marriage and allowing women to sign their own marriage documents. She would appreciate a timeline as to when the bill would be passed. She wondered whether there was a time frame for undertaking the reforms proposed by the Advisory Committee on Muslim Law Reforms regarding divorce and the distribution of matrimonial property and the equal entitlement of women and men to make decisions concerning their children.

61. It would be useful to receive an update on the status of amendments aimed at ensuring that widows continued to receive the pensions of their deceased spouses once they had remarried and that reference to being an illegitimate child was removed from personal laws, inheritance laws and birth certificates.

62. **A representative of Sri Lanka** said that it had been proposed in a Cabinet memorandum on amendments to the Muslim Marriage and Divorce Act submitted to the Cabinet of Ministers in December 2023 that both parties to a Muslim marriage should be 18 years of age, but that a girl who had reached the age of 16 years should be allowed to marry with the consent of a *qazi*, or judge responsible for administering Muslim matrimonial law. The memorandum had also proposed: that marriages were to be solemnized and registered in order to be valid; that the marrying parties should make a declaration in the relevant form specified under the Act prior to registration of the marriage; that marriage of a Muslim woman during her *iddah* period should render the marriage invalid; that the prescribed fines for the offences covered by the Act should be increased; and that the Judicial Service Commission should be empowered to specify the qualifications of *qazis*. While the previous Cabinet had approved the proposals, it would be for the new Government to decide whether to bring them forward.

63. **A representative of Sri Lanka** said that, in order to ensure that marriages could only be entered into by persons who had reached the age of legal majority, it would be necessary to amend the personal laws prior to amending the Penal Code. It was difficult to provide timelines in relation to matters of policy, and the new Government had furthermore indicated that it needed time to consider how to proceed with ongoing processes. The Kandyan Marriage and Divorce Act had been brought into line with the General Law and amendments to the Muslim Marriage and Divorce Act were under consideration.

64. **A representative of Sri Lanka** said that the Women Parliamentarians Caucus had proposed the establishment of a multisectoral committee with a view to addressing requests from Muslim women for a minimum age for marriage to be instituted for Muslim women as it had been for other women in Sri Lanka. The Caucus was fully committed to bringing about change.

65. A proposal had been put forward for a mechanism for handling sexual harassment grievances to be established in Parliament.

66. **Ms. Akia** said that she would appreciate clarification as to whether Sri Lankan law had been amended to provide that the minimum age for marriage was 18 years for all communities in Sri Lanka, or whether child marriage was still permitted in the Muslim community.

67. **A representative of Sri Lanka** said that while, under the General Marriages Ordinance, only persons who had reached the age of majority were permitted to marry, under article 16 of the Constitution, which related to the preservation of customary laws, members of the Muslim community were exempt from that requirement. While proposals were being considered to bring the Muslim Marriage and Divorce Act, which permitted persons under the age of 18 years to marry, into line with the General Marriages Ordinance – as had been done in the case of the Kandyan Marriage Act – there were several challenges to doing so.

68. **Ms. Barriteau** said that she was encouraged that efforts were being made to harmonize the laws on marriage in Sri Lanka. She recognized the challenges that the country faced in doing so, including cultural barriers. However, those challenges must not become an insurmountable obstacle to improving conditions for Muslim women and girls.

69. **The Chair**, speaking in her capacity as a member of the Committee, said that it was worth considering the wealth of progressive scholarship on women's rights in Islam and good practices in many Muslim countries. It was possible to respect freedom of belief while not allowing some women in the country to be treated unequally with other women, let alone with men. While such a change would not happen overnight, the Committee would stand by Sri Lanka in its efforts with civil society to ensure equality.

70. **A representative of Sri Lanka** said that she wished to thank the Committee for the constructive dialogue. While significant progress had been made in strengthening gender equality and women's empowerment, her Government was fully committed to promoting the rights of its people and resolving the issues that still needed to be addressed.

*The meeting rose at 4.55 p.m.*