

# Family Policy for Sri Lanka



Formulated by the Institute for Health Policy for the Ministry of Social Services  
with the assistance of an inter-sectoral task force

December, 2010

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## ***Preamble***

The family, as the basic unit of society, performs many functions in the development and well being of its members. Families share resources, care for their members, including children and elderly, the sick, disabled and offer a nurturing environment to children in ways that no other institution can successfully provide. The Constitution of Sri Lanka states that “the State shall recognize and protect the family as the basic unit of society” and ensure “the realization by all citizens of an adequate standard of living for themselves and their families, including adequate food, clothing and housing, the continuous improvement of living conditions and the full enjoyment of leisure and social and cultural opportunities” and further notes that “the State shall ensure social security and welfare”.

2. During the past six decades, the family structure in Sri Lanka has undergone profound changes. The socio-economic improvements in the country have resulted in the reduction of family size and a significant shift to a more nuclear structure where an increasing number of married men and women work outside the home, some moving to distant places within and outside the country. These changes have brought about emerging issues, such as the shortage of care givers for children, elderly and the disabled at home, due to the imbalance in sharing of domestic work between males and females.

3. Social and economic changes in the country have transformed many aspects of daily living, including the traditional life long co-residence of parents and children as a basic means of support for the young and old. In addition, the informal protection systems provided by the family are facing threats due to these forces of change. Therefore, in order to enable the family institution to continue to fulfill its societal roles and responsibilities, it requires support and protection from the State and the community. The social protection policies and programmes, formulated and implemented in Sri Lanka over the past six decades, have no doubt contributed to improving welfare at the family level. While some social protection programmes have universal coverage, such as health and education, others are targeted programmes such as the Samurdhi Programme or in the case of the elderly, disabled persons and those affected by the armed conflict.

4. A survey undertaken by the National Institute of Social Development in 2008 as a background to the development of the Family Policy for Sri Lanka identified five categories of vulnerable families, namely a) female headed families b) families with disabled persons c) families with international migrant workers d) families with elderly members and e) low income families. The conceptual framework on family well-being developed by the Institute for Health Policy in 2009 takes into account the following concepts: health, education, employment, demography, ageing and disability, child protection and poverty which directly affect family well-being. Demographic concerns and family well-being relate to declining fertility and increasing longevity, resulting in population ageing and migration of family members for employment. These have important implications for the economic and social life of families. Similarly, health concerns that, in particular, relate to pregnant women and children, the elderly and the disabled have implications on family well-being and the society in general. Employment protection particularly for women is another area of concern. The effect of the vicious cycle of poverty and educational attainment on family life is well known. Thus the monitoring and effective implementation of economic social protection schemes that are in place are necessary to reduce vulnerabilities and uplift the disadvantaged families out of poverty.

5. Considering the resource constraints, the Family Policy aims at addressing particularly vulnerable families with special needs in the medium term. The concepts identified to meet the special economic and social needs of families are: family dissolution, disruption and intra-family violence, gender and poverty, child development and protection, adolescents and youth, disabilities and ageing, neglect and abuse of children, elderly single and widowed women, employment and poverty, migrant and displaced populations. Therefore, based on these concepts, the Goals and illustrative strategies presented in this policy document are designed to address issues that would enable families with special needs not only to cope with poverty and vulnerability but emerge out of it.

## Overall Objective

6. The overall objective of the Family Policy, therefore, is to ensure that all economic and social development policies are responsive to the diverse and changing needs and rights of families and provide the necessary support and protection, particularly to the most vulnerable families. The following twelve Goals, therefore, constitute the Family Policy for Sri Lanka in the medium term. The policy is structured on the basis of a rationale for each Goal which is accompanied by a set of illustrative strategies. The strategies for achieving the Goals will be implemented through Actions and Activities that will be designed by the respective implementing agencies in collaboration with the Ministry of Social Services.

- Goal 1: Ensure the economic and social protection of female headed families.
- Goal 2: Provide adequate health and welfare services to families with disabled persons.
- Goal 3: Provide economic and social protection to families with elderly persons.
- Goal 4: Provide social protection to families with migrant workers.
- Goal 5: Ensure economic and welfare services to pregnant women and children under five years of age.
- Goal 6: Eliminate abuse and neglect of children.
- Goal 7: Provide economic and social protection to families with adolescents and youth.
- Goal 8: Respond and eliminate gender based violence in the family.
- Goal 9: Provide economic and social protection to elderly single and widowed women in low income families.
- Goal 10: Provide economic opportunities and social protection to informal sector workers.
- Goal 11: Provide economic and social protection to displaced as well as recently settled families affected by disasters.
- Goal 12: Review and amend laws pertaining to family including the law on marriage and divorce.

# Goal 1: Ensure the economic and social protection of female headed families

## Rationale

There is evidence to believe that female headed families in Sri Lanka have been increasing during the past few decades. Household data which is an approximation to information on families show that more than 23 percent of households in the country, excluding the northern and eastern districts (except Amparai) are headed by females. It is estimated that another 90,000 households in the North and East are female headed. This is due to widowhood, divorce, separation and migration of the spouse for employment. The data show that about 64 percent of female heads were widowed, divorced or separated. Another 32 percent were functioning as heads of households due to the spouse being away from home for employment. About 4 percent were never married. Over 80 percent of female heads were more than 40 years of age. About 67 percent of female heads had received education up to the 10<sup>th</sup> Grade and another 21 percent had passed the GCE (O/L) or above. In the estate sector, 33 percent had not attended school.

Female headed families are vulnerable to poverty due to lack of access to productive resources and incomes and the decline of traditional familial support systems. In Sri Lanka, nearly 50 percent of such households are below the poverty line. Thus special attention is required by the State to ensure that female headed families have equal access to opportunity and equitable distribution of resources.

Support from the State for female headed families is limited to, income transfers through the Samurdhi Poverty Alleviation Programme and other specific programmes of the Social Services Ministry. The study undertaken by the National Institute of Social Development (NISD) indicates that many female heads encounter social, psychological and personal security problems.

## Strategies

- (a) Strengthen the skill development programme by the Ministry of Social Services and other relevant ministries to enable female heads to broaden their employment opportunities.
- (b) Provide assistance and incentives to families with have children who are at the age of enrolling into primary education.
- (c) Provide information through awareness and educational programmes to empower women in these families to protect themselves and their children from abuse and harassment.
- (d) Promote self-employment and income generation through small grant funding, micro credit and loans.
- (e) Expand and improve standards of childcare facilities and after-school programmes to assist working mothers with support from community organizations and volunteers.

- (f) Ensure better targeting of food supplement programmes to take into account the needs of female headed families.
- (g) Address the reproductive health needs of single, widowed, divorced and separated women.
- (h) Introduce changes to the laws and policies relevant to recognizing the status of female-headed households and create awareness so as to eliminate discriminatory attitudes.

## **Goal 2: Provide adequate health and welfare services to families with disabled persons**

### **Rationale**

In Sri Lanka, as in many other countries, people with disabilities are among the poorest. A survey undertaken in 2003 by the Ministry of Social Welfare revealed that 53 percent of families had incurred extra costs because of disability in their family. More than 50 percent of families also reported that the household has reduced earnings due to the same reason. The Census of Population conducted in 2001 revealed that nearly 25 percent of the disabled persons had disability in the legs. About 20 percent had disability in hearing and speaking, 19 percent in seeing and another 19 percent having mental disability. Self employment is frequently the only available option to them. The 2002 Draft National Employment Policy of the Ministry of Employment and Labour states that the Government will provide opportunities for disabled persons to improve their knowledge and skills, to enable them to secure suitable employment. Most often, when people with disabilities are employed, they are more likely to be under-employed relative to their skill level.

Malnutrition in various forms is a cause of disability as well as a contributory factor in other ailments that increase susceptibility to disabling diseases. The National Policy on Disability formulated by the Ministry of Social Welfare in 2003 noted the limitations in carrying out daily living activities due to disabilities of individuals and restrictions imposed on them by environmental factors. Women with disability are subject to greater discrimination. The employment rate of women with disability is only 8 percent compared to 22 per cent for men. Despite Sri Lanka having an extensive Non-Formal Education system, only 1 percent of those with speech disability and 5% of those with mobility disability have used the system. In Sri Lankan society many superstitions and beliefs stigmatize people with disabilities and their families. A variety of tools and equipment enable people who have disability to be more independent and promote their inclusion in society. A survey showed that only 35 percent of individuals who feel that such devices would be of use to them had such devices.

### **Strategies**

- (a) Promote self-employment and income generation through small grant funding, micro credit and loans.
- (b) Improve the quality of skill development centers for disabled persons.
- (c) Encourage quota systems with incentives to employers to employ disabled persons where ever possible.
- (d) Adopt and enforce accessibility standards for public facilities, infrastructure and transport.
- (e) Ensure the detection of childhood disabilities at an early age and put in place early childhood care and development programmes and follow-up interventions.

- (f) Include appropriate modules on “Inclusive Education” in pre-service training of primary school teachers.
- (g) Provide psychosocial support to the disabled persons and training to care givers at home.
- (h) Provide community recreation facilities to disabled persons to enable them to interact with people in the community.
- (i) Provide psychosocial support to disabled armed service personnel, ex-combatants in the armed conflict and their family members for the smooth transition from military to civilian life.
- (j) Promote the dignity and self-esteem of disabled persons by creating awareness among the civil society of the rights of disabled persons and their contribution to society.
- (k) Ensure that the identification cards to be issued to disabled persons will provide them effective access to public and social services that they are entitled to, by creating awareness among relevant authorities, and issuing relevant circulars.
- (l) Establish and improve coordination between the relevant government agencies and networking with civil society organizations and the private sector in providing services to disabled individuals.
- (m) Review and strengthen the implementation of the provisions of the Act No 28 of 1996 on Protection of the Rights of Persons with Disabilities.
- (n) Provide psychosocial support to the disabled.



# Goal 3: Provide economic and social protection to families with elderly persons

## Rationale

The positive demographic trends observed in Sri Lanka over the past four decades have created a situation where the proportion of the elderly population would be increasing at a pace where, in about two and half decades from now, the population of the country will be as old as Europe today, but, with a much lower level of income. Not only will the number of elderly persons living in families increase but they are likely to face poverty if adequate social protection measures are not put in place. This would require additional public and private outlays for old age income support and healthcare. In addition, the growing number of elderly in the family would impose greater strain on the traditional family support system. The primary care givers at the family level are mainly women who care for both children and elderly parents. As the number of elderly in the family increases the responsibility of care on primary care givers may increase significantly as many work outside the home. Thus, families taking care of elderly, over a longer period, due to increasing life expectancy at older ages, may require State and community based social care services and income support.

According to a World Bank study undertaken in 2008, the majority of Sri Lankan elderly (77%) live with their children. Nearly 40 percent live with their spouse and children and 37 percent only with their children. Those who do not co-reside with their children live either with their spouse (10%), alone (6%) or have other arrangements (4%). Elderly who live only with their children comprise the more aged, widows, and those with low levels of education. About 50 percent of the elderly receive cash assistance as a primary source of assistance. A much larger percentage (75%) receives food and in kind. However, only 13 percent receive emotional support.

There is reciprocity with regard to elderly care. The elderly too provide support to their children. About 46 percent of elderly provide childcare for their grandchildren. Nearly 80 percent believe that it is their duty to take care of their grandchildren. The elderly also provide help in kind such as house work or cooking (18%). A smaller proportion (7%), provide cash to their family members. Nearly 60 percent of the elderly report that they are the head of the household. The likelihood of being the head of household increases with employment, when they receive a pension or own a house. Thus, access to income and assets is important for the elderly to influence family decisions. Community participation of the elderly is mostly limited to death donation societies, Samurdhi and religious organizations. Their participation in activities that drive the political and social agenda is small.

## Strategies

- (a) Promote recognition of the elderly and the contribution they make to the family and society through mass media, school system, cultural and religious activities.
- (b) Expand existing skill development programmes to enable the elderly to acquire new skills to productively participate in development activities.

- (c) Promote and improve the quality of day care centers/Senior Citizen's Committees to enable the elderly to spend time with their peers.
- (d) Encourage Corporate Social Responsibility (CSR) initiatives and community organizations to support care-givers to provide home based care services for the elderly.
- (e) Ensure adequate income security and access to social services to all needy elderly citizens.
- (f) Enhance support by providing incentives for family care givers to allow them to combine work and household care.
- (g) Conduct screening clinics at the primary health care level for early identification of common health problems of elderly and for referral.
- (h) Promote healthy lifestyles in order to respond to ageing effectively through the education system and community organizations.
- (i) Facilitate accessibility to public buildings, public places and common services for the elderly so as to facilitate their use of public and other services.
- (j) Provide adequate geriatric training to field healthcare staff and establish special care units in the State Healthcare system and encourage the private sector to do so in their systems.
- (k) Educate the elderly on how to protect their rights with regard to shelter and support through counseling and social workers.
- (l) Encourage community support to elderly through neighbors and friends as a means to prevent neglect and abuse.
- (m) Monitor the quality of service delivery to the elderly in shelters and other institutions.
- (n) Create awareness, strengthen and decentralize the implementation of the provisions in the Protection of the Rights of Elders Act No. 9 of 2000 to provide necessary support to elders and prevent the neglect of the elderly.
- (o) Create awareness of the Prevention of Domestic Violence Act No. 34 of 2005 with regard to elder abuse.
- (p) Introduce a universal social pension scheme for the elderly who do not receive other pensions.

## **Goal 4: Provide social protection to families with migrant workers**

### **Rationale**

An estimated 1.6 million Sri Lankans work overseas. Their families and our country's economy depend heavily on the money they send home. The proportion of formal remittances as a percentage of total export earnings is more than 35 percent and is the second largest source of foreign exchange to the country. About 50 percent of migrant workers are female domestic workers. In addition, there are internal migrants who work in the export processing zones. Of the over 100,000 workers in these zones, 65 percent are female.

At the family level, the effectiveness of migration as a poverty reduction strategy depends largely on the quality of the job and the responsible management of family welfare and finances by the recipients. Thus, it is important that policy makers focus on creating conditions for successful outcomes through mechanisms for protecting workers from exploitation, reducing remittance costs, cost of recruitment and assisting migrants and their families to manage, save, and invest their hard-earned money.

The social costs of labour migration in terms of the adverse impact on families and children have been well documented. Major social problems arise when women engage in migrant work as a family survival strategy without support from the State or family. Foreign employment under little legal protection in the host country exposes the women workers themselves to serious exploitation, harassment, intimidation and threats. Internal migration for labour in the industrial sector also exposes women to poor living conditions and sexual exploitation and harassment. Some remain silent and suffer the mistreatment because they simply do not know their rights, others, tolerate it because their families desperately depend on their remittances. In addition, the children left behind suffer from neglect and abuse due to lack of proper child care. Studies have also shown that many migrants suffer from poor health. Therefore, there is a need to protect both international and internal migrant workers and their families from adverse social impacts.

### **Strategies**

- a) Protect children of migrant workers from exploitation and abuse and ensure that they have access to education, health care and counseling services.
- b) Encourage the setting up of community-based support systems and some State facilities that will provide care to children of migrant workers who do not have family support.
- c) Advocate for bilateral agreements to ensure that cross-border migrant workers are not subjected to exploitation and that human rights and dignity of migrants are protected in the host-country.
- d) Adopt policies and undertake measures to reduce the cost of transferring migrant remittances to Sri Lanka and cost of recruitment.

- e) Improve and create awareness of counseling services and job placement services for returning migrants.
- f) Strengthen the pre-departure awareness programmes to prospective migrant workers of the realistic employment conditions at the country of destination and increase the coverage of mandatory training for migrant recruits.
- g) Provide information and guidance to migrant workers and their families to manage, save, and invest their earnings in an effective manner.
- h) Ensure the effective enforcement of labour laws and regulations to facilitate the provision of better health, welfare and residential facilities to workers in the export processing zones in the country.
- i) Provide support to migrant workers to facilitate the use of modern communication methods such as Skype to communicate with their children and other family members.
- j) Improve health services including reproductive health to migrant workers.
- k) Create employment opportunities to address the problem of female unemployment locally, so as to give women choice with regard to migrant work.
- l) Strengthen the implementation of the provisions of Act No.56 of 2009 so that migrant workers are not exploited by illegal agents and sub-agents.

# **Goal 5: Ensure economic and welfare services to pregnant women and children under five years of age**

## **Rationale**

When investments are made wisely in children and families, the next generation will pay back through a lifetime of productivity and responsible citizenship. Poor nutrition during pregnancy and the first few months of infancy can condemn an individual to a life of poor health, including higher risks of diabetes and cardiovascular disease. Scientists believe a baby is 'programmed' for a lifetime of good or poor health from conception to the first few years of life by the type and amount of nutrition it receives. Recent studies have also shown that under-nutrition has a whole range of effects that impede not only on children's development in the short run, but also their cognitive abilities and productivity in adulthood. It has also been shown that the window of opportunity for addressing nutritional needs in ways that produce healthy, productive adults lasts from conception to age two. After that, the effects of under-nutrition are largely irreversible.

Recent scientific evidence on intelligence undertaken by the National Scientific Council on the Developing Child, Harvard University show that the basic architecture of the brain is constructed through an ongoing process that begins before birth and continues into adulthood. Developments of increasingly complex skills are built upon the skills that are formed earlier. Through this process early experiences create a foundation of life long learning, behaviour and both physical and mental health. The interactive relationships with parents and other care givers in the family shape the architecture of the developing brain in children. All aspects of adult human capital, from workforce skills to cooperative and lawful behaviour are built on capacities that are developed during childhood, beginning at birth.

In Sri Lanka, on an average 65,000 babies (17% of annual births) are under weight at birth. About 20 percent of pregnant women suffer from anaemia. The prevalence of anaemia among non-pregnant women aged 15 to 49 years is nearly 40 percent. With regard to child nutrition it is observed that 17 percent of children under 5 years of age are stunted, 15 percent are wasted and 21 percent are underweight. These percentages are higher for children whose mothers have little or no education.

## **Strategies**

- (a) Provide information and education through the media and all other sectors of the need for, adequate nutrition during pregnancy and lactation and the importance of birth spacing.
- (b) Provide economic support to pregnant women in low-income families through the State and community organizations.
- (c) Ensure that all pregnant women receive the micronutrient supplementation.
- (d) Strengthen and expand the food supplementation programmes for pregnant and lactating mothers and children under five years of age.

- (e) Provide all pregnant mothers and their spouses, parent education to create a home environment that provides positive social interaction and child development.
- (f) Strengthen the early childhood care and education programmes to pay attention to children's emotional and social needs, as well as to their mastery of literacy and cognitive skills.
- (g) Provide informal family support and formal preventive services for vulnerable children before they exhibit significant problems in behaviour or development.
- (h) Eliminate work place discrimination against pregnant women at recruitment for employment.
- (i) Encourage the establishment of workplace crèches to enable mothers to return to work.
- (j) Review current legislation and state policies governing the State and private sector on the granting of maternity leave and other benefits with a view to recommending changes that will take into account the well being of the child and the family.
- (k) Review laws and policies in order to enable adoptive families to obtain the same services and interventions as birth families.
- (l) Ensure holistic care for pregnant mothers and mothers with children under age five who are in prison.
- (m) Strengthen training programmes for paraprofessionals in maternity hospitals so as to improve the quality of care.
- (n) Encourage partnerships with NGOs and religious authorities so as to strengthen pre-marital counseling.

# Goal 6: Eliminate abuse and neglect of children

## Rationale

The term 'child' is used here to refer to children of both sexes under the age of 18 years. The definition of child abuse is contained in the convention of the Rights of the Child 1989 ratified by Sri Lanka and incorporated in the Children's Charter of Sri Lanka 1993. It is further reflected in the amendments to the Penal Code and in the National Child Protection Authority Act of 1998. There is information on child abuse and neglect in Sri Lanka, which is manifested in child cruelty, illegal child labour, child trafficking, rape, incest, homicide, abduction and abandonment which have seen an increase in recent years. The commercial sexual exploitation of children has been a major problem. Street children are another segment who are in danger of being subject to violence and abuse. At the family level, factors contributing to neglect and abuse relate to: poor monitoring and supervision of children, family dysfunction due to poverty and other factors, low emotional attachment to parents or care givers, abusive disciplinary practices, repetition of the cycle of neglect by parents who were neglected as children and lack of knowledge of good child rearing practices. Children who are neglected often have learning difficulties, low self-esteem and poor social skills.

## Strategies

- (a) Educate parents on responsible parenting and child care and fostering emotional attachment to children through parent-teacher associations, media and NGOs etc.
- (b) Strengthen and monitor the implementation of the reproductive health component in the existing health and physical education programme being implemented by Education Ministry in schools with the assistance of the Family Health Bureau and other stakeholders.
- (c) Strengthen the capacity and quality of care provided by State and Non State institutions to victims of child abuse.
- (d) Create awareness of the relevant laws and procedures on child abuse among relevant law enforcement authorities such as Judicial Medical Officers, police, and also probation and child care officers and child rights promotion officers.
- (e) Use available information on strengthening the criminal justice system to protect child abuse victims.
- (f) Provide legal, familial and institutional support to parents to protect their children from sexual abuse and harassment.
- (g) Develop therapeutic and other relevant programmes for the rehabilitation and reintegration of abused victims.
- (h) Strengthen the implementation of the provisions in the Penal Code and other relevant laws to prevent child trafficking and the neglect and abuse of children.
- (i) Strengthen and monitor the reporting mechanisms of child abuse and neglect.

- (j) Develop partnerships with relevant NGOs to provide rehabilitation programmes for victims of child abuse, as well as offenders.
- (k) Review current regulations and introduce necessary laws to maintain the anonymity of the victim when child abuse cases are reported in the media.
- (l) Implement the laws on the exploitation of street children and develop necessary programmes to prevent exploitation.



# Goal 7: Provide economic and social protection to families with adolescents and youth

## Rationale

Adolescents and youth (aged 10-24 years) constitute one of the most dynamic segments of society. In Sri Lanka they comprise nearly one fourth of the total population. Adolescence in particular, is an important phase of development in the life of young people. It is a period of change from childhood to adulthood characterized by physical, mental, emotional and social development. It is thus a period often not very well understood by both adolescents themselves, as well as by parents. This is particularly evident with regard to sexuality and reproductive health. Many adolescents are at increased risk of depression due to pressures and conflicts that arise within families, school or social organizations and personal relationships. There has been much awareness and initiatives in recent years to formulate programmes for young people, particularly in relation to reproductive health including, HIV AIDS. However, addressing the diverse needs and rights of adolescents, and providing them with “age appropriate”, friendly services remain largely unmet especially for out of school and marginalized young people. Thus, vast challenges exist in formulating and implementing appropriate, responsive and participatory programmes for young people as they need to be continually provided with updated information, education, life and negotiation skills and appropriate services.

## Strategies

- (a) Provide parents and young people evidence based knowledge on the physical, mental and psychological development that takes place during the period of adolescence through Family Health Workers, parent-teacher associations and community organizations.
- (b) Provide adequate access to age appropriate, friendly and evidence based sexual and reproductive health education, counseling and services to both school going and out of school children and children in low income families, addressing in particular, issues connected with unwanted teenage pregnancies.
- (c) Provide life skills and market oriented skill development programmes for youth and particularly young females whose unemployment rates are much higher than that of males.
- (d) Strengthen and monitor the implementation of strategies and actions proposed for adolescents in the *National Plan of Action for Children of Sri Lanka, 2010-2014*.
- (e) Provide information and evidence based knowledge to young people of the adverse health and social effects of alcohol and substance abuse.
- (f) Promote young persons' roles and responsibilities to each other, the family and society through the school system, youth clubs and community organizations.

- (g) Provide young people opportunities to interact with peers through recreational activities such as sports, music, drama, home economics etc.

## **Goal 8: Respond and eliminate gender-based violence in the family**

### **Rationale**

Gender-based violence is directed at an individual based on his or her specific gender role in the family and society. Thus it affects both males and females with women being disproportionately affected. Gender-based violence may manifest in numerous ways: physical and emotional abuse, incest, rape, torture, forced prostitution and marriage. The same acts that would be punished if directed at an employee, a neighbour or an acquaintance go unchallenged when men direct them at women within the family.

While there is sufficient information on gender-based violence to warrant concern and action, much of it hidden as well. This is due to the fact that domestic violence is trivialised and generally regarded as a 'private matter' within the family. The reasons for domestic violence in Sri Lanka are varied. A study done by the Center for Women's Research indicates that the immediate causes for violence include infidelity of both partners, alcoholism, low education, unemployment, financial difficulties, increasing economic and work-place pressures, conflict and natural disasters, disputes regarding land and congested living conditions. The underlying cause for such widespread violence and abuse within the family setting is attributed to unequal power relations between men and women in the household. In the Sri Lankan culture, victims often justify violence on the grounds that a spouse is 'entitled' to abuse a wife. Women may also accept blame attributing to them to 'destiny'. Children or lack of financial resources and family support systems deter the break away from the abusive situation. Studies have shown that domestic violence affects children directly or indirectly. Violence against mothers could lead to neglect of children with adverse effects on their education, health, nutrition and mental development. Thus, domestic violence, particularly against women, has both economic and social costs.

### **Strategies**

- (a) Promote awareness of the laws, regulations and policies that are in place to protect women against domestic violence.
- (b) Involve community organizations to create support networks for victims of domestic violence with the police, healthcare providers and counseling services.
- (c) Educate health care providers on recognizing the effects of gender based violence on women's health and how to detect, prevent abuse and assist victims.
- (d) Develop mechanisms to monitor, report and seek redress for gender based domestic violence as defined in the Domestic Violence Act of 2005.
- (e) Promote responsible caring attitudes in personal relationships in the family through the education system, media and youth organisations.
- (f) Promote equal participation of men and women in parenting and family care.

- (g) Support the creation of shelters that provide psychosocial, economic and legal support for victims of domestic violence in partnership with health services and community organisations.
- (h) Create awareness on the reality of domestic violence at the highest policy making levels, strengthen enforcement and increase resources for implementation of the Prevention of Domestic Violence Act No.34 of 2005.

## **Goal 9: Provide economic and social protection to elderly single and widowed women**

### **Rationale**

Elderly widows not only experience periods of loneliness, anguish and pain, but are also likely to face the risk of depression and physical illness. While the death of a spouse can be emotionally traumatic, many widows, particularly those from low income families are also left financially vulnerable.

The Sri Lankan elderly population over the next four decades is expected to increase rapidly. The proportion of the female elderly population will increase at a much faster rate. The female population over 70 years of age would increase by three and half times in four decades. Given the widening gap between the male and female life expectancies at older ages, there would be more females than males in those age groups. For instance, for every 100 females over 70 years of age, there are only 75 males today. This ratio is expected to decline to 60 males to every 100 females by 2050. It means that elderly widowed women in Sri Lanka will increase rapidly in the future.

With the rising educational attainment of females and increasing number of females being employed in the service sector, in recent decades it has been observed that not only females delay marriage, some continue to remain single. Between 1981 and 2001 the number of unmarried females aged 60 years and over has increased by nearly four fold in Sri Lanka.

### **Strategies**

- (a) Provide income support to elderly widowed and single women particularly those in low-income families without capacity to support themselves.
- (b) Develop programmes and policies to support families in the care of elderly widowed and single women.
- (c) Encourage women to prepare for retirement and financial stability through wise investment through awareness raising and related activities.
- (d) Encourage banks to operate contributory Widows Pension Schemes.
- (e) Review and revise the existing laws of the Widows and Orphans Pension Fund and also revise the current interest rate with a view to increasing it.
- (f) Provide support to community organizations to establish centers to provide services, such as counseling and community activities, for elderly single and widowed women.
- (g) Provide easy access to health care to elderly single and widowed women and necessary counseling; utilizing also the contribution of social workers at the community level.
- (h) Promote psycho-social support to widowed elderly women, especially in the initial period after the loss of a family member, through the State and community organizations.

# **Goal 10: Provide economic opportunities and social protection to informal sector workers**

## **Rationale**

Informal sector employment is that which is not formally regulated by law. Workers in the informal economy generally have no contracts, no fixed hours and no employment benefits such as sick pay or maternity leave. It is a source of cheap labour as no tax allowance need to be made by the employer. According to the Department of Census and Statistics, informal sector employment comprise all unpaid family workers, employees who do not have paid leave and not entitled for pension/EPF and employers and self employed workers in the informal sector. Data for Sri Lanka show that 65 percent of male and 56 percent of female workers are employed in the informal sector. It is also seen that about 35 percent of informal sector workers are in the employee category of the informal sector workers. The informal sector workers are mainly concentrated in transport, fisheries, construction, self-employment and in domestic employment. Despite the large size of the workforce, there is little or no protection for these workers. This is mainly due to the fact that legal protection for workers in Sri Lanka depends on a contract of employment.

## **Strategies**

- (a) Review, strengthen and increase coverage of the social security protection schemes available to informal sector workers.
- (b) Provide skill development opportunities to informal sector workers to enable them to move to formal sector employment.
- (c) Create awareness of the long term advantages of the State benefits such as pension schemes available to some informal sector workers covered by these schemes and monitor participation and review them.
- (d) Strengthen the implementation of legal protection to informal sector workers who are exposed to occupational hazards, including the introduction of more effective procedures.
- (e) Increase the categories covered by the Wages Boards Ordinance so as to make minimum wage applicable to a larger category of workers in the informal sector.
- (f) Amend labour laws to recognize the rights of informal sector workers for the purpose of collective bargaining.
- (g) Recognize and protect informal sector workers with special emphasis on human rights and gender equality with regard to issues, such as equal pay.

# **Goal 11: Provide economic and social protection to displaced and recently settled families affected by disasters**

## **Rationale**

Displacement of families within the country due to the armed conflict and natural disasters, such as floods and tsunami is known to have serious negative impacts on the lives and living standards of its members. The December 2004 tsunami displaced over 80, 000 families totaling almost 400,000 people. The dislocation of life and livelihood of those displaced was acute needing long term support from the State, international and local communities. The number of displacements due to the armed conflict varied from time to time according to the intensity and scale of the conflict. It was estimated that in 2002, about 730,000 persons were internally displaced. By May 2009 with the end of the armed conflict 300,000 internally displaced persons were accommodated in emergency shelters. These numbers with regard to the armed conflict are in the process of being reduced speedily through resettlement programmes.

## **Strategies**

- (a) Provide adequate protection and assistance to displaced and resettled families, addressing the special needs of women, elderly, disabled and children.
- (b) Continue to monitor the needs of displaced and resettled persons with special attention to their human rights ensuring integration into society.
- (c) Take action for the reunification of families and facilitating adoption and foster care for children where necessary.
- (d) Initiate action to speedily provide the necessary documents to persons who have lost legal documents such as national identity cards, birth and marriage certificates, deeds etc.
- (e) Give priority to the restoration of livelihoods in the recovery programmes by providing the necessary resources including cash, credit and skills training.
- (f) Provide professional psycho-social support to members of families, including children and the elderly affected by natural and man-made disasters, and strengthen professional training in this area.
- (g) Integrate mechanisms into the disaster management support systems to protect children and women from violations of their right to personal security, freedom from abuse, neglect and exploitation.
- (h) Adopt long term mechanisms to prevent and respond to displacements from conflict and natural disasters.

## **Goal 12: Review and amend laws pertaining to family including the law on marriage and divorce**

### **Rationale**

The implementation of a family policy has to be supported by laws pertaining to the family, especially in connection with the specific Goals 1 to 11 identified in the Family Policy. Sri Lanka Family Law is derived from different statutes and other sources of law. Some of these laws are based on colonial legislation that has not been revised or changed after the country gained independence. Family law reform has been recommended by many Commissions and Committees over a long period of time. However, action has not been taken yet to change these laws. Family laws should be, therefore, reviewed to harmonize with the Family Policy.

Data on marriage, divorce and separations in Sri Lanka show that the number of females who were married under age 18 in 2001 was 52,000 despite the 1995 legislation where no marriage is valid unless both parties to the marriage have completed 18 years of age. However, the provision regarding consent to the marriage of a minor has not been changed. As regards those who are divorced or separated, the numbers have more than doubled during 1981 and 2001.

### **Strategies**

- (a) Draft laws pertaining to the family and juvenile justice on the basis of the recommendations of the Law Commission and other Committees appointed by the Ministry of Justice.
- (b) Create awareness among registrars of marriage and relevant officials on the legal age of marriage.
- (c) Create a mechanism to monitor the registration of births, deaths, marriages and divorces.
- (d) Revise laws relating to inheritance and succession to property rights so as to eliminate discrimination against women and ensure that they have equal access to private property and allocations of state land or housing.
- (e) Amend the laws that discriminate against non-marital children and create public awareness on the changes.
- (f) Review and amend the relevant laws to strengthen protection against abuse of the elderly.



## Members of the Task Force and consultative process

The following Task Force comprising, members representing the relevant government agencies and non-governmental organizations was appointed by the Institute for Health Policy to formulate the Family Policy for Sri Lanka. The final draft prepared by the Task Force went through a series of reviews by the relevant government Officials in all Provincial Councils. In addition, it was also reviewed by relevant civil society organizations. The draft document was also reviewed by Secretaries of relevant government ministries. Finally, it was reviewed at a National Workshop. On the basis of the recommendations evolved through the above consultative process, the final document was prepared. The Institute for Health Policy was mandated by the Ministry of Social Services to formulate the Family Policy for Sri Lanka on July 22 2010 and to complete it by end of December 2010. The Institute of Health Policy presented the final policy document to the Ministry of Social Services on the 15<sup>th</sup> of December 2010.

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