
Let's make the increased women's representation in politics a blessing for the country

Legal Provisions available for Sri Lankan Women, involved in Political Space.

In terms of the Article 12(2), Chapter III on fundamental rights of Constitution of Sri Lanka 1978, the State is pledged to ensure that no citizen shall be discriminated against the grounds of disability, race, religion, language, caste, language, sex, political opinion, and occupation.

As per the Article 27(6) of the Constitution of Sri Lanka, the State shall ensure equality of opportunity to citizens, so that no citizen shall suffer any disability on the ground of race, religion, caste, language, sex, political opinion or occupation.

As per the Article 7(4) of the amendment to Sri Lanka Parliamentary Elections Act 58-2009, every recognized political party shall ensure the inclusion of one or more women office bearers in the list of office bearers of such party in order to guarantee better representation of women in political parties and in politics.

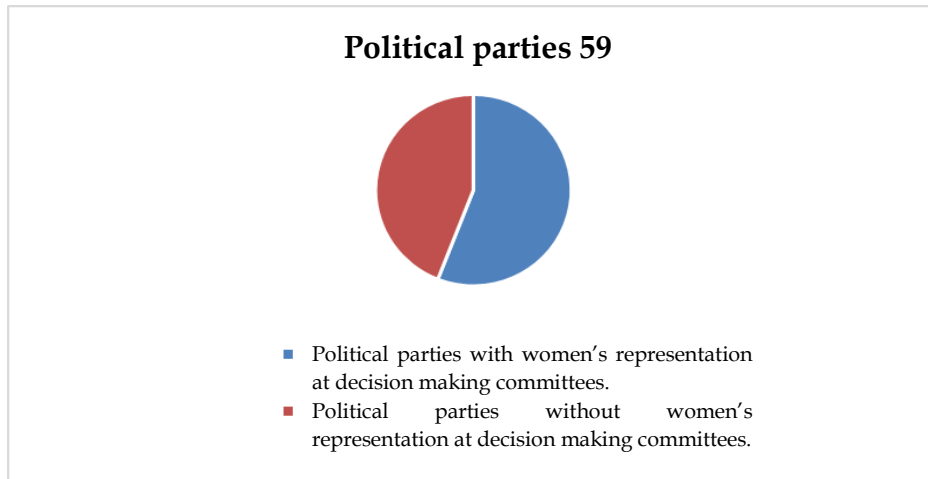
As per the instructions of the Commissioner of Elections pertain to the registration of political parties , the political parties shall ensure the inclusion of at least one women office bearers in the list of office bearers of the party.

According to the amendment to Sri Lanka Local Government Elections **Act No.16 of 2017**, women's representation of any local authority shall be guaranteed to be not less than twenty five percent (25%) of the total number of Councilors. (The nomination papers submitted shall include 10% female candidates by ward level and 50% by the list of proportionate representation.)

According to the amendment to Sri Lanka Local Government Elections **Act No.17 of 2017**, women's representation of any local authority shall be guaranteed to be not less than twenty five percent (25%) of the total number of Councilors. (The nomination papers submitted shall include 17% female candidates by ward level and 50% by the list of proportionate representation.)

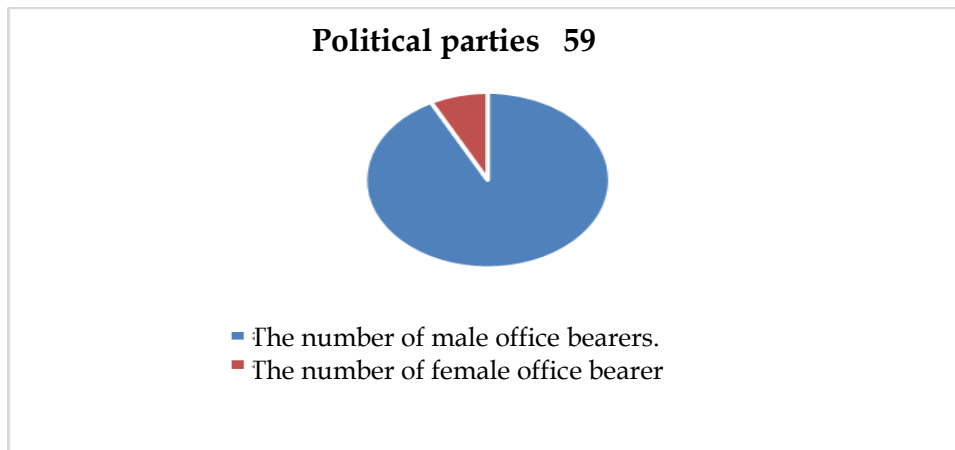
Women's Representation- Legal Status Vs Practice

1. There is no women's representation at all, at decision making levels of 26 of 59 registered political parties in Sri Lanka.

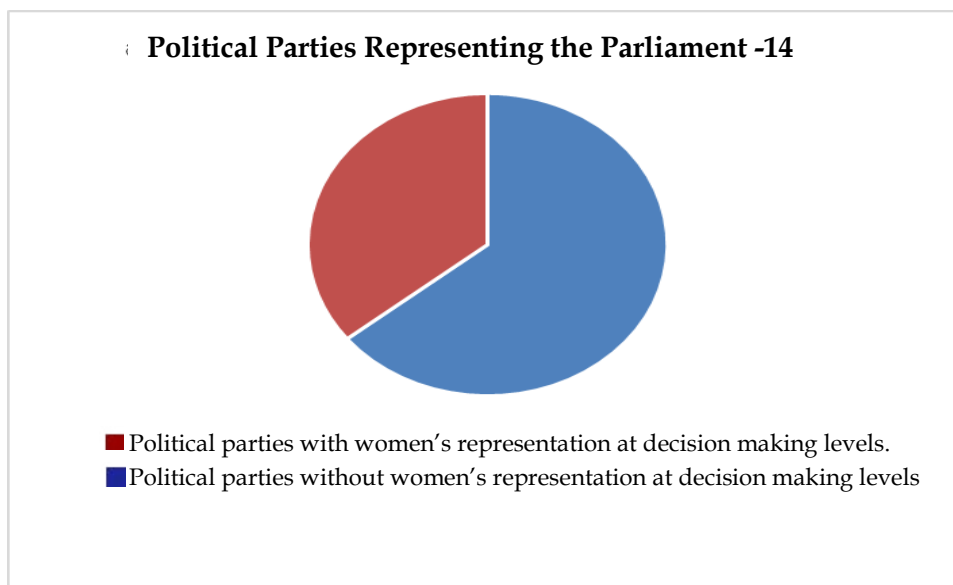


The above chart reflects that 26 Political parties had disregarded the law.

2. There are only 46 women in the aggregate list of 602 office bearers in 59 registered political parties. This indicates that the women's representation is only 8%.



3. As per the data available for 2015, five (5) political parties out of 14 that represent the Parliament do not have a single female member in their decision making committees. This reflects that 36% of political parties representing the Parliament had disregarded the law that governs the registration of political parties.



As per No 16 of the Act 2017, “women’s representation in local authorities shall be guaranteed at 25%”. But, as per the results of the local government election held on 10 February 2018,

1. Not a single female Councilor had been elected in respect of two local authorities i.e. Manmunai Pattu Pradeshiya Sabah of Batticaloa District and Kinya Municipal Council of Trincomali District
2. 16 local authorities had failed to ensure 25% women’s representation. The list of Local Councils in which women’s representation target was not achieved is given in the last page.
3. Of the 10% nominations submitted by women candidates by wards level, 535 have been elected. It exceeds 10% share (10.5%) of the overall number of Councilors elected i.e. 5092.
4. The number of Female Councilors elected under the proportional representation is 1384.
5. The total number of Female councilors elected was 1919. It amounts to 23% of the total number of 8325 members (without overhang seats). When the overhang number is added, the percentage share will rise up to 22.08%. This can be reckoned to be a good sign.

Challenges, the Female Candidates had to encounter at the last Local Government Election.

The challenges, the female candidates encountered at the last local government election can be classified into three phases. as follows.

1. During nomination time
2. During election time
3. During post election time (when selecting councilors for the list of proportional representation)

The Challenges encountered during nomination time

- There was no proper system of selecting candidates.
- There were incidents in which some unsuspecting candidates had fallen victims to deceptive practices.
- Incidents of soliciting sexual bribes as a condition for granting nominations.
- Lack of financial strength.
- Lack of direct contacts with the chief organizers of the electorate and the unlimited power enjoyed by them.
- Obstructions caused by certain religious circles.
- Obstructions posed by family circles in obtaining nominations.
- Cultural hindrances.

Challenges encountered during election time

1. Incidents of sexual harassments
2. Incidents of election violence.
3. Incidents of character assassination.
4. Incidents of being reproached by certain religious leaders and development of a social opinion that the women shall not engage in active politics.
5. Difficulties encountered in propaganda activities during night.

Challenges faced during Post election time

1. Absence of a proper system or criteria of selecting female candidates from the proportional representation list, resulting competent women being eliminated from selection.
2. Selection of Councilors, almost 100%, at the sole discretion of electoral organizers of respective political parties.
3. Demanding sexual bribes for enrolment of names in the list of proportional representation.

A long term action plan should be introduced to overcome and minimize these problems at future elections.

Was it due to Women's Representation that the total number of Councilors has gone up in Local Authorities?

There is a widespread opinion that the women's representation had caused a significant increase in the number of Councilors in Local Authorities. It is absolutely a wrong opinion. Not a single Councilor was added to Local Government Councils on account of the introduction of mandatory women's representation. It is a myth.

What had caused the increase in the number of Councilors in Local Authorities?

The increase in the number of Councilors had been based on a policy decision reached by the Political Parties and the Legislature. In enacting the Local Authorities Elections (Amendment) Act, No. 22 of 2012, one major concern of all political parties had been to introduce a methodology to ensure that after the amendment was implemented, they could still maintain the number of Councilors they had in each local authority at the time of passing the bill. Accordingly, the number of wards in respect of each Local Authority was decided to ensure that the number of seats owned by respective political parties would not suffer a reduction under the new system and the number of seats held by them prior to the amendment should remain unchanged. Accordingly, a mixed system of proportional representation based on the ratio of 70:30 was introduced. This means that 70% of the total number of Councilors was to be elected by ward level and 30% by the system of proportional representation. (2012 No 22) Consequently, there was a 35% increase at the first stage itself.

At the second amendment (2016-1), an additional quota of 25% was introduced for women's representation. This caused an increase of 25% of the number of Councilors.

At the third amendment (2016-16), the ratio of 70%-30% was altered as 60%-40%. Accordingly, there was a 10% increase in the number elected on ward basis and 10% on the number elected on proportional representation, resulting an overall increase of 20% in the number of Councilors. Also, through this amendment, the separate quota of 25% allocated for women's representation was incorporated into ward level nomination list and also the list of proportional representation. Moreover, the women's quota was integrated into the main stream, allocating 10% to be contested on the ward level list and 50% to be selected from the list of proportional representation. This resulted in the elimination of the additional quota of 25% which was there at the second stage and complete removal of the additional increase caused by the system of women's representation.

1. The total number of Councilors appointed as per the system of election prevailed prior to 2012 was 4485.

2. Following the first amendment (70%-30%) this number increased to 6263.
3. Following the second amendment i.e. after granting a quota of 25% for women's representation, the total number of Councilors - 7829
4. At the third amendment the 70%-30% ratio was changed to be 60%-40% and the 25% women's quota was integrated into it. This resulted in reducing the 25% increase made at the second amendment. However, as the system of election was changed by altering the ratio as 60-40, there has been a slight increase in the number of Councilors.

This explains that the increase in the number of Councilors owing to the introduction of 25% women's quota by the second amendment had been completely eliminated by the third amendment and the total number of Councilors reached par with the number that remained after the second amendment. Thus, it is evident that the 25% women's representation has not caused any increase in the total number of Councilors.

Has the number of Councilors increased due to the introduction of women's representation into the system of Provincial Council elections?

A new system has been introduced for Provincial Council elections as well. It is also a mixed system including proportional representation. The ratio is 50-50. This means that 50% will be selected by ward level and 50% by the system of proportional representation. But, the number of Councilors entitled for each party, will be decided on the system of proportional representation. The women's representation in Provincial Councils will be based on the same system that has been adopted in the case of Local government elections. Accordingly,

1. The territorial list should have 17% female candidates.
2. The proportional representation list should have 50 % female candidates.
3. At the conclusion of the election, the Election Commission must ensure the 25% representation by women.

Here, the 3:1 ratio applicable to local government elections has been removed and the quota of 25% will be distributed proportionately among the political parties which had secured 20% or more votes.

But, the chances are more for women's representation to be distributed between the two major political parties. The minor parties, unless contest and secure seats/Councillorships, will find the opportunities limited for them to secure seats through proportional representation.

It must be stressed that the inclusion of women's representation in the Provincial Council system will not cause any increase in the number of Councilors.

Is the mandatory women's representation, a challenge or a blessing for political parties?

It seems that the 25% women's quota introduced with the system of Local Government Elections has become a challenge and a nuisance for some political parties. On the contrary, some political parties have satisfactorily adapted to this new requirement. In view of the general resistance for change, adaptation to a new system and withdrawal from an existing system which had been in operation for a long time is equally difficult.

When the women's quota was implemented for the first time, it might have posed a challenge for the political parties. This is because there was no strong mechanism in political parties to promote women's representation at local level. But this situation can be expected to be only a temporary drawback that will change at the next election. It might be a great blessing for political parties interested in extending opportunities for women's representation. The local and provincial leadership of political parties will certainly be strengthened by the increase in women's representation, particularly in a country where 52% voters are women. When more and more women begin to serve as people's representatives in local authorities and political and administrative powers are passed on to them, it is natural that women at village level will tend to rally round them irrespective of political differences. If a strong women's front is built within the political parties, it will certainly serve as an extra force making an active contribution to the parties concerned at their election campaigns.

What should be done to increase women's representation in realistic politics?

It is important that short term and long term measures be taken at grass root level to increase women's representation in politics. The local government institutions have already received a 25% quota of women's representation. As per the election results, except for 5% of local authorities, all the other LAs have achieved the stipulated level of women's representation. The organizers who take the lead in improving the women's representation should focus their immediate attention on how to make the best use of the representation already achieved. Before the end of the four year term, it is incumbent upon the female Councilors to make a significant change in the local government sphere despite whatever obstacle that may come on their way. If they fail to make a positive, tangible and conspicuous impact, it is most likely that they might lose the opportunity in the future.

Short term measures to be adopted to build a strong women's leadership.

1. Improvement of the subject knowledge of the Councilors

It is of no use at this point to talk about the inadequacies of quality, the knowledge and the political background of the Councilors appointed following the recent local government election. What is needed now is to enrich their subject knowledge urgently, strengthen their capacity and equip them with strategic orientation so that they could perform their responsibilities with confidence. In this case, the books and pamphlets on local government administration i.e. the official role of LAs, financial control, tender procedures, committee system, formulation of by-laws, local government rule must be printed in simple language and distributed among the Councilors enabling them to be familiar with the subject and gain a practical knowledge needed for their service.

2. Personality development programs

The majority of Councilors elected do not possess previous experience in politics. As they have been introduced to politics by the organizers of the respective political parties, they are not in a position to make independent decisions of their own. As the electoral organizers often tend to act contravening the policies of their political parties, it is important that the personality of the new Councilors be strengthened enabling them to face this situation with confidence. It is also important that they are made aware as to how they should respond to national level political fluctuations.

3. Public relations and charismatic leadership

An ongoing training program must be introduced for this. They should be given a practical training on how to strike a balance between the relationship they maintain with the voters who elected them and the national level politics.

4. Bring forth the inborn talents of women

A program aimed at bringing forth inborn talents of women and enhancing their leadership qualities should be implemented. Especially, the manner in which their inborn talents and qualities are applied for fulfillment of the role of local authorities is very important.

5. Strategic Orientation

In the existing political culture, the strategic orientation is more important than offering traditional training programs. For this, a specific program must be introduced to equip them with emergent strategic orientation of Local Administration. This is to be conducted on regular basis by professional experts in business field and other relevant spheres, who are having specialist knowledge in their respective fields of expertise.

6. Setting up of the Forums of Women Councilors at District and National level

These Forums can be of two types. It is important that they are set up on the basis of political parties as well as independent committees without political bias. These Forums can help develop their leadership qualities, exchange knowledge, give wide expression to women's voice fusing them into a unified force, and appear on behalf of the female Councilors in resolving their issues.

7. Use of media

By now, media is making a considerable impact both in making and ruining politicians throughout the world. Sri Lanka is not an exception. Therefore, the new Councilors must be educated comprehensively on the use of media and technology. There must be a regular, practical program to educate them on how they should deal with the local media persons.

Networking of women's organizations and work according to a Common plan

There are many women's political organizations in operation at present. But, there is no proper coordination among them. Different organizations offer training programs of same type and to the same group over and over again. The knowledge they impart this way is not complete and wholesome. Therefore, it is necessary that the training will be based on a common agenda. At this moment, at least there should be a coordinating body to share and exchange information among women's political organizations.

Program for sharing experiences

By the time the quota system was introduced, there was already a 2% women's representation in the local government administration. There should be a program to share their experience with the newly elected Councilors. Besides this, a similar program is needed to share the successful experiences of the new Councilors as well.

A Follow-up system

A system of follow up should be adopted to identify the challenges faced by Female Councilors and remedy them at least once in six months.

A System of Performance Assessment

A methodology to assess the performance of the Female Councilors should be initiated at national level. A National Organization or the Ministry of Women's Affairs may take the leadership in this. This will invariably pave the way for women to enter the arena of national politics.

A Newspaper for Women's Voice

Publication of a Women's Newspaper will help yielding beneficial results in promoting active involvement of Female Councilors, communicating and sharing their experiences.

Strengthening their Family Units

A program must be initiated to strengthen the family units of Women Councilors selected for representing the Local Authorities, economically.

Management of Political life and the Personal Life

It is important that an advisory committee is appointed to provide counseling to newly elected Female Councilors on how they should manage their political life and personal life. Social scientists and stress management councilors can be appointed to this advisory committee.

Training for family members

Separate workshops should be held for the family members of female Councilors, particularly aimed at their husbands.

Long Term Proposals to Promote Women's Contribution to Advancement of Politics.

Legal Amendments

1. The Elections Commission should be compelled to exercise the Law strictly when political parties are registered. This will help to get, at least one female office bearer appointed to the decision making arms of the political parties.
2. The political parties should be compelled to include 30% women in their decision making structures. Also the legislature should be compelled to bring necessary amendments to the Law governing the registration of political parties, making this requirement a minimum condition.
3. Legal provision must be introduced making it mandatory for all political parties to have a political structure consists of women's within the party.
4. In order to encourage women to contest elections, an amendment to the elections law should be brought in so that the election commission will be empowered to reimburse a certain percentage of election expenses incurred, at least for the winning candidates. (Canada)

5. The Ministry of Women's Affairs must take the lead in formulating a national program of action to promote women's participation. The funds needed for this must be allocated from the annual budget. (L. Salvadorai)
6. The law should be amended to exempt female candidates from paying the prescribed election deposit in order to encourage them to contest in elections.
7. The laws should be enacted making it compulsory that one third of the nominees to the national list shall be women.
8. A separate electoral ward system or a system that is changed from one election to the other must be introduced for women's representation.

Social backing to promote women's representation

1. Implementation of specific programs aimed at husbands, children and family members of women who intend to engage in active politics.
2. A research unit must be founded to provide necessary guidance to promote Women's Politics. Funds needed for this must be allocated from the annual budget.
3. Building a positive social opinion about the wholesome changes that can be effected in political culture through women's intervention in active politics.
4. Implementation of a program of support by the government to grant financial assistance to women who get actively involved in politics.
5. Induce media institutions to invite female political leaders for political debates and open more space for them to air their views.
6. To provide basic facilities within the institution structure itself, for women who get elected to Parliament, Provincial Council and Local Authorities. For instance, provision of an appropriate place for feeding their children can be cited.
7. Compel all political parties to amend their party constitution making it mandatory that the President and the Secretary of the Women's Association of political parties at national level are made ex- officio members of the apex decision making body of the party.

List of Local Authorities where women's representation of 25% cannot be fulfilled

SN	Local Authority	Female Councilors	
		Number Entitled	Actual Number
1	Kalutara MC	05	04
2	Kotagala MC	04	03
3	Point Pedro PS	05	04
4	Mannar PS	05	04
5	Musali PS	04	03
6	Trincomali MC	05	02
7	Verugal PS	03	01
8	Kinya MC	03	00
9	Trincomali Town and Gravets	05	04
10	Thambalagamuva	04	01
11	Muttur	05	03
12	Vanathavilluva PS	04	03
13	Karaithiv PS	03	01
14	Padiyatalawa	05	03
15	Thirukkovil PS	04	02
16	Manmunai Pattu PS	04	00

Source: Elections Commission, Sri Lanka

" this paper was developed on the request of Search for Common Ground for the Women Parliamentarians' Caucus "

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