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**Globalization, employment and gender in the open
economy of Sri Lanka**

Naoko Otobe

Employment
Policy
Department

Country
Employment
Policy Unit

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Preface

The primary goal of the ILO is to contribute, with member States, to achieve full and productive employment and decent work for all, including women and young people, a goal embedded in the ILO Declaration 2008 on *Social Justice for a Fair Globalization*,¹ and which has now been widely adopted by the international community. The integrated approach to do this was further reaffirmed by the 2010 Resolution concerning the recurrent discussion on employment².

In order to support member States and the social partners to reach this goal, the ILO pursues a Decent Work Agenda which comprises four interrelated areas: Respect for fundamental worker's rights and international labour standards, employment promotion, social protection and social dialogue. Explanations and elaborations of this integrated approach and related challenges are contained in a number of key documents: in those explaining the concept of decent work,³ in the Employment Policy Convention, 1964 (No. 122), in the Global Employment Agenda and, as applied to crisis response, in the Global Jobs Pact adopted by the 2009 ILC in the aftermath of the 2008 global economic crisis.

The Employment Sector is fully engaged in supporting countries placing employment at the centre of their economic and social policies, using these complementary frameworks, and is doing so through a large range of technical support and capacity building activities, policy advisory services and policy research. As part of its research and publications programme, the Employment Sector promotes knowledge-generation around key policy issues and topics conforming to the core elements of the Global Employment Agenda and the Decent Work Agenda. The Sector's publications consist of books, monographs, working papers, employment reports and policy briefs.⁴

The *Employment Working Papers* series is designed to disseminate the main findings of research initiatives undertaken by the various departments and programmes of the Sector. The working papers are intended to encourage exchange of ideas and to stimulate debate. The views expressed are the responsibility of the author(s) and do not necessarily represent those of the ILO.



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¹ See http://www.ilo.org/public/english/bureau/dgo/download/dg_announce_en.pdf.

² See http://www.ilo.org/ilc/ILCSessions/99thSession/texts/WCMS_143164/lang--en/index.htm.

³ See the successive Reports of the Director-General to the International Labour Conference: *Decent work* (1999); *Reducing the decent work deficit: A global challenge* (2001); *Working out of poverty* (2003).

⁴ See <http://www.ilo.org/employment>.

Foreword

Across the world, despite their increasingly important economic role, women remain more at disadvantage in the labour market than men, and the situation in Sri Lanka is no exception. This paper on *Globalization, employment and gender in the open economy of Sri Lanka* analyzes the gender dimensions of employment patterns in the open economy of Sri Lanka in the context of globalization.

While recognizing women's relatively low labour force participation rate and high unemployment rate, the paper focuses on women's contribution to the economy, and how they have been drawn into such foreign exchange earning sectors as export-oriented manufacturing and agriculture, as well as foreign employment. The paper also notes the dichotomy of women's employment. On the one hand some well-educated Sinhalese women have made successful inroads into better paid and more formal employment, particularly, in the public sector. On the other hand, less educated and low-skilled women are engaged in export-oriented labour intensive manufacturing, plantation agriculture and domestic work abroad, working under poor and arduous working conditions. Women accordingly make a substantial contribution to the foreign exchange and economy.

The Sri Lankan government adopted a National Human Resources and Employment Policy (NREP) in 2012, which has integrated gender concerns and specific measures. We hope the findings of this paper will contribute to further stimulating future research, policy debate, and to the implementation of NHREP, promoting decent and productive employment and income equally for both women and men, in the open economy of Sri Lanka.

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Abstract

The open economy of Sri Lanka is heavily dependent on women's work for earning foreign exchange and economic growth. Hundreds and thousands of women are employed in such foreign exchange earning economic sectors as export manufacturing and agriculture, and migration, but often in poor working conditions and with low pay. Despite overall progress made in improving the status of women, promoting women's rights, and accordingly advancing in the overall gender equality, substantial gender gaps persist both in terms of quantity and quality of employment in Sri Lanka. Gender combined with ethnicity and caste still influence the quality and quantity of employment that women and men are engaged in the country.

This paper analyzes the recent economic and employment trends with a specific gender perspective in the context of open economy of Sri Lanka, particularly on linkages between the openness of the economy and women's work and key issues of women workers in vulnerable categories of employment. A gender review of legislation, policies and development plans is undertaken. The paper also provides a snap shot on gender dimensions of the technical cooperation projects supported by the ILO.

Key words: equal employment opportunity, gender, promotion of employment, employment policy, women workers, men workers, globalization, Sri Lanka

JEL Codes: B54, J60, J61, J7, R28

1. Introduction

In the open economy of Sri Lanka, women make a substantial contribution to the exports, foreign reserve earnings and the overall economy. They form a large majority of workers in key export sectors, such as textile and clothing, tea, as well as in foreign employment. However, most of the women in these sectors work in occupations and employment that are characterized by low wages, and arduous, difficult and poor working conditions. Only a minority of women who are highly educated have made inroads into better quality employment, particularly in the public sector.

Despite overall progress made in improving the status of women, promoting women's rights and access to education, accordingly advancing in the overall gender equality, substantial gender gaps persist both in terms of quantity and quality of employment in Sri Lanka. Gender combined with ethnicity and caste still influence the quality and quantity of employment that women and men are engaged in⁵, and recruitment often happens through the patronage and connections along political, ethnic and other social lines.

The 2008 global economic crisis caused substantial number of retrenchments in light manufacturing, construction and services sectors. More men lost jobs than women in Sri Lanka in the immediate aftermath of the economic crisis, but the clothing and textile sector – an important export sector, was also hard hit, where a large majority of workers were women. After the economic deceleration between 2008 and 2009, however, the country saw a quick economic recovery. Thanks to the peace dividend from the end of the internal conflict, economic growth rate bounced back to over 8 per cent between 2010 and 2011. While the overall unemployment rates have been declining over the last 10 years, youth unemployment rate, in particular for women has remained stubbornly very high. At the same time, hundreds and thousands of workers depart to work abroad, largely in the Gulf countries and the Middle East, contributing a huge amount of remittances to the foreign exchange and to the economy as a whole. During the last decade almost one and half times as many women as men departed abroad to work, being mostly engaged in domestic work, and often subjected to harsh working conditions, or even physical abuse and sexual violence⁶.

Using the published data and available literature, this paper will analyze the overall economic and employment trends during the last decade with a specific gender perspective in the context of the open economy of Sri Lanka, highlighting gendered patterns of employment and women's major contributions to the economy. After the introduction, Section Two will analyze the policy trajectory and overall economic trends, including the trends in trade. Section Three will analyze the gender dimensions of employment trends, including the impact of 2008 global economic crisis, analyzing sectoral changes of employment. Section Four will analyze the specific situation of women in vulnerable categories of work, such as in foreign employment, the EPZs, the estate sector, as well as in North and East regions. Section five will review legislative frameworks on equal rights, gender dimensions of policies and development plans, and provides examples of gender dimensions of programmes for promoting decent and productive employment. Finally, the paper will end with conclusions.

⁵ See, for example Das B. M. *Jobs for Tamils and Sinhalese in Sri Lanka: what education got to do with it?* (World Bank, 2005).

⁶ Various abusive cases, including deaths are reported and recorded by the Sri Lankan Bureau of Foreign Employment.

2. Policy and economic trends

2.1 Policy trajectory of opening the economy

The Sri Lankan economy, which has been undergoing a long period of economic reforms and market liberalization, has experienced volatile macroeconomic environment and the economy underperformed during the last decades. Since embarking on economic reforms in the late 1970s, the country further undertook a series of reforms in the early 1990s. Accordingly, the country dismantled various barriers to market economy and shifted its approach to economic development. As analyzed by Weerakon and Arunatilake, the subsequent decades witnessed unbalanced economic growth and increasing income and geographical inequality. This trend was also further complicated by prolonged internal conflicts in North and East regions. Both external factors and internal instability hence have hampered the country's efforts to sustain policy and political stability which would be needed for sustained economic development (ILO 2011).

While the Sri Lankan economy endured less than successful macroeconomic and political stability and increasing income inequality during the early 2000s, by mid-2000, the new government, which took power in 2004, introduced a policy framework emphasizing on building a strong 'national' economy, and shifted its development focus to rural economy, agriculture, and small and medium enterprises (SMEs), as measures to achieve 'growth with equity' - the vision of the government. In this policy framework privatization of public enterprises was excluded from the development agenda (*ibid*).

As of 2005, the country continued to experience the internal conflict affecting the overall investment climate in the country and increasing oil prices. The economy tended to overheat, due to the expansionary fiscal policies, which were also supported by accommodative monetary policy. In terms of exchange rate policy, Sri Lanka has undertaken 'managed float' approach – but in line with other macroeconomic parameters, and the nominal exchange rate has shown a high degree of volatility over the past decade. More recently, the 2008 global economic crisis also had a negative impact on the economy – leading to IMF's Balance-of-Payment (BOP) support under a Stand-By Arrangement in February, 2009. Given the high rate of economic dependency on trade (60 per cent of the GDP), the economy is also clearly vulnerable to external shocks (*ibid*).

As for the trade regimes, though Sri Lanka is considered the most open for trade in South Asia, some tariffs are maintained to protect agricultural production – with highest import tariffs. In agriculture, Sri Lanka is a net food importing country. In terms of trading partners for imports, India overtook Japan as the main import source in 1995, which already was the case before the Indo-Sri Lanka Bilateral Free Trade Agreement was signed. Sri Lanka imports more from other developing countries than from the advanced industrialized countries (Kelegama 2009).

Regarding the terms of exports, Sri Lankan exports have benefitted from a number of preferential treatments, such as South Asia Preferential Trade Arrangement (SAPTA), Bangkok Agreement (BA), Global System of Trade Preferences (GSTP), etc. Sri Lanka has had four levels of trade agreements; unilateral, bilateral, regional and multilateral. The unilateral track was slowly abandoned with the World Bank and IMF having less influence on the country's development plans and financing. The tariff structure which had 3 bands at the end of 2003 is now raised to five bands, in the defense of protecting the development of domestic capabilities, in particular, for the promotion of small and medium industries and rural development. As for

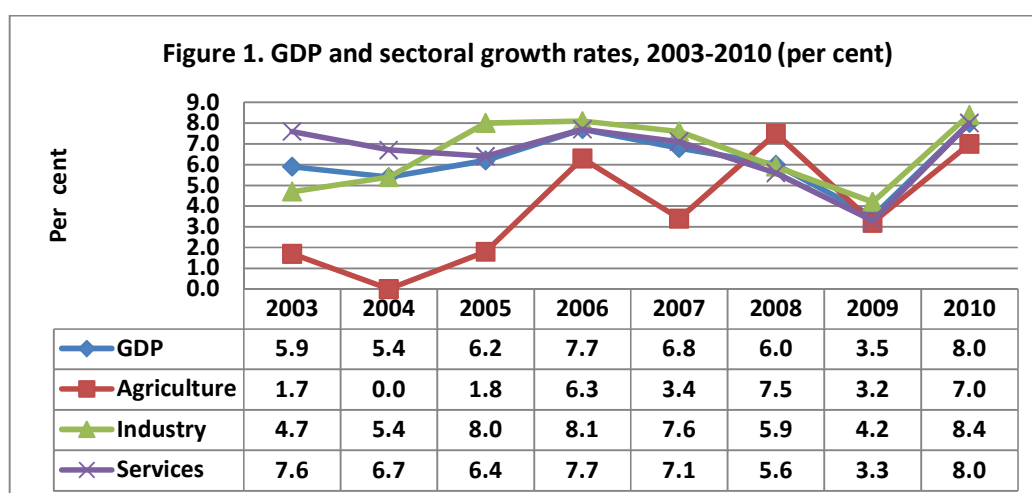
the bilateral track, in the context of Bangkok Agreement⁷, since China's entry, in 2000, the country has increasingly become an important trade and investment partner for Sri Lanka. Sri Lanka is also part of Indian Ocean Rim Regional Cooperation (IRO-ARC), consisting of 19 mostly developing countries situated on the rim of Indian Ocean – from Africa, Gulf Countries to South Asia, as well as South Asian Preferential Trade Agreement (SAPTA). Nonetheless, neither of these trade frameworks seems to have substantial impacts on trade for Sri Lanka with the rest of the South Asian countries (*ibid.*).

Furthermore, Sri Lanka exports substantially to EU and U.S.A. markets. Sri Lanka no longer benefits from any GSP with the EU⁸ but does with the U.S.A. In February, 2004, and mid-2005, EU further lessened trade barriers for Sri Lankan exports, but this has not been fully utilized, due to its restrictions on the rules of origin.

2.2 GDP and sectoral growth

Against the backdrop of the above policy trajectory in the economic liberalization, Sri Lanka has seen above 5 per cent GDP growth rates in the 2000s, despite continued insecurity concerns due to internal conflict and lackluster macroeconomic performance during those years. The 2008 global economic crisis had substantial impacts on both economy and employment. After having seen a deceleration of economic growth between 2008 and 2009, with the growth rate declining from 6.0 per cent in 2008 to 3.5 per cent in 2009, the Sri Lankan economy bounced back with a respectable economic growth rate of above 8 per cent in 2010-2011. All sectors decelerated between 2008 and 2009, and the year recorded far lower growth rates for all the economic sectors. The end of the long-term internal conflict in May, 2009, however improved the overall economic climate in 2010, as all sectors saw higher growth rates: 7.0 per cent for agriculture, 8.0 per cent for services, and 8.4 per cent for manufacturing sector (Figure 1).

Looking at the overall structure of the economy of the last decade, the country has seen slow economic transformation during the last decade. As the share of agriculture declined from 19.7 per cent in 2000 to 11.9 per cent in 2010, the economy had been driven by the growth of



Source: Department of Census and Statistics, government of Sri Lanka (2010)

⁷ Bangkok Agreement has South Korea, India, Bangladesh, China, Laos and Sri Lanka as trade partners.

⁸ The EU withdrew the GPS+ benefits for Sri Lanka in mid-2010.

services and industrial sectors, but the structural transformation had been rather slow in Sri Lanka. The shares of services and manufacturing sector slightly increased respectively from 54.6 per cent to 59.3 per cent and from 25.7 per cent to 28.7 per cent between 2000 and 2010. Furthermore, it is noted that the sectoral structure of employment only marginally changed during the same period, indicating that more than one third of labour force remained in agriculture in 2010, while only a small percentage shifted to services, which stood at 42.9 per cent of total employment in 2010. The share of manufacturing in total employment slightly increased from 25.7 per cent in 2000 to 28.7 per cent in 2010 (Table 1).

Table 1: Sectoral output and employment, 2000, 2010 (per cent)

	2000			2010		
	Growth ^a	Share of GDP	Share of Employment ^c	Growth ^b	Share of GDP	Share of Employment ^c
GDP	4.0			8.0		
Agriculture	0.5	19.7	36.0	7.0	11.9	32.5
Industry	3.3	25.7	23.7	8.4	28.7	24.6
Services	5.4	54.6	40.3	8.0	59.3	42.9

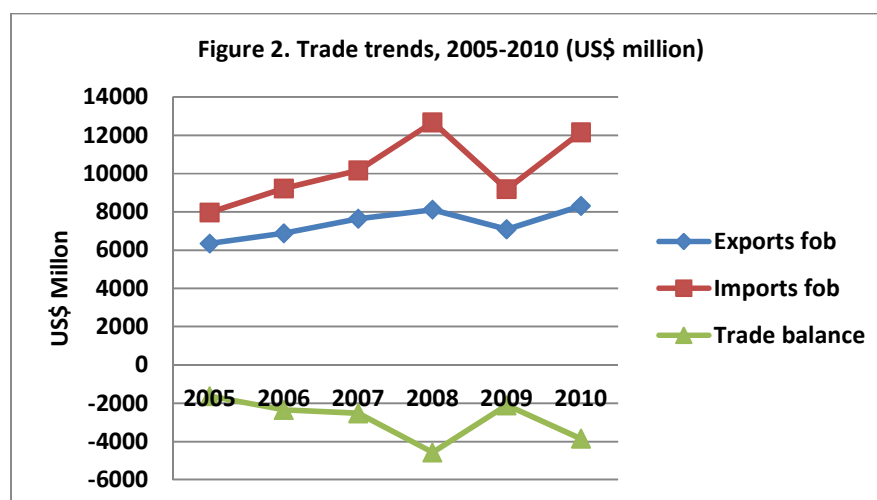
Notes: a: Annual average for 2000-04; b: Annual average for 2005-10; c: Employment data excludes Northern and Eastern Provinces.

Source: Central Bank of Sri Lanka, *Annual Report*, various issues.

2.3 Trends in trade

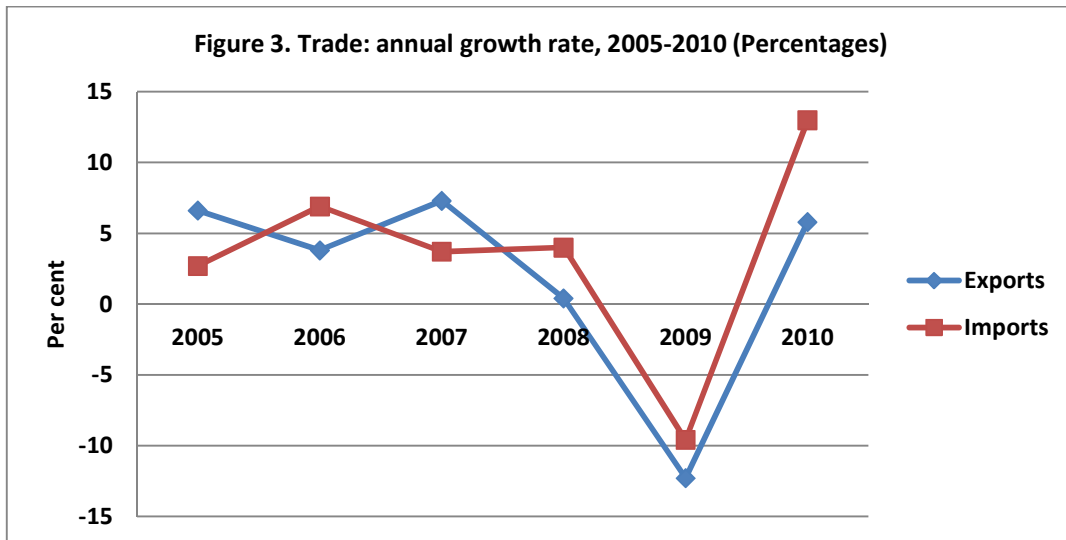
The overall trade patterns have been driven by some key export sectors - such as commercial agriculture (tea, rubber and copra), and more substantially by textile and clothing exports, which are mostly exported to EU and the U.S.A. The 2008 global economic crisis impacted negatively on trade, and both exports and imports declined drastically by 12.3 per cent and 9.6 per cent respectively in 2009, leading to deterioration of trade balance (Figure 2 and 3).

In terms of key sectoral distribution of exports, the value of manufacturing exports has been on the decline since 2007, whereas the agricultural sector has been gaining ground during the last 5 years. Looking at the trends in exports of the textile and clothing (T&C) sector, where

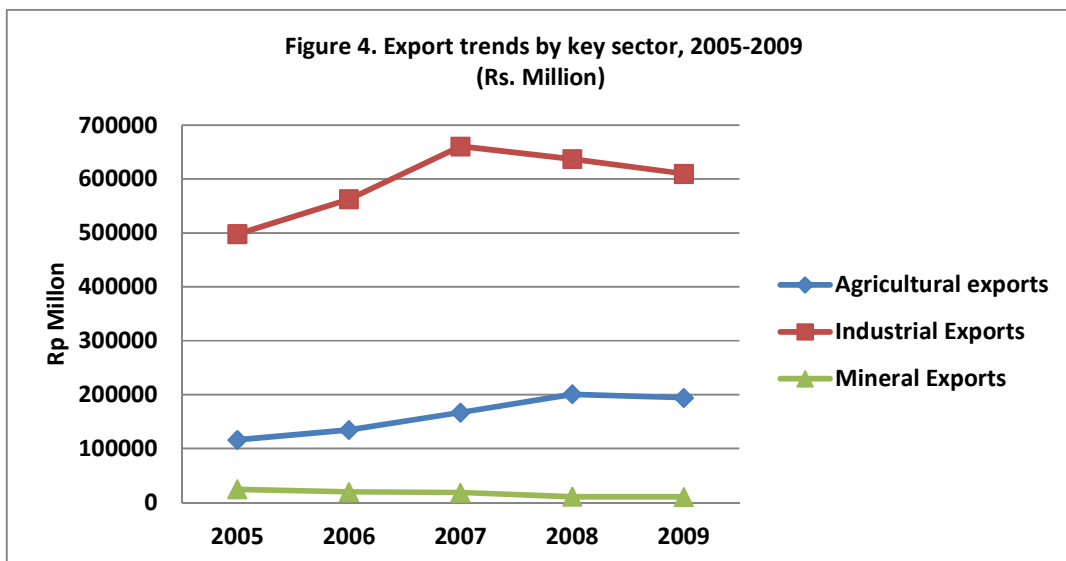


(Source: Economic and Social Statistics of Sri Lanka)

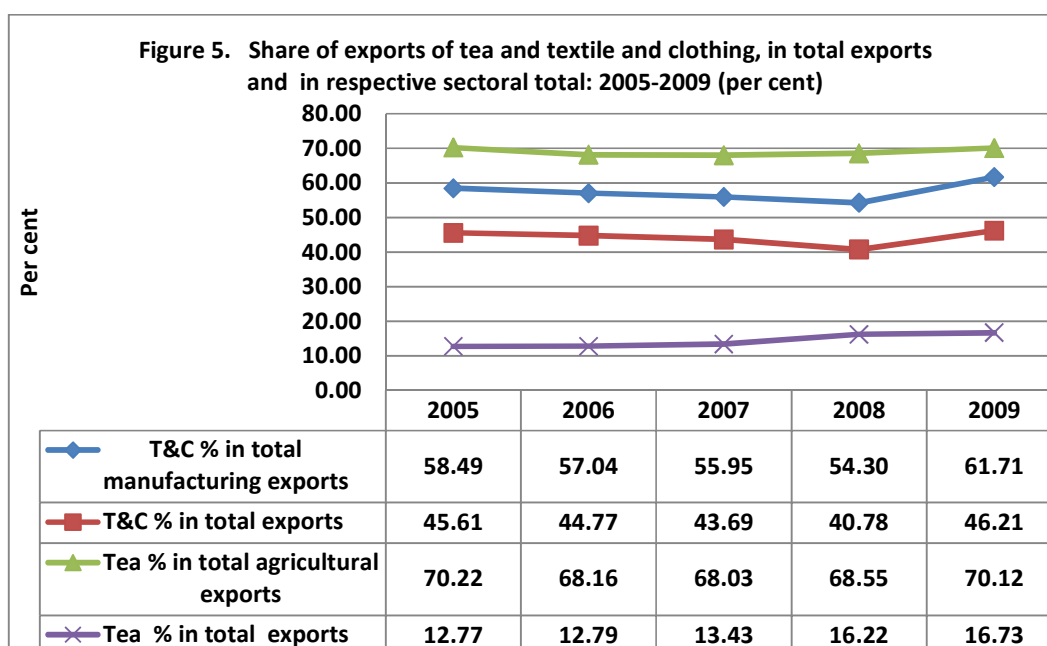
women form a large majority of workers, its overall share in the total exports has remained substantial. In 2009, the total value of garment exports stood at USD3.274 billion, or 61.71 per cent of total manufacturing exports, 46.21 per cent of total exports and 7.87 per cent of GDP. However, the overall total share of T&C sector exports in the total GDP has halved during the recent period – from 15.58 per cent in 2002 to 7.87 per cent in 2009.



(Source: Economic and Social Statistics of Sri Lanka)



(Source: Economic and Social Statistics of Sri Lanka)



(Source: Author's calculation based on data from the Economic and Social Statistics of Sri Lanka)

Another important export- oriented sector where women's labour participation is relatively high is tea sector. The total value of tea exports amounted to USD1.185 billion, and 16.73 per cent of total exports, and 70.12 per cent of total agricultural exports in 2009. In general, it is noted that in the key export sectors where women workers are highly concentrated, the overall value of exports have been increasing over the last decade (Figure 5).

Between 2008 and 2010, the overall trade declines had negative impacts on employment, particularly, in manufacturing sector, and substantial numbers of both women and men lost jobs. As a consequence, thousands of workers, mostly women, reportedly lost jobs in the textile and clothing sector, as well. The specific impact of the 2008 global crisis on employment will be later analyzed.

The next section will review gender dimensions of employment trends, analyzing the gender differentials in the patterns of employment. The aforementioned policy trend in the overall market liberalization has led to an increasing number of women being drawn into wage employment both in domestic and foreign markets.

3. Gender dimensions of employment trends

3.1 Gender inequality and labour market

Gender indicators in Sri Lanka are in many ways more favourable compared to other developing countries, and indeed, even compared to some developed countries, in terms of gender gaps in health, education, economic opportunity and political participation. According to the 2011 Global Gender Gap report issued by the World Economic Forum, Sri Lanka ranked 31st in the world out of 135 countries, ahead of industrialized countries such as France (48), and Italy

(74).⁹ While factors such as universal access to free health and education services, and the right to vote at elections have helped Sri Lanka to reduce gender inequalities, other factors such as cultural norms, civil laws with a male bias, and the inadequacy of the implementation of development plans have led to persisting inequality in the distribution of wealth, and have created pockets of inequality and deprivation for women, particularly in rural areas (Ranaraja 2009).

This paradox of a high level of human endowment of women despite Sri Lanka's middle income level is clearly evident in the higher ranking received by Sri Lanka on the Gender Development Index¹⁰ (GDI) than the Human Development Index (HDI) compiled by the UNDP's Human Development Report. According to the 2011 Human Development Report, Sri Lanka ranked 97th out of 187 countries on the HDI (with a score of 0.691), but 74th on GDI (with a score of 0.419) (UNDP, 2011). However, in terms of labour participation rate and types of employment that they are engaged in, in which gender discrimination manifests in the most visible manner, there remain gender gaps, and there is clearly a need for substantial improvement.

In many ways, women's continued inferior position to men's in the labour market, despite their comparable human development, is a clear evidence of persistent traditional perceptions of gender roles prevalent in the Sri Lankan society today – woman as a “main care taker of household” and man as a “bread winner”. Many employers still prefer to hire men workers to women workers, for example, which clearly emerged in an earlier ILO study undertaken on school-to-work transition¹¹. Women also bear a major share of unpaid care work- far more than men in general, which also inhibits them from working outside homes.

Consequently, the level of economic activity for women remains substantially lower at 34.4 per cent, as compared to 65.6 per cent for men in 2010. This means that 65.6 per cent of female working age population is economically inactive, as compared to 34.4 per cent of male population. Of those who are inactive, 53.9 per cent of women are engaged in housework (unpaid work), as compared to 4 per cent of men, and 26.7 per cent of the inactive female and 58.2 per cent of the inactive male population is engaged in studies.¹²

3.2 Gender differentials in labour force participation and unemployment

The overall female labour participation rate has remained more or less constant at around 32 - 33 per cent between 2000 and 2010. Men's labour force participation rate has also been more or less constant at around 66 to 68 per cent for the same period¹³. But these figures show that women's labour force participation rates have been half that of men, showing the traditionally ascribed gender roles that are mirrored in the pattern of labour market participation.

⁹ The Global Gender Gap Index ranks countries according to their proximity to gender equality rather than to women's empowerment. The focus is on whether the gap between women and men in the chosen variables has declined, rather than whether women are “winning” the “battle of the sexes.” The Index combines four variables: economic participation and opportunity, educational attainment, political empowerment and health and survival.

¹⁰ The Gender Development Index (GDI) is a composite of life expectancy, school enrolment, literacy and income based on gender, which provides a broader view of a country's development.

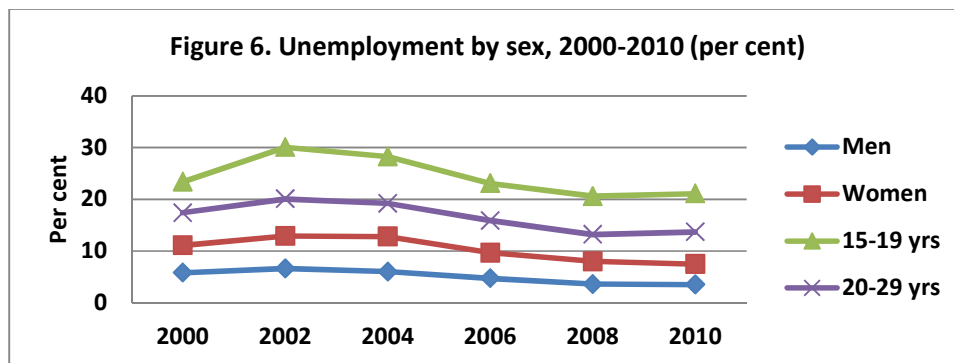
¹¹ Some 46.7 per cent of small enterprises and 21.1 per cent of big enterprises indicated that sex was an important consideration for hiring their employees (Geneva, ILO, 2005).

¹² Department of Census and Statistics, Ministry of Finance and Planning: Annual Report of the Sri Lanka Labour Force Survey (2010, Colombo).

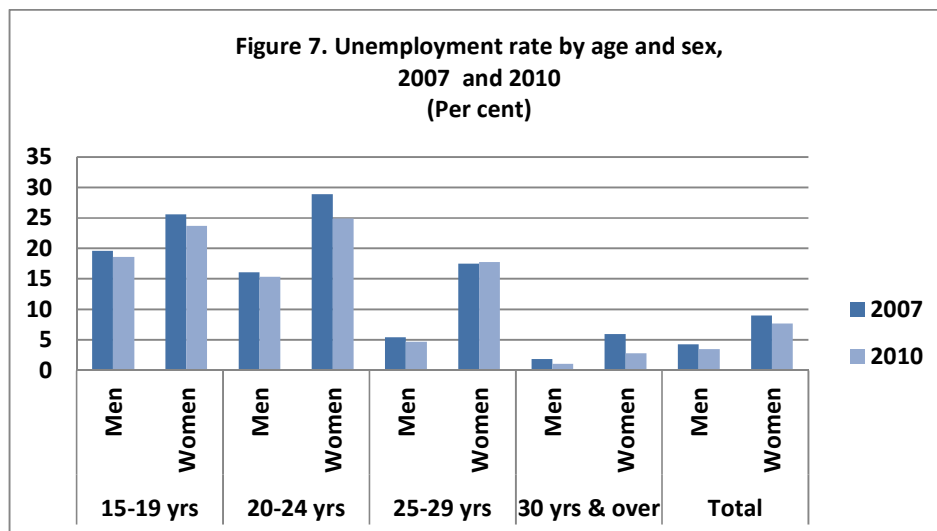
¹³ *Ibid.*

Compared to a decade ago, the overall unemployment rates have declined by 2010. This was despite the negative impact of the global economic downturn felt on employment both for women and men between 2008 and 2010. Women’s unemployment rate remained substantially higher than men’s, and this was even more accentuated among youth (15-29 years). In 2010, women’s unemployment rate stood at 7.5 per cent, being more than double of men’s 3.5 per cent (which could be considered “full employment”)¹⁴. It is noted, however, that the 2008 economic crisis did not necessarily raise the overall unemployment rates for either men or women at the aggregate level. This may be because those who had lost jobs would not stay idle – either working in informal economy or in agriculture as self-employed (Figure 6).

As for youth, though gender gaps were not as pronounced as for the total workforce, young women’s (age group 15-29 years) unemployment rate stood substantially higher than young men’s: for age group 15-19 years, at 23.7 per cent (men at 18.9 per cent); for 20-24 years group, at 24.9 per cent (men at 15.4 per cent), and for 25-29 years, a lower 17.8 per cent (men at 4.7 per cent – here the gap was the largest) in 2010 (Figure 7). What is also more worrying is



(Source: Department of Census and Statistics, Ministry of Finance and Planning: Labour Force Survey Quarterly report – 2011)



(Source: Department of Census and Statistics, Ministry of Finance and Planning: Labour Force Survey - Annual report, 2007 and 2010).

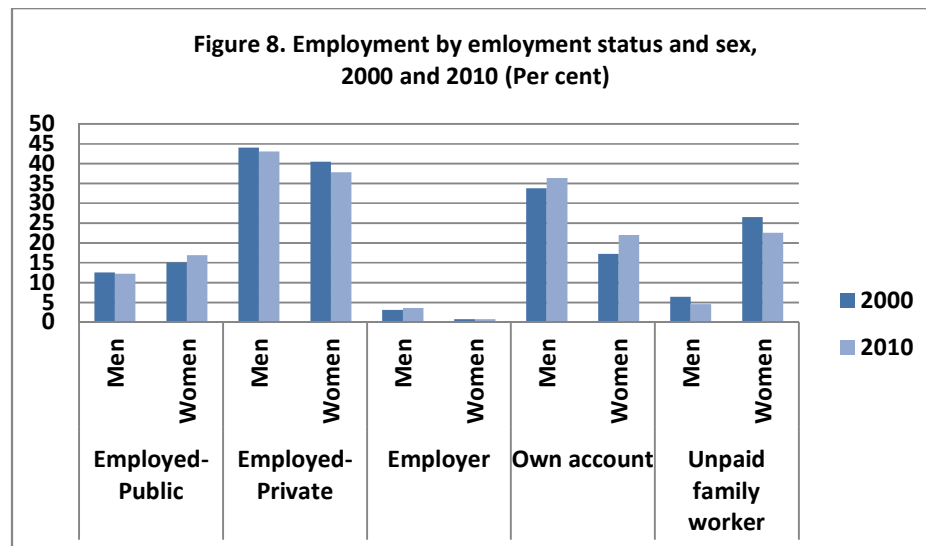
¹⁴ *Ibid.*

that the share of educated people among the unemployed is also substantial. In particular, among those unemployed women who had secondary education with G.C.E (A/L) and above recorded an unemployment rate as high as 15.8 per cent in 2010, though educated men's unemployment rate also remained substantial at 10.1 per cent in 2010, as well. This is certainly not only waste of human resources, but discouraging for those young women and men who need and would like to work¹⁵.

3.3 Gender differentials in employment status

Figure 8 presents the overall shifts in the composition of employment by gender and employment status between 2000 and 2010. What is noticeable is an increased share of public employment for women, showing their overall preference to public, over private sector jobs. The public sector, in fact, does provide better salaries, social benefits coverage and job security, as compared to the private sector in Sri Lanka. It is noted that a large majority (over 90 per cent) of public sector employees are Sinhalese. However, there has been an increased share of own account employment both for women and men, and in particular, slightly more so for women. Furthermore, in terms of gender distribution of employment in each employment status, by far women were overrepresented in “unpaid family worker” status constituting 71.8 per cent. Whereas, in other employment statuses, women constituted far less than men; 9.7 per cent in employer status, 23.9 per cent in own account worker, and 33.4 per cent among those who were wage employees¹⁶.

The share of vulnerable employment¹⁷ in women's total employment was slightly higher at 44.6 per cent than for men's at 41 per cent in 2010. Generally speaking, however, the share of unpaid family contributing worker was substantially higher in women's employment at 22 per



(Source: Department of Census and Statistics, Ministry of Finance and Planning, Colombo Labour Force Survey, Annual Report, 2000 and 2010)

¹⁵ *Ibid.*

¹⁶ Department of Census and Statistics, Ministry of finance and Planning: 2010, *Sri Lanka Labour Force Survey, Annual report – 2010*.

¹⁷ Vulnerable employment is a combination of two categories of employment statuses: own account and unpaid contributing family worker, which are considered more economically vulnerable than wage employment. Vulnerable employment is also related to levels of informality and working poverty, though it is not synonymous.

cent, compared to 4.6 per cent for men's in 2010. However, the level of informality of employment in women's employment (57.1 per cent) was less than men's (65.4 per cent)¹⁸.

Vulnerable employment is typically prevalent in the informal economy, and hence closely correlated to informality of employment, though it is not synonymous, as well as, to income poverty. Working as own account worker or unpaid contributory family worker, typically in informal employment, is far less secure and protected, compared to working in wage employment in the formal sector, which is better protected by law and social protection. In many developing countries, the informality is typically higher in women's employment than men's. In Sri Lanka, a far less percentage of women are engaged in own-account work (i.e. running their own business), though a bigger share of women work as unpaid family workers, which may be the reason why the informality is lower in women's employment.

As seen above, there are clear gender differences in the nature of employment. A proportionately higher share of women's employment falls under more vulnerable and less remunerated categories of employment, as evidenced by women's higher rate of unpaid contributing family status. More generally speaking, the increasing share of public sector wage employment, in general, and for women, in particular, and the decreasing share of wage employment in the private sector shows that the economy has not been able to create sufficient quality jobs (decent jobs), particularly in the formal private sector during the last decade. One of the key employment challenges in Sri Lanka is that jobs in the public sector are generally better paid and with better social benefits than in the private sector. Hence many university graduates, particularly women, have traditionally queued up for the public sector jobs, while remaining unemployed – if they can afford to do so. However, the government cannot continue expanding the public sector which is quite large for the size of the economy (Gunatilaka 2012)¹⁹. While social sector expenditures for health and education should be prioritized, clearly, more and better jobs need to be created substantially in the private sector.

3.4 Gender differentials in sectoral distribution of employment and occupations

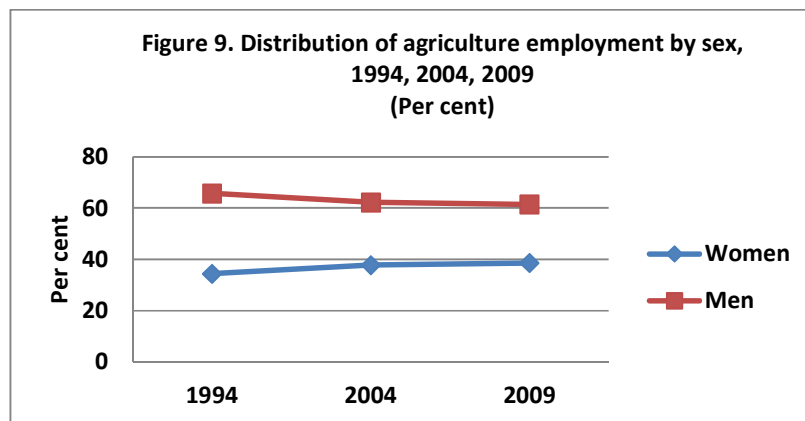
As for the sectoral distribution of employment by gender, generally speaking, the share of agriculture had been slowly declining in the total employment from 36.0 per cent in 2000 to 32.5 per cent in 2010. The share of women in agriculture employment, however, increased from 34.4 per cent in 1994 to 37.8 per cent in 2004, as compared to the corresponding declining trend of men's share from 65.6 per cent to 62.2 per cent for the same period. In fact, by 2010, women's share in total agriculture employment further increased to 38.59 per cent, as men's share further declined to 61.41 per cent, showing a slow trend of "feminization" of agriculture in Sri Lanka (Figure 9). The share of "skilled agriculture and fishery workers" stood at 24.5 per cent of women's employment, which was higher than 22.3 per cent for men.

This is a worrying trend, given that employment in agriculture is closely associated with working poverty. This trend may lead to agriculture work being largely relegated to women, while men are employed in other better paying and remunerative sectors in a long term. However, of the total women working, 10.4 per cent worked in professional category, compared

¹⁸ *ibid.*

¹⁹ The total bills on personnel in the public administration amounted to 5.4 per cent of GDP in 2010. The total government revenues amounted to 15 per cent of GDP, though total expenditures and net lending amounted to 23 per cent of GDP. This means that the government spent one fourth of its expenditures to deliver and manage the rest, while incurring budget deficits (Gunatilaka 2012).

to a smaller 5.6 per cent of working men, indicating that a substantially higher percentage of women worked as professionals – the data also showed that women constituted 61.9 per cent of the professionals in 2010. On the one hand, agriculture employment is slowly being feminized and women seem to have been more crowded into lower paying employment; on the other hand, minorities of more highly educated women are making inroads into professional occupations – there seems to be a dichotomy in types of women’s employment in Sri Lanka²⁰. The Sinhalese are over-represented in the public sector employment, while Tamils, particularly, the Indian Tamils are highly concentrated in plantation agriculture, indicating an ethnic divide in the patterns of employment and occupations. Women generally are faced with unequal access to employment, while there is also a dichotomy among women workers in Sri Lanka.



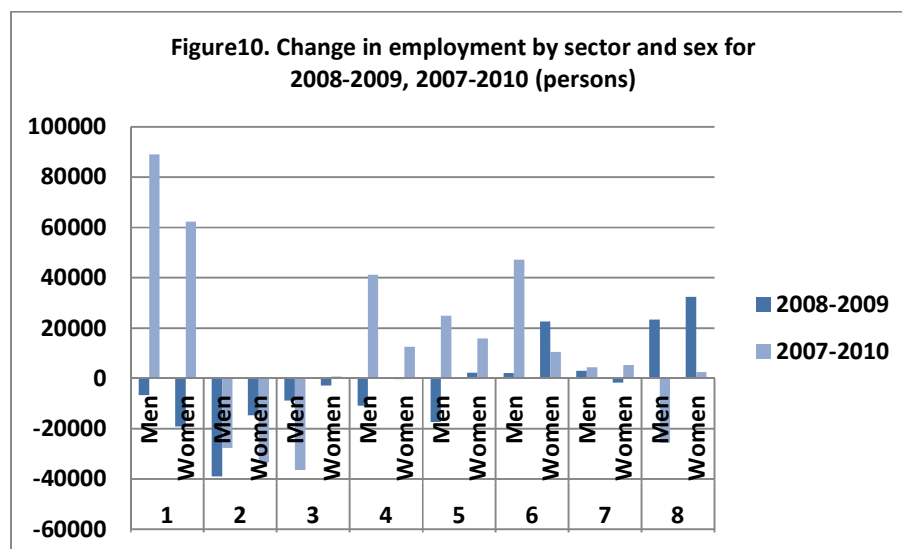
(Source: Department of Census and Statistics, Reports of labour force Survey, 1994, 2004, 2010)

3.5 The impact of global economic crisis on sectoral employment: Gender differentials

The global economic crisis has had substantial impact on employment – the impact varied from sector to sector, as well as by gender. At the on-set of the 2008 global economic crisis, a substantial number of men lost jobs – a total of some 54,000 in net; largely in manufacturing (-39,000), financial intermediation and related services (-17,293), whole sale (over -10,860), and construction (some -8,830). On the other hand, women gained in the net total employment by 18,911, having added substantial numbers, or some 22,700 more jobs in public administration between 2008 and 2009. Also, in other services, the levels of employment increased both for men and women at the on-set of the global economic crisis – over 23,440 for men, and some 32,490 for women. However, some over 19,100 female jobs in agriculture, over 14,630 jobs in manufacturing, and over 1,710 jobs in education sector were lost.

Furthermore, there were more lagged negative impacts felt on women’s employment between 2009 and 2010. In terms of total change in employment, over 65,000 female jobs were lost (compared to a net increase of 161,180 for men). In particular, a substantial number of jobs were further lost in manufacturing (-29,176), other services (-28,684), education (-23,452), and even in public administration (-5,162), showing the spillover effects onto the services sector from the manufacturing and construction sectors where massive retrenchments had occurred between 2008 and 2009.

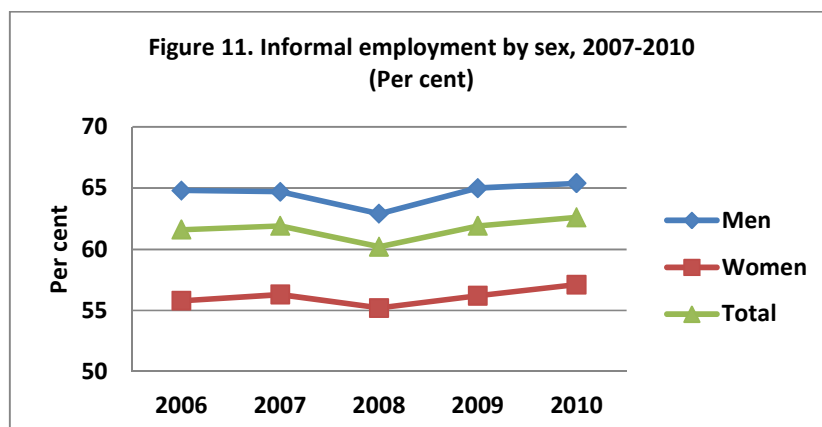
²⁰ *ibid.*



Note: 1 Agriculture Forestry and Fishery, 2 Manufacturing, 3 Construction, mining and Quarrying, 4 Whole sale and Retail Trade, Repair of vehicles, etc. 5 Financial intermediation and Real Estates, Renting and Business activities, 6 Public Administration, 7 Education, 8 Other - this includes Hotels and restaurants, Transport and Storage, communication, Health and social work, Other community, social and professional service activities, Extra Territorial Organizations and bodies, Private households with employed persons, miscellaneous labour work, Industries not adequately described. (Source: Author's calculation based on the data from the Department of Census and Statistics, Ministry of Finance and Planning, Colombo, 2010).

However, in some sectors employment levels increased between 2009 and 2010 - both women's and men's employment levels also increased in the whole sale and related services sector: 66,660 for men and 11,849 for women. Men's employment substantially increased in the other services (by 55,392) and in agriculture (by 29,085), which were most likely absorbing those lower skilled workers who had become unemployed in manufacturing and construction sectors between 2008 and 2009.

Analyzing the net cumulative employment effects between the pre-crisis 2007 and 2010, the agricultural sector added the largest number of employment; 89,144 jobs for men and 62,387 jobs for women, or total of over 151,500 jobs, having been a shock absorber in the economic downturn. Whereas by 2010, the manufacturing sector lost a total of over 61,000 jobs (27,618 for men and a higher 33,458 for women), which were also both substantial. In the construction sector mostly men lost jobs - 14,603, though far fewer women working in this sector were hardly affected by the downturn. Men's employment was also substantially reduced by 25,614 in 'Other sector', while women added some 2,500 jobs in the same sector. Other sectors which saw substantial net employment increases were the whole sale and retail sale (men, 41,230, women, 12,572), public administration (men, 47,164, women, 10,543) and financial intermediation (men 24,933, women, 15,838). The level of employment increase in the Public Administration is especially notable here in the aftermath of the economic crisis - it plays the role of the "employer of the last resort". In all these sectors, men's employment increased substantially more than women's in the aftermath of the economic crisis, indicating lower levels of demand for women's labour in the labour market (Figure 10).



(Source: Department of Statistics of Sri Lanka, Labour force Surveys various annual reports)

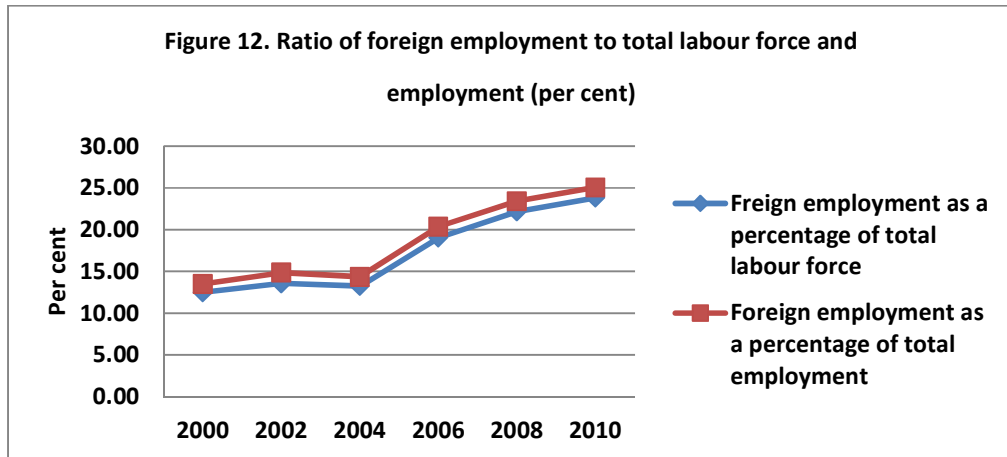
Those substantial numbers of workers who had lost jobs in the manufacturing and construction sectors at the on-set of the global economic crisis between 2008 and 2009 most likely shifted to other sectors, such as agriculture, whole sale and retail and other services sectors in 2009-2010. Such sectors as financial intermediation, public administration must have absorbed both the fresh and unemployed graduates. This overall process of sectoral employment redistribution also indicates some movements of workers from formal employment to informal forms of employment. In fact, the overall rate of informality in employment slightly increased between 2008 and 2010. The rate of informal employment increased for both women and men between 2008 and 2010 – from 62.9 per cent to 65.4 per cent for men, and from 55.2 per cent to 57.1 per cent for women – though women’s rate remained lower than for men’s (Figure 11). This is a likely impact of substantial retrenchments from the formal sector – those who lost jobs in the formal sector, such as manufacturing and construction, due to the global economic downturn in 2008-2009, were absorbed into the informal sector for the lack of choice.

As we have seen, women play a key role adding substantial values to the overall economy, in particular, through export channels. Yet, a substantial part of women work in low skilled, precarious and vulnerable occupations and sectors. The next section will review specific issues related to those categories of women workers in employment that is vulnerable, with respect to terms of employment and working conditions, as well as high levels of exposure to external shocks.

4. Situation of specific groups of women workers

4.1 Foreign employment

In Sri Lanka, a substantial part of female work force work abroad, mostly in the Middle East and Gulf countries, and there is an increasing trend of working overseas, not only for women, but also for men. Figure 12 shows how the proportion of departures for foreign employment to the domestic labour force and employment has been increasing during the last decade, particularly since the mid-2000’s. In 2000, the ratio of departures for foreign employment was equivalent to 12.49 per cent of the total domestic labour force and 13.52 per cent of the total domestic employment. The rates almost doubled by 2010 to 23.83 per cent and 25.07 per cent, respectively. This implies that equivalent to one out of four workers worked abroad by 2010, indicating that the foreign employment opportunities have played a key role of safety valve for



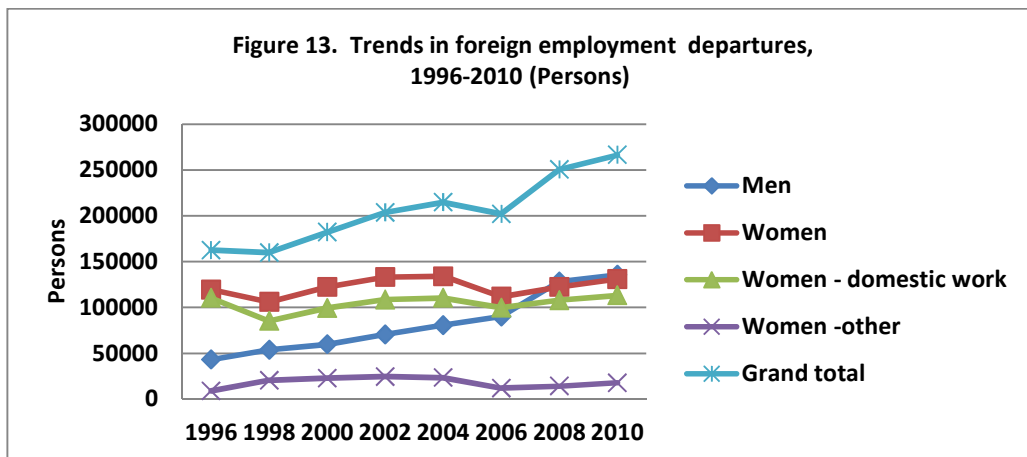
(Source: Sri Lanka Bureau of Foreign Employment, Annual statistical report of foreign employment, 2010)

the increasing labour force in Sri Lanka, alleviating un- and underemployment problems in the country.

This also clearly indicates that the economy has not been able to create a sufficient number of decent and productive jobs in which those semi- and low skilled workers, especially poor women can engage. Given that there have been an increasing number of complaints of abusive treatments of workers, such as breach of employment contract, non- payment of agreed wages, sexual and physical harassment, and even deaths²¹, there is clearly a need to create more decent jobs, especially for women in the country and improve working conditions of migrant workers.

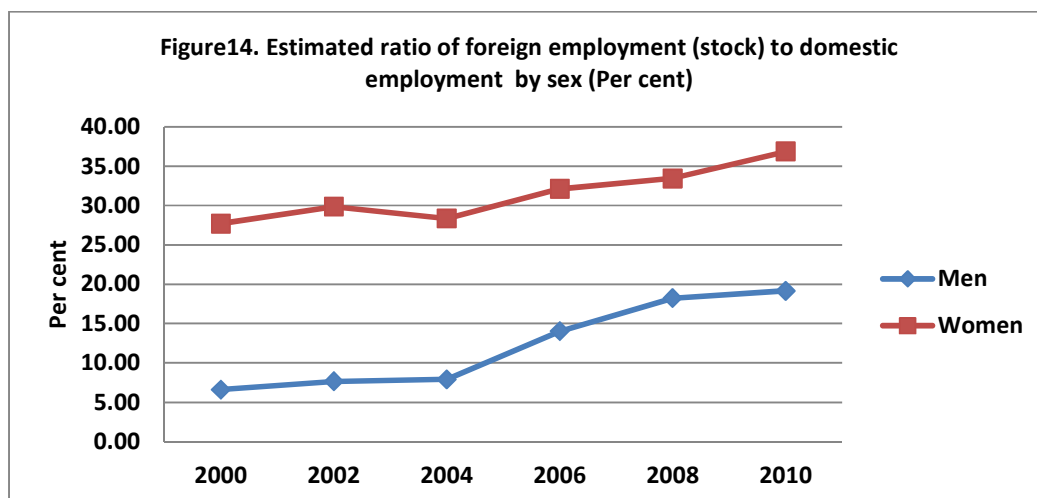
4.1.1 Pattern of foreign employment by gender

For the last 15 years, women have constituted more than half of those in foreign employment, mostly engaged in domestic work. In fact, in the earlier years, women's share in



(Source: Sri Lanka Bureau of Foreign Employment, Annual statistical report of foreign employment, 2010)

²¹ *Op. cit.* Sri Lankan Bureau of Foreign Employment, 2010.



(Source: Author's calculation based on data in Labour force survey report, 2010 and Annual statistical report of foreign employment, 2010).

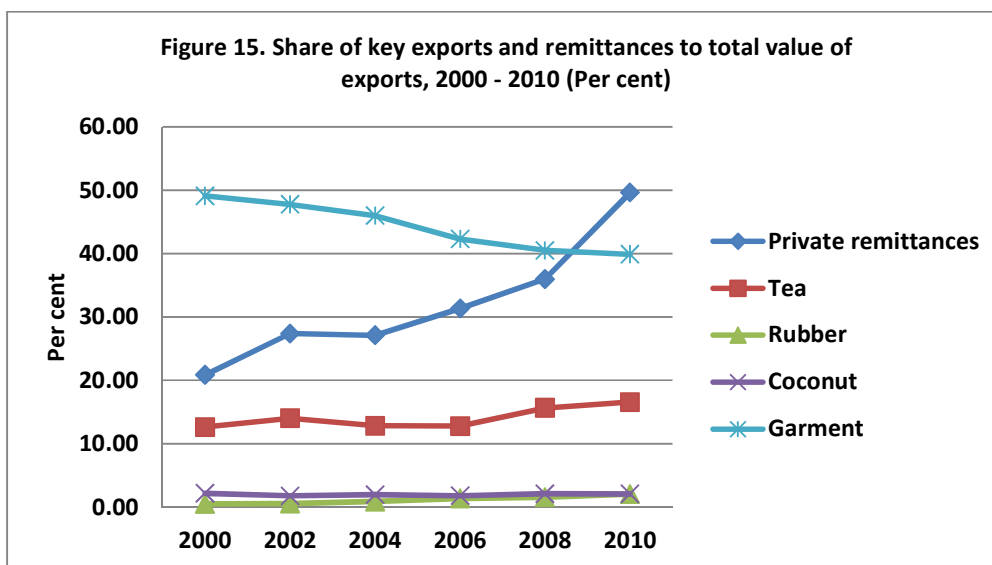
the total migrant labour was as high as 75 per cent. Since 2008, however, the ratio reached almost half of the total departures, or men's share became slightly more than half, reversing the gender ratio. This may be a fall-out effect of the 2008 global economic crisis that led to massive retrenchments in both manufacturing and construction sectors. In 2010, of the total of 266,445 departures for foreign employment, women accounted for 49.14 per cent. Cumulatively speaking, the total number of women migrant workers' departures amounted to 1.4 million, as compared to men's 1 million between 2000 and 2010, indicating 1.4 times more women departed abroad for work than men during the last decade.

The ratio of foreign employment departures to domestic employment has also substantially increased during the last decade. In 2000, the ratio of women's departures to total female domestic employment was already a substantial 27.7 per cent, which further increased to 36.88 per cent by 2010. Whereas, for men the rate was a much lower 6.6 per cent in 2000, which also increased but to a lower 19.15 per cent in 2010, showing a substantial gender gap (Figure 14).

As for the structure of foreign employment by skills level, in 2010, domestic workers constituted a huge majority of women migrant workers; 86.36 per cent of the total departing female foreign workers. It is noted that women's foreign employment is far less diversified, in terms of occupations and skills levels, as compared to men's. Unskilled labour accounted for 6.82 per cent and skilled labour, 4.91 per cent. As for men's foreign employment, skilled labour accounted for 43.35 per cent, followed by unskilled work at 37.61 per cent, and clerical and related labour at 4.61 per cent (Sri Lanka Bureau of Foreign Employment 2010). While working as domestic worker abroad often exposes women to difficult and vulnerable working conditions and abuse by employers, the increasing trend in women's foreign employment does not seem to abate in Sri Lanka.

4.1.2 Trends in remittances

The migrant workers' private remittances have been a major source of foreign exchange in Sri Lanka. The total value of remittances increased fivefold between 2000 and 2010, and its proportion to the total value of exports doubled during the same period. By 2010 the total value of private remittances amounted to Rs. 465.37 billion (US\$4.1 billion), which corresponded to



(Source: Economic and Social Statistics of Sri Lanka)

almost half of the total value of exports, surpassing the share of garment exports. Taking into consideration that women have cumulatively constituted over half of the migrant workers, it could safely be assumed that a larger part of this amount was earned by women. It is recalled that the level of women's employment in manufacturing, especially in textile and clothing sector declined, particularly, since the 2008 global economic crisis. It is possible, therefore, that a substantial number of women who had lost jobs in the T&C sector may have opted to work abroad as domestic workers due to the lack of choice of employment in the country, or seeking better paying employment opportunities.

The migrants' remittances make a substantial contribution not only to the economic improvement of their families, but also to the economy as a whole. However, there are costs to being heavily reliant on foreign employment not only to women's own well-being, but also to that of their families and society at large. The negative social impact on the children left behind, especially by working mothers for instance, has been well documented (IMO 2009).

On the one hand overseas employment provides numerous income-earning opportunities for tens of thousands of women, on the other hand, women domestic workers are often subjected to abuse, harassment, violence - even resulting in deaths. The increasing trend in women's overseas employment also clearly indicates that there are not enough appropriate employment opportunities for these low-skilled poor women in the country. The country needs to establish a specific strategy not only to up-grade the skills of migrant women workers, but also diversify exports for increasing employment and income opportunities, in general, and more specifically for poor women in the country. While working abroad as domestic workers remains an important source of employment opportunities for those tens of thousands of women, should these women be given better employment opportunities inside the country, rather than working abroad, it would be far better for their well-being and that of their families, especially for children.

Sri Lanka has a National Migration Policy, which should be fully implemented. In order to improve the situation of migrant domestic workers, both Sri Lanka and the receiving countries should articulate specific provisions to protect and manage Sri Lankan migrant labour in general. Enforcement of employment contract, better preparation and awareness raising on

rights and potential risks for out-going women migrants, as well as skills development will be necessary. The country is aspiring for more skilled migration by ‘choice’ rather than by ‘needs’, as foreign employment opportunities are increasingly both an important source of employment and income for workers, and a major source of foreign exchange for the economy.

4.2 Women workers in EPZs: Textile and clothing (T&C) sector

The textile and clothing (T&C) sector constitutes a substantial share in both production and employment in EPZs. The share of manufacturing in total exports was 74.89 per cent and that of textile and clothing, which is mostly undertaken in EPZs, constituted as high as 46.21 per cent in 2009²². Women constitute 70-80 per cent of the total workforce in EPZs. The textile and garment sector accounted for half of the total manufacturing employment in 2008. In particular, the rate of women among the workers is extremely high in the T&C sector, which is one of the key export sectors (Middleton and Hancock 2009). Though the share of EPZs in the total employment was a mere 1.67 per cent of in 2006 (ILO March 2008), for women they have been an important source of formal wage employment opportunities. The women workers in EPZs come from rural areas, being away from their families. Most women work in EPZs for only few years and return to their villages, when they have saved enough for their dowry and marriage (*op. cit.*).

In terms of working conditions, they reportedly vary, depending on the size and the ownership of the enterprise. Smaller and older factories provide worse working conditions – in extreme cases, working six days a week with mandatory overtime, working successive shifts without a break, being fined for lateness, talking or having toilet breaks. Such EPZs tend to be more hostile towards trade unions, and pay little respect to labour law, and health and safety at work. Sri Lankan laws equally apply in EPZs as in the rest of the country. Generally speaking, women receive lower wages compared to men, and are not accorded equal career development opportunities in the factories. There are also sexual harassment cases, which tend to be un- or under-reported due to the social stigma and shame attached to such²³. Freedom of association and collective bargaining remain the main contentious aspects of labour rights with respect to the actual practice of the employers (*ibid.*).

While the EPZs remain to be an important source of wage employment for women, recently, garment factories are facing labour shortages – they currently have thousands of job vacancies that are not filled, despite high unemployment rates, particularly among young women. Women no longer would like to work in EPZs, due to the harsh working conditions and “poor image” of women factory workers, and low pay in the EPZs²⁴.

Generally speaking, the working conditions would need to be improved so that the enterprises provide the workers in EPZs with more decent employment with better working conditions, and fairer wages, in particular. In the aftermath of the global economic crisis, the

²² Author’s calculation based on the data in Sri Lanka Socio-economic Data, 2010, Vol. XXXXIII (Central Bank of Sri Lanka June 2010)

²³ Women are deterred from reporting sexual harassment and violence cases, for a fear of further harassment, particularly when perpetrators are superiors; reluctance to tarnish the image of the institution and their own image, shame to reveal in public and futility of reporting in an environment which is not conducive for the appropriate sanctions (Middleton and Hancock 2009).

²⁴ Sri Lanka’s garment industry has launched a multi-million Rupee campaign to bring in women workers who are shunning the country’s most profitable sector better paying jobs. According to Joint Apparel Association Forum (JAAF), an umbrella group that represents a dozens of industrialists, there are some 15,000 job vacancies in garment factories in EPZ at Katunayake (Inter Press Service, Colombo, 10 February, 2011).

only way for the industry to survive is to improve the working conditions in the factories so that young women workers will be willing to work in the sector. As the garment industry has launched a campaign to improve the image of the sector, enterprises in EPZs should improve the working conditions and pay in the zones. The enterprises should also abide by the labour laws, in particular, related to equality at work, freedom of association and collective bargaining, and promoting social dialogue. They should also provide the workers with skills training, which can also enhance both their employability and productivity, accordingly improving Sri Lanka's industrial competitiveness on the global market.

4.3 Women workers in plantation sector

The value of exports from the plantation sector (tea, rubber and coconut) has remained substantial during the last decade. In 2000, the value of exports from the sector amounted to some Rs.64.49 billion (US\$0.836 billion), or equivalent to 15.3 per cent of the total exports. By 2010, the total value increased to Rs. 194.23 billion (US\$1.717 billion), which corresponded to 16.57 per cent of the value of total exports. More specifically, exports from tea sector in which women's share in employment was also substantial, the total value increased three-fold between 2000 and 2010 from Rs. 53.13 billion to Rs. 155.38 billion, or from 12.65 per cent to 16.57 per cent of the total exports.

Indian Tamils are highly concentrated in the plantation sector. Sri Lanka's Tamil plantation workers were initially brought from India by the British in the 1880s. The total workforce in the plantation sector declined over the last two decades from about 800,000 to half a million by 2006. The tea sector alone accommodates over one million workers, either directly or indirectly. However, the average levels of labour force engagement declined from over 301,000 in 1996 to over 252,000 in 2008, due largely to the stigma attached to work in the estates, traditional management practices, low wages and the arduous working conditions in the estates. Accordingly, the out-migration, particularly of educated youth is a major issue for the corporate plantation sector (Athauda *et. al.* 2012).

While estate workers are generally isolated and discriminated against, women Tamil estate workers are even more at disadvantage. The share of women among workers in the plantation sector is higher than other sectors in the Sri Lankan economy. According to a Central Bank's 2006 socio-economic survey report, women's employment rate was 47 per cent, as compared to 29 per cent in rural sector, and 26 per cent in urban areas in general. Women constituted an estimated 60 per cent of total workforce in plantations and, a large majority in the tea sector – between 75 and 85 per cent of the total workforce (*ibid*).

There is a strong sexual division of work in the estate sector – most women working in the tea sector are engaged in the field work, plucking and harvesting, whereas men are engaged in factory and office work. While women are left to continue this work, men go out of estate areas to engage in self-employment or outside work. In the tea sector, women comprise about 5 per cent of the supervisory category of workers, while 25 per cent in rubber industry. The gender disparity is more evident with regard to terms of employment, in particular, in the State managed estates. Twenty-eight per cent of men have regular employment, whereas only 7 per cent of women are regular employees (Ranaraja 2009).

Lower levels of education and literacy among the estate sector workers remain to be a major challenge. The share of estate population who had never attended school was 11.3 per cent, which was double of the national average of 5.2 per cent in 2006. Among the female heads of household, the rate was as high as 33 per cent, as compared to national average of 11.6 per

cent. Only 4 per cent had the levels of education at O Level and beyond, while the national average was 21.5 per cent. The rate of school attendance of children of compulsory education (between 5-14 years) in the estate sector was lower 93.7 per cent, compared to the national rate of 98.4 per cent, as well. This is due to the perception of parents who do not see the usefulness of education for children in the estate sector and beyond (*ibid.*). With lower levels of education on the average, chances of the younger generation getting more decent and productive employment, in particular, outside the estates would be slimmer.

The estate sector is highly formalized and covered by a Collective Agreement (CA), but many workers do not have individual contracts. While dispute settlement mechanism is available and a protocol has been articulated in the CA, the workers cannot easily access to justice, other than through a process led by a legal counsel. On the other hand, the workers seem to have flexibility on how to put their working hours in the estates. In terms of wage levels, daily wages are the same for a day of work for women and men - around Rs. 295 (US\$2.24) a day, as compared to daily wage of Rs. 350 outside the estates. However, due to the gender division of work, women often end up being paid less than men. For women workers engaged in tea plucking in some estates, minimum daily wage payment depends on the quantity of tea plucked on a given day (this is regardless of weather and the type of terrain where they have plucked tea). Whereas, since men are paid for “work of the day”, engaging in weeding, fertilizing and pruning, etc., they are paid the full daily wage without this “conditionality”. This creates *de facto* gender discrimination in wage levels. This is also compounded by the basic division of work of women and men, that more women are field workers, while more men work in factories and offices – those latter jobs are better paid than the field work. Furthermore, women face sexual harassment and violence, which is compounded by a high prevalence of alcoholism and some drug addiction (*ibid.*).

Specific measures should be taken for boosting productivity and improving working conditions in rural areas, particularly, in the estate sector, which also contributes a substantial share to the country’s agricultural exports and to the overall economy. This would also improve the overall employment, working conditions and well-being of women workers, as well. The principle of equal wage for work of equal value, in addition to paying “fair living wage” should be promoted and respected. In addition, the issues of sexual harassment and violence should also be specifically addressed. Better organization and the voice and representation of rural women workers, in particular, of those in the estate sector should be enhanced.

4.4 Situation of women workers in North and East Regions

Due to the long term conflict North and East regions are least developed in the country. As of February 2010, about 50 per cent (470,000) were still receiving government welfare assistance²⁵. Of these some were in the Internally Displaced Persons (IDP) Camps (93,000) and the balance (370,000) was being gradually resettled in safe zones (from land mines, and with new/improved infrastructure) in their former villages. As regards to the situation of women workers in the post conflict areas, according to a news article, regions were a host to some 89,000 war widows. In Northern region, there were about 40,000 female-headed households, including more than 20,000 in Jaffna District (IRIN Asia, Sri Lanka 9 September, 2010). Many women have had to take up economic activities, due to the loss of their male family members, including those who previously were full time housewives.

²⁵ Source: Ministry of Resettlement and Disaster Relief Services

Women's labour force participation rate in North and East region prior to the conflict was low by national standards. An earlier FAO report indicated a large majority of women (64 per cent) were of working age (between 14-64 years). Cultural norms kept Tamil and Muslim women at home being engaged in household work and some income generation activities within the households. Women also contributed to the household economy, working on family farms. In North region, women's labour force participation (LFP) rate stood only at 16 per cent, which was significantly lower than men's 64 per cent in 2004. The national LFP rate was 36.8 per cent and 75.8 per cent for women and men respectively in the same year (Department of Statistics 2004). The female unemployment rate in the North was 32 per cent (nearly five times of that of men). In particular, youth (especially age group 20-29 years) suffered a higher unemployment rate, especially among the GCE A level holders at 45 per cent in the North and 38 per cent in the East in 2004 (Wanasundera 2006).

The same FAO report showed that half of the employed women in the North had less education than General Certificate of Education (GCE) O level; of these 17 per cent were below Grade 5 in 2004. A 70 per cent of men did not study beyond Grade 5, and 77 per cent of men had education less than GCE O level. The proportion of employed women with an education above GCE level exceeded that of men – this was more pronounced in the North than in the East. A largest proportion of women in the North was employed in the private sector, whereas in the East, the largest share of women were found in own-account status. Eleven per cent of employed women were unpaid contributing family workers in the North, while 31 per cent in the East. As for men, only 4 per cent were found in this category in both regions. Substantial shares of women workers in the North and East were engaged in agriculture/fishery activities (32 and 21 per cent respectively) (*ibid.*).

In terms of sectoral distribution of employment, though 80 per cent of population depended on the agriculture sector for their livelihood, the sector contributed less than 10 per cent of household monetary income. The share of industry in women's employment stood at 12 per cent in the North and 21 per cent in the East, exceeding the rates in men's employment. These figures demonstrated that the conflict situation further had exacerbated the already difficult pre-conflict employment situations in the North and East areas. Generally speaking, due to the war and consequent destruction of infrastructures and constant displacements and restrictions of movement of both people and goods, it was very difficult to undertake sustained economic activities either in agriculture or in manufacturing (*ibid.*).

The National Action Plan (NAP) of the National Framework Proposal for Reintegration of Ex-Combatants into Civilian Life in Sri Lanka states equality of assistance as one of the guiding principles (i.e. non-discrimination based on race, sex, language, religion political or other opinion, social origin or status as an adult ex-combatant or as a child formerly associated with an armed group) in the design of individual programmes, provisions benefits and treatment, except for specialized intervention targeting the disabled and elderly. In addition, it also includes a principle of gender equality and responsiveness, and the NAP is designed to be responsive to gender and specialized needs of women, paying also special attention to the needs of female ex-combatants with children and female-heads of households. This also includes special protection for women and general protection from gender-based violence, while they are participating in the programme (Ministry of Disaster Management and Human Rights 2009).

Given that the fast reconstruction of North and East regions is the only assured way to maintain peace in the country, it is important for the government to invest in the reconstruction and development of these regions. The full implementation of the above-mentioned National Action Plan is, therefore, important. In particular, given that many women are left without male

family members, various developmental projects and programmes should recognize women as key economic agents. It is also important to invest in their skills development, and enhance their access to financial services, so that they can engage in self-employment and income generation activities. Furthermore, in addition to the overall recovery and reconstruction of the physical infrastructure and the psychological rehabilitation of the affected population, enhancing the levels of education and skills equally for both women and men is key for the successful long term economic recovery of these regions. The development of the overall infrastructure such as roads, access to potable water, energy and electricity can also contribute to the reduction of hours women spend on unpaid care work. Furthermore, those who are elderly and very young among the female population require special attention to ensure that they have proper shelter and protection, and that their basic needs are met.

The next section will review gender issues in development plans and programmes, legislative frameworks, and a couple of examples of ILO assisted programmes for promoting gender equality and employment.

5. National Development Plans, legal framework, policy and programmes for promoting decent and productive employment for women and men

Sri Lanka has ratified key international legal instruments on equal rights²⁶, and the Constitution guarantees equal rights of its all citizens, but as the gender structures in the government remain marginalized, fully integrating gender equality and non-discrimination principles across the board in the government's development plans and programme is yet to be fully achieved (Ranaraja 2009). The following is a list of some of the key development and action plans and policies adopted by the country.

5.1 Gender perspectives in National Development Plans and policies

The following summarizes gender perspectives in National Development Plans and policies.

National Plan of Action for Women: Following the Fourth UN World Conference on Women in Beijing in 1995, the Ministry of Women's Affairs in collaboration with the National Committee on Women formulated the "National Plan of Action for Women in Sri Lanka – Towards Gender Equality" in 1996 (UN 2002).

National Employment Policy: In 2002 the Ministry of Employment and Labour initiated a draft National Employment Policy which was never officially adopted. The policy contains key provisions on women in employment, as one of the four major "social obligations" identified as women's employment: awareness creation on maternity protection would not be a hindrance to careers, initiatives to provide childcare services, and training in skills for self-employment. Migrant workers are considered an important group. Strategies were proposed to "uplift the skills and image of migrant human capital" and in particular to enhance the skills of migrant women workers and to protect them from abuse (Ministry of Employment and Labour 2002).

²⁶ Sri Lanka has ratified Discrimination (Employment and Occupation) Covention, 1958 (no. 111) and Equal remuneration Convention, 1951 (no. 100).

The Women's Charter: Efforts to give teeth to the Charter and to strengthen its operations by converting the National Committee on Women (NWC) into an autonomous National Commission on Women under the Head of State have not been successful. The Women's rights Bill was never brought before Parliament, as policymakers were preoccupied with other priorities such as the armed conflict (Ranaraja 2009).

The Ten Year Horizon Development Framework 2006–2016: Prepared by the Department of National Planning, the Plan provides for the formulation and implementation of action plans by the various units of government, mainly the line ministries. It is based on the realization that economic growth in Sri Lanka has bypassed the rural sector and the poor, and has increased socioeconomic and regional disparities. Its primary goal is equitable distribution of the fruits of growth, with special emphasis on disadvantaged geographical locations (moving the focus of growth away from the capital city and the Western Province), along with the reduction of the incidence of poverty.

The 2006 Government plan document included the following measures:

- boosting labour force participation of women as well as addressing unemployment.
- Setting up handicraft villages through financial and other grants will be encouraged.
- Strengthening of the regulatory and operational function of the Sri Lanka Foreign Employment Bureau will provide secure foreign employment for women.
- Creating job opportunities for women will be priorities in development projects.

The Plan had the following employment targets to be achieved between 2005 and 2016.

- Reducing unemployment from 7.7 to 3.8 per cent.
- Targeting female unemployment rate to be halved by 2016 from 11.9 to 5.9 per cent.

The 2010-2016 Mahinda Chintana (President's Vision), Vision for the Future, the Development Policy Framework, 2010: this plan includes the following measures promoting women's employment and gender equality:

- Promoting quality and productive employment for women.
- Promoting women's entrepreneurship development and access to credit.
- Guaranteeing equal gender division in labour market and working conditions and services for women.
- Ensuring sufficient representation of women in community consultation.
- Ensuring the nutrition standards of the pregnant mothers.
- Creating supportive institutional framework, particularly in support of the war widows, disabled, and elderly.

The 2010 Plan has the following employment targets:

- Reducing unemployment rate from 5.3 to 3.2 per cent by 2016.
- Increasing women in labour force from 34.3 to 40 per cent by 2016.

In 2010 the Ministry of Labour Relations and Manpower developed and adopted a Gender Policy (see Box below).

Box: Gender Policy of the Ministry of Labour Relations and Manpower (2010)

Vision:

A Ministry that upholds the principles of gender equality and translates government commitment on gender equality into reality by creating an enabling policy environment to transform gender relations in all aspects of work.

Mission:

To uphold the principle of gender equality in the world of work by ensuring effective gender integration and mainstreaming into all aspects of policy, programmes, structures, mechanisms and activities.

Objectives:

- ✓ To promote equality and equity in tasks, responsibilities, decision making and leadership.
- ✓ To promote just and equitable work conditions, practices and ethics
- ✓ To eliminate gender based discrimination from all processes; from the functional to the strategic management.
- ✓ To enhance women's participation and contribution at all levels through an institutional framework for the advancement of the status of women and the achievement of gender equality.
- ✓ To promote equal terms and conditions in recruitment, training, career development and terminations.
- ✓ To promote gender equality principles in the world of work.

Source: Gender Policy for the Ministry of Labour Relations and Manpower, 2010 (Colombo)

The National Policy for Decent Work and its National Plan of Action for Decent Work: The Cabinet of Ministers approved and adopted the National Policy for Decent Work, an overarching policy on labour and employment, which was developed with the assistance of the International Labour Organization (ILO). The Decent Work policy and plan are by far the most inclusive where gender equality is concerned; the four components or decent work - jobs of acceptable quality, rights at work according to international labour standards, participatory social dialogue, and adequate social protection for the unemployed, the sick, and the elderly – consciously incorporate the special areas of concern for women. A comprehensive plan for its implementation was developed by the Ministry of Labour (Ministry of Labour Relations and Foreign Employment 2006).

Several other policies and plans, developed with the assistance of the ILO, cover other areas which are of vital importance to gender equality and the rights of women: the National Action Plan for Social Security, the National Policy for Migration, and the National Policy on HIV/AIDS, have been adopted by the Ministry of Labour. Most recently the country has been engaged in the formulation of a National Human Resources and Employment Policy, which covers a wide range of policy issues, including promotion of gender equality in the world of work, as found below.

National Human Resources and Employment Policy (2012): The government adopted a National Human Resources and Employment Policy in 2012 which also includes a set of policy measures for “Gender mainstreaming” as follows:

- Provision of incentives for setting up well-monitored crèches for young children and day care centres for the elderly.
- Encouragement of more flexible work arrangements such as part-time work, and work that can be done online.
- Investment in training women for higher skilled occupations such as in the IT sector, nursing, hospitality industry and driving.
- Promotion of women's entrepreneurship development, enhancing the access to credit, technology, business knowledge and markets for women.
- Provision of a secure environment by maintaining law and order for women to travel to and from work.
- Provision of safe and efficient transport services through public-private partnerships.
- Attitudinal changes will be promoted.
- A study may be conducted to identify any gaps in giving effect to provisions of the equal remunerations for work of equal value ratified by Sri Lanka and initiate remedial measures.
- The knowledge base on the gender division of labour, employment and gender-related issues will be expanded through greater involvement of women's organizations.
- Some of the sectors in the national economy to be promoted – e.g. tourism, ICT and health services – have been identified as high growth sectors with a high capacity to absorb educated young women.
- The measures like the following are likely to further help women in the labour market: (a) provision of especially designed job search assistance to women graduates whose networks are even less well-developed than those of men; (b) use of mentorship programmes within schools and universities for female students; and (c) measures to encourage private sector, particularly the large corporate firms to increase recruitment of female graduates and placement of more women in management trainee programmes.
- At least in the next decade or so, a special category of the female workforce, namely the large numbers of war widows, demands the attention of the society and the government. The programmes earmarked for female workforce will be offered to this group of vulnerable women with specifically worked out subsidy arrangements (e.g. subsidized micro-credit facilities) together with available social service packages.
- The establishment of a social security system will be considered for the benefit of self-employed women. A fund will be set up with contributions from the self-employed women. The social security system will be implemented through this Fund.

5.2 Legal frameworks on equal rights; Employment and personal rights and initiatives²⁷

Women in employment in Sri Lanka mainly enjoy the same rights as men; legislation does not discriminate based on gender and in fact, there are many provisions which require women to be treated equally or which require women to have better or more access than men. Some of the noteworthy provisions which focus on women at work are as follows:

1937 Prohibition of women as underground miners

²⁷ This section largely is based on the analysis by Ranaraja's work on *Labour force participation of women since independence in Sri Lanka* (mimeograph, ILO, Colombo).

- 1939 Maternity benefits for private & public sector employees (1939, 1985, 1992, 1993)
- 1955 Parliamentary Act recognizing the specific needs of working women
- 1978 Enactment of the Constitution of the Democratic Socialist Republic of Sri Lanka guaranteeing equality for all persons
- 1983 Parliamentary Act providing widower and orphan pensions for survivors of female public officers
- 1984 Night work Convention denounced
- 1984 Removal by Wages Board of stipulations on sex-differentiated wages for selected trades

Although the legal regime is favourable to women, there have been reportedly many shortcomings in implementing the various statutes, with the result that much of the protection provided by law are not assured to women. For instance, although a woman cannot be terminated for reason of her pregnancy, many women in fact lose their job in these circumstances. However, a woman will face enormous difficulty in obtaining relief due to the delays in the judicial system, and may often be discouraged from challenging discriminatory or unequal treatment for that reason alone.

It is also noteworthy that Sri Lanka, which had in 1966 ratified the ILO Convention No. 89 on Night Work for Women,²⁸ denounced this Convention in 1984 purely to enable women to be employed at night in factories and industrial establishments in the EPZs. The preconditions for night work, such as employee consent, and the permission of the Commissioner of Labour, are largely observed in the breach, and in any case are virtually unenforceable.

Personal and Territorial Laws: The Common Law of Sri Lanka is Roman Dutch but three traditional legal systems (Kandyan, Thesawalamai and Muslim Law) cover personal/family matters for Sri Lankans of different ethnicities (Kandyan Sinhalese), religions (Muslims) or residencies (Northern Province for Thesawalamai Law); these personal laws supersede the general civil law, where a party to a dispute is governed by such traditional law. Some provisions of personal laws which differ from the general civil law provisions, generally based on cultural or ethnic practices or beliefs, are as follows:

- Minimum marriage age of 18 (except for Muslim women);
- Muslim Marriage and Divorce Act (1951): minimum marriage age of 12 for Muslims girls (younger permitted by Quazi); polygamy allowed with Quazi notification; both males and females can initiate divorce proceedings;
- Under Kandyan law, a woman can only inherit what her male partner has earned in his lifetime; land, homes and other inherited assets go to the children;
- Right of inheritance under the Land Development Ordinance which follows the *primo geniture* rule deprives the wife and female children of the right to succeed to devolved land. Although this is an anomaly which can be rectified by a simple amendment to the schedule of the relevant statute, there has been no action by any administration to make that change.

Sri Lanka has made major strides in both ratifying the international legal instruments on equal rights and integrating equal rights principles in its Constitution. However the gap between the *de jure* equality in law and *de facto* practice persists. Especially equality in employment remains to be an elusive goal. The government should consider developing comprehensive labour legislation specifically on both equal access to employment and occupation and equal remuneration based on the principles found in the two relevant International Labour Standards,

²⁸ This Convention prohibits night work for women between the hours of 10.00 p.m. and 5.00 a.m.

Discrimination (Employment and Occupation) Convention, 1958 (C. 100) and Equal remuneration Conventions, 1951 (C. 111), that Sri Lanka has already ratified.

5.3 ILO assisted programmes for job creation: Gender dimensions

A number of long term projects for promoting employment have been/are being implemented with the ILO support in the recent years. The following provides a summary on the gender dimensions of two technical cooperation projects promoting employment, which have been supported by the ILO, as examples.

Youth Employment project

Between 2007 and 2010, a project for promoting youth employment was implemented. The project aimed at enhancing knowledge on youth employment issues among the decision makers; capacity building for employment service providers; and promoting more and better jobs for plantation and rural youth. The project was implemented in Sabaragamuwa, in Districts of Ratnapura and Kegalle, targeting the rural youth, largely in estate areas. Under the project the following activities were undertaken: providing quality career guidance up-grading the career counsellors; various skills development training for the youth; awareness raising on youth employment issues; as well as a Youth Entrepreneurship Development Programme. The training also included training of trainers on various vocational training and career guidance, including gender mainstreaming in the existing training curricula. A total of 882 women benefited from the training provided under the project, as compared to 1,374 men. An internal review shows that about 37.29 per cent of the total project beneficiaries trained under the project was women.

Local Empowerment through Economic Development (LEED) project

Another on-going project (2010-2013) is Local Empowerment through Economic Development Project, which focuses on conflict-affected youth, female heads of household, and those who are disabled in the post-conflict North and East regions. Some 1,100 women and 1,100 youth are targeted, in addition to 200 persons with disabilities. The project involves: enhancing policy environment for inclusive entrepreneurship development, job creation and gender equality for the vulnerable groups; enhancing employability of female heads of household, youth, and those who are disabled; in particular, designing and implementing a sustainable business placement system in both the private and public sector organizations.

Under both above-mentioned projects, gender concerns are fully integrated and this should continue. In any publicly funded programmes which entail employment generation, a specific gendered needs assessment should be undertaken, and there should be a policy in place to enforce this.

6. Conclusion

The opening of the economy has been a very important strategy for Sri Lanka's overall economic development despite the economic under performance due, in particular, to macroeconomic and political instabilities during the last decades. The 2008-2009 global economic crisis did also have negative impacts on both the economy and employment. In this development scenario, women workers have also been drawn into key foreign exchange earning sectors, such as export-oriented agriculture and manufacturing (especially in T&C sector), and foreign employment, mostly driven by their economic aspiration and needs. They have

accordingly been making huge economic contributions in the open economy of Sri Lanka. However, due to the traditional views of society regarding women's and men's roles in general, the situation of women workers in the labour market is far more challenging than for men, and this is particularly accentuated among youth. The situation is even more difficult for those minority groups of women workers in North and East regions, those in the informal economy, as well as women workers in the rural sector, such as those Indian Tamils in plantation agriculture. Neither are the working conditions of women workers in the EPZs optimal – there is much room for improvement, particularly in quality of employment.

Generally speaking, despite improving levels of education among women, they continue to face constraints in having equal access to decent and productive employment and income opportunities in Sri Lanka. The combination of both traditional social values which tend to confine women to unpaid care work and inadequate levels of decent and productive employment opportunities constraints women from attaining full participation in economic life. The overall picture also demonstrates disparities between those who are highly educated working as professionals, particularly in the public sector, and those who are less educated and engaged in lower-skilled jobs, such as in plantation agriculture, EPZs and domestic work abroad. The caste and class influence what is socially appropriate for women with respect to types of occupations and jobs that they can or willing to undertake, particularly in rural areas. In addition to gender, other factors such as ethnicity, colour, social origin, religion, political opinion, and also sexual orientation can also be a cause of discrimination in employment, and the cross-section between gender and other grounds can further aggravate the disadvantage of women. The situations of Indian Tamil women workers in the plantation sector, and those minority Tamil and Muslim women in North and East regions are the cases in point.

In conclusion, it is necessary not only to improve the employability of women, in terms of levels of education and skills, but also promote equal rights for all; in particular for women in minority groups. It is important for the employers and the society at large to fully recognize them as productive workers. Furthermore, for those women workers in vulnerable working environment and conditions, such as those in the estate sector, EPZs and in foreign employment, the working conditions should be improved; equal and living wages should be promoted; specific protection measures should be in place; and their voice and representation in social dialogue should be enhanced. Publicly funded social provisions should be made for caring the young and the elderly – to reduce the burden of unpaid-care work undertaken by working mothers. Furthermore, while the country is emerging out of a long term conflict in East and North regions, persistent socio-economic inequality along the ethnic lines and geographic locations remains a major challenge. The country would need to envision a society free of discrimination and marginalization of any social groups – Sri Lanka is now aspiring to be “The Wonder of Asia in which all persons of working age become globally competitive and multi-skilled, and enjoy full, decent and productive employment with higher incomes in conditions of freedom, equity, security and human dignity.”²⁹

²⁹ Quotation from the National Human Resources and Employment Policy (NHREP) for Sri Lanka (Government of Sri Lanka, 2012).

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