

Rosy Senanayake



16th February 2018

Mr Mahinda Deshapriya
The Chairman
Elections Commission
Elections Secretariat
Sarana Mawatha,
Rajagiriya

Dear Sir,

25% Quota for Women has to be Implemented Immediately

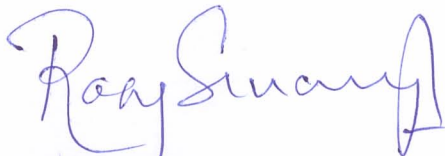
I am dismayed at the news that the implementation of the 25% quota for women in local government elections is being questioned in the context of the election held on 10th February 2018. The 2017 Local Authorities Elections Act, which amended the Local Authorities Ordinance, was successfully brought before Parliament by the Prime Minister, Mr Ranil Wickramasinghe, and was the result of 20 years of agitation by women working on the ground around the country. The Act was passed in unanimously in Parliament with not a single vote being cast against it. As one of the driving forces behind the provision, I can say with certainty that the law on the minimum representation of women is clear-cut. Under section 27F of the amended Ordinance, "not less than twenty five percentum of the total number of members in each local authority shall be women members." The section is unambiguous and straightforward; it is not open to interpretation.

Under the Ordinance, a minimum of 10% of nominees from each political party for election through the Ward system has to be women while a minimum of 50% of nominees on the separate additional persons List of each party has also to be women. This formulation was put together with the sole aim of ensuring that a minimum of 25% of the members in *each and every* Council are women. I should know; as I said, I was very much at the forefront of ensuring that the new law included this 25% minimum of women members of local councils. This was a hard won provision and brought to fruition nearly 20 years of hard work by women's organizations and women's rights advocates. The law was hailed both within the country and outside as a progressive measure that increased opportunities for women to enter the political arena and become leaders in local Councils. On 10th February of this year, the country went to vote with the clear expectation that for the first time in the history of Sri Lanka a minimum of 25% of their council members would be women.

To now say that this minimum 25% of women council members cannot be implemented is disingenuous and in bad faith. The minimum 25% quota is clear both from the letter of the law and the intentions of those who drafted it and the Parliament that passed it. Neither the Commission of Elections nor the Political Parties should consider adhering to this law to be "unfair" or "burdensome." The law cannot be set aside nor the clear intent of the law be defeated just because some Parties now have to nominate more women from their Lists than they expected to. To disregard the law would not only be discriminatory towards women but also circumvent the democratic process and the expectations of the electorate.

If in the future, it is necessary to amend the law to further clarify the details of how exactly women members are allocated by each political party in different circumstances *in order to ensure the 25% minimum of women members*, I will fully engage with and support that process. In the meantime, however, the Commission of Elections and the Political Parties are under both a legal and moral obligation to implement *the current law* and ensure that all Councils are constituted with a minimum of 25% of women members and I strongly urge them to do so without delay.

Thanking you,
Yours Sincerely,



Rosy Senanayake