

# How and Why 243 Sri Lankan women died unnaturally between 2013-2015

Findings of a study on Accidents, Suicides and Femicides of Women and Girls in Sri Lanka

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**Sharika Cooray - Officer-in-Charge  
UNFPA Sri Lanka**

Just last year, August 2020, a 14-year-old girl in Kandy was raped and in the same year a 72-year-old woman was raped in Mahiyangana. Reflecting, these crimes have no boundaries in age, location, ethnicity or socio-economic status. And the cases go on. These are only a handful of cases that have been reported.



By  
**Kalani Kumarasinghe  
and Piyumi Fonseka**

We as women are 52 per cent of the population with only 5.3 per cent represented in parliament. The UNFPA supported the national women’s wellbeing survey which also indicated that one in four women and/or girls experience physical and/or sexual violence since the

age of 15 by a partner or a non-partner. This issue is one of the most commonly violated human rights in the world but no one has given it the due recognition it deserves.

As we continue to mark 16 days of activism, for which the global theme this year is femicide, we need to question why we shy away from these crimes. The issue of violence against women and girls reaches every corner of the world. It knows no social, economic or national boundaries. Within the Covid-19 context, it still remains a shadow pandemic. Sadly despite the work done by government, women's organisations and other parties, survivors of violence lack information, resources, mechanisms for redress, essential services that support their safety, access to justice and healthy lifestyle. This is why the launch of this report is very crucial.

### **“Women and girls in Sri Lanka are much better off than many other developing countries”**

**Senior Professor Nilanthi de Silva - Vice Chancellor University of Kelaniya**

The need to create a culture of high quality research of the highest international standards has been a driving force of the Faculty of Medicine which celebrated its 30th anniversary this year. We strive to engage in research activities that produce results that are of genuine value to our society and to our community either at national or international level, in whatever field of study we specialise in.

As a female scientist who has worked for many years on diseases that affect the poorest of the poor in tropical countries like ours, I can frequently observe the multiple disadvantages and challenges faced by most females in developing countries. However I'm also acutely aware that women and girls in Sri Lanka are much better off than many other developing countries particularly in South Asia.

Sri Lankan women and girls fare just as well as men and boys. And yet, women are grossly under-represented in our Sri Lankan parliament and other levels of political representation. This imbalance is seen even among our university students unions. The clear majority of undergraduate students in our university for example are female. And yet the student unions have virtually no female representations.



Senior Professor Nilanthi de Silva (L)

Hanaa Singer Hamdy (L) & Professor Anuruddhi Edirisinghe

### **“Fear of a justice system that might not do justice to women”**

**Hanaa Singer Hamdy -**

**Resident Coordinator, UN Sri Lanka**

Violence against women often usually goes unreported. Silenced by stigma, silenced by fear of the perpetrators and fear of a justice system that might not do justice to women.

This study is the first of its kind which takes into account forensic evidence of the different forms of traumatic deaths faced by women and girls in our beloved Sri Lanka. I want to recognise the University of Kelaniya and the UNFPA for bringing these findings to light. I think it is very courageous of them.

Protecting victims of intimate partner violence can include requiring police stations to maintain histories of domestic and intimate partner violence and having training of Police officers and Magistrates, under the Prevention of Domestic Violence Act. There are also some areas of the policies, laws and acts that need revision to assure quality and timely implementation.

### **“80% of homicides were classified intimate partner violence”**

**Professor Anuruddhi Edirisinghe, Professor of Forensic Medicine, University of Kelaniya**

This book originated from the discipline of forensic medicine and it discusses how these deaths affect individuals and families, social, cultural gender and other ideologies. It also considers how these deaths could have been prevented.

Why women and girls? If you look at the crime abstract of the Sri Lanka Police it only talks about the total number of homicides. There is no gender specific data. But when we looked into it, we found the male to female ratio as four to one. Over the past few years, somewhere around 500 deaths of homicides were recorded. In global statistics, there were similarities seen. But the issue is that 80% of these homicides were classified intimate partner violence, i.e. preventable deaths.

Earlier academics have highlighted this lack of data, so the team took up the challenge. We never had incidence rates for homicides, suicides and accidents. If I take it as a ratio, it is one homicide per 6 six suicides and 5 accidents.

Romantic and sexual relationships becoming unhealthy, specially due to lack of knowledge on human sexuality was evident. Other contributors were lack of capacity and expertise to identify early indicators of mental illness and stressors within the family. There was also a dearth of qualified mental health doctors and counsellors, specially in rural areas.

We studied 243 homicides, and we were able to reach almost the national figures for those three years, which was 248. Majority of femicides were committed by a known person. 84 per cent was within their own homes, 75 per cent of these women died in their own home and half of them during day time. Only 16 per cent of homicides were carried out by unknown parties.

### **“Time to revisit misuse of defenses”**

**Professor Camena Guneratne - Senior Professor in Department of Legal Studies, Open University of Sri Lanka**

Despite the huge volume of literature on the subject of gender and women in Sri Lanka this is the first time a book has focused specifically on this issue. Both the context of the homicides and the way in which the criminal justice system fails to handle them in a meaningful and holistic manner, caught my attention.

Between 2013 and 2017 the book has documented that only 4 out of 70 cases were brought to conclusion. The phrase justice delayed is justice denied applies here not only to the families of the victims but also to the accused. This chapter documents very carefully the stress and the trauma suffered by the families of victims due to delays.

Another issue highlighted in this book is the use, or rather the misuse of defences to murder, which enables the accused to either get a mitigated sentence or to be completely exonerated with a not guilty verdict.

These defences include mental illness, unsound mind, sometimes intoxication and grave and sudden provocation. All these defenses come to us from 19th century Victorian English Law. I think the time is right in all cases of criminal law to revisit these defenses and the way they have been consistently interpreted by courts and judges.

### **“A much needed research publication”**

**Dr. Sepali Kottegoda**

**- Women and Media Collective**

Reading through this book I felt this was very much a research publication that we have been waiting for, for a long time. When the Women and Media Collective initiated advocacy towards the Prevention of Domestic Violence Act, we looked at newspaper reports.

That was what we had, we didn't have this kind of study. And we realised that a lot of the violence against women that was being reported was within their homes. But even today, most such acts of violence are very likely not reported at all.

## How and Why 243 Sri Lankan women died unnaturally between 2013-2015

### Accidents

- ❑ Accidents constitute the second-most common form of unnatural deaths of women and girls in Sri Lanka. The common cause of death is from head injuries (40.6%).
- ❑ Over 37% of these fatalities were motor traffic accidents of elderly women.
- ❑ The majority (83%) of the deceased women in all categories of accidents were from rural and semi-rural areas.
- ❑ Negligence and the inability to take responsibility appeared to play a primary role in the lead up to each death, indicating that these deaths could have been avoided had adequate care been taken by the parties involved.
- ❑ The lack of psychological support and/ or scanty knowledge of first-aid on the part of bystanders may have also contributed to the fatality.
- ❑ There seems to be a lack of personal and social accountability and legal liability partly due to a lack of awareness pertaining to liability and compensation relating to accidents (especially motor traffic accidents) on the part of family members.
- ❑ Rurality, both as a geographic location and as characteristics of rural areas, can be seen as a critical factor that determines the survival of victims who have life-threatening injuries / conditions.



### Suicides

- ❑ Suicides constitute the highest in the category of unnatural deaths of women in Sri Lanka.
- ❑ Data from sources indicated that between 41% (National data) to 46% (UNFPA study data) of adult victims of suicide are younger women (ages 21 and 40).
- ❑ Married women exceeded unmarried women in suicide statistics (over 60% of women suicides in national statistics were by married women).
- ❑ Girl children who committed suicide were particularly vulnerable to common stressors such as family conflicts, educational competitiveness and covert love affairs.
- ❑ Annual statistics on suicide reveal that hanging has superseded poisoning as the foremost method of committing suicide among women. The consecutive prohibition of poisonous and toxic substances since 1984 as well as the better management of the treatment of poisoning seem to have led to a considerable reduction in suicide by poisoning.
- ❑ Romantic and sexual relationships of young adults could well become unhealthy and abusive in the context of a lack of accurate information and knowledge on how to negotiate issues relating to human sex and sexuality.
- ❑ Relatives and friends did not possess any knowledge about the warning signs of suicide ideation and expression.
- ❑ The capacity and expertise to identify early indications of mental illness within familial contexts is constrained by the lack of familiarity with the symptoms of mental illness as well as the dearth of qualified mental health doctors and counselors in rurality.



## Femicides

- ❑ Femicide can be considered the most extreme form of violence against women within a spectrum of a gender-based crimes from sexual harassment, child abuse, wife battery to, trafficking, marital rape, dowry and honour killings, rape and murder.
- ❑ The majority of femicides have been committed by known parties (84%) within the homes of women and girls (75%) during daytime hours (47%). Only 16% of the femicides had been carried out by unknown parties.
- ❑ Out of 243 homicides, 62% of homicides were perpetrated by intimate partners, ex-partners and family members.
- ❑ Out of the 62%, it was found that 28% constitute husbands, while 14% were ex-lovers and 20% relatives (family members and relatives either by blood or by marital relationship).
- ❑ Thus, a majority of femicides were perpetrated by intimate partners (42%). Of these, 28% were husbands and 14% ex-lovers. Relatives constitute 20% of perpetrators while neighbors constitute 9% and disputants constitute 4% .
- ❑ Family members and the communities commonly perceived IPV as normative in marriages. There were no available interventions or redress to prevent the continuation and/or escalations of IPV within the family.
- ❑ Health professionals and law enforcement officers were frequently insensitive and untrained to deal with the phenomena of IPV and common psychiatric illnesses.
- ❑ Community and law enforcement had no knowledge of habitual offenders of sexual crimes even when they were living in their midst.



Intimate femicide based on relationship to the victim	43%
Family femicide based on relationship to the victim	18%
Non-intimate femicide based on relationship to the victim	19%
Sexual femicide based on circumstances of the killing	1%
Unknown	19%

## Did they get legal assistance?

- ❑ National Police data indicate that around 95% of cases of homicides (of both men and women) during the years 2015-2017 still remained within the system after one year. The attrition of cases can lead to the denial of justice for victims and their families.
- ❑ Structural weaknesses in the judicial proceedings relating to the unnatural fatalities of women and girls include bias and corruption on the part of police investigating officers, particularly in rural communities where there are strong community networks and possibilities for political interference.
- ❑ The core challenge to the criminal justice system is that of court delays caused by a backlog of cases that are uncleared each year.
- ❑ A legal concept like 'grave and sudden provocation' implicitly blames the victim. Thus, victim-blaming (especially in relation to femicide) when there is a history of intimate partner or domestic violence exhibits a particularly gender-biased practice that can continue to perpetuate injustice alongside unequal gender mores and values.
- ❑ There is police, prosecutorial and judicial culpability in reinforcing the acceptability of domestic and intimate partner violence as an acceptable familial practice.



### How were such cases reported in media?

- ▣ The newspaper coverage of unnatural deaths in all three languages is arbitrary and problematic with the overall outcome of the three newspapers in Sinhala, Tamil and English constructing and representing three entirely different worldviews and realities.
- ▣ Quantitative coverage in the newspapers did not reflect the actual prevalence of accidents, suicides and femicides in the country.
- ▣ There are grave lapses and daily violations in news reportage, including skewing factual coverage, identifying investigating officers, victims and suspects, and arriving at conclusions as to the circumstances of death even before the police investigations are complete.
- ▣ Sensationalism of unnatural deaths via excessive graphics, headlining, wordplay, innuendo and trivialisation fed into and in turn reinforced prejudiced and unjust gender stereotypes and norms.
- ▣ At times the coverage was inclined to exonerate the perpetrator and blame the victim both explicitly and implicitly.
- ▣ Pseudo analysis in early reportage served to fuel interpretations of fatalities that can misled the public. The facts unearthed by the actual forensic investigation were not given adequate coverage to revise the public opinion cultivated in the initial stages of a reportage.
- ▣ Suicide coverage should, as a rule, provide information on how and where to seek help and on coping strategies in the event of suicidal tendencies.
- ▣ It is vital that newspaper institutions are held accountable for the gross violations of the national laws and media ethics if the media culture in the country is to become honest, principled and responsible.