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Sri Lanka: Incidence of forced marriages and protection available to women (2004 - 2005)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Information on forced marriages in Sri Lanka was scarce among the sources consulted by the Research Directorate. A 2004 report in the journal *Reproductive Health Matters* indicated that, in the context of armed conflict in Sri Lanka, some parents have forced young women and teenaged girls into marriage "in the belief that marriage will provide protection against increased sexual vulnerability" (1 May 2004). The author of the report, Yasmin Tambiah, a senior research fellow at the Colombo-based International Centre for Ethnic Studies, explained that in Sri Lanka, "[a] sexually compromised woman or girl foregoes the chance of marrying" and that, in times of war, concerns arise that "effective familial and community sexual surveillance is less possible" (*Reproductive Health Matters* 1 May 2004).

In 3 January 2006 correspondence to the Research Directorate, a doctoral candidate at the University of Colombo, who has studied the institution of marriage in Sri Lanka, stated that the country is experiencing a number of social changes as a result of the armed conflict and the December 2004 tsunami (3 Jan. 2006a; Doctoral candidate 3 Jan. 2006b). Incidents of child abduction by the Liberation Tigers of Tamil Eelam (LTTE), for example, have prompted families in the northern part of Sri Lanka "to marry their children early" (*ibid.*). The doctoral candidate acknowledged that the subject of marriage in Sri Lanka is "complex as it involves several ethnic groups and religions," and that she was not aware of any research on the matter of forced marriages specifically (23 Dec. 2005). The United Nations High Commissioner for Refugees (UNHCR) reported in a background paper on Sri Lanka that, while by law the minimum age of marriage for women is 18, "issues related to family law ... are adjudicated by the customary law of each ethnic or religious group" (UN Apr. 2004, 51). Muslims follow their own customary practices in regards to the minimum age of marriage (*ibid.*).

According to the doctoral candidate, a common phenomenon in Sri Lanka is arranged marriage, achieved through advertisements or by relatives (Doctoral candidate 23 Dec. 2005). In certain cases, parties may be forced to enter into the arrangement to obtain financial or other benefits (*ibid.*). The doctoral candidate did not elaborate, and further information on forced marriages and arranged marriages in Sri Lanka could not be found among the sources consulted by the Research Directorate.

In a proposal put forward by a number of United Kingdom (UK) parliamentarians in 2005, citing 1,000 cases of forced marriages in the previous four years, Britain was urged to ban the practice (BBC 5 Sept. 2005). Home Office Minister Baroness Scotland told reporters that forced marriages did not constitute "a south east Asian issue" but affected a wide range of communities in different parts of the world, including Sri Lanka (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

British Broadcasting Corporation (BBC). 5 September 2005. "Forced Marriage 'Could Be Banned'." (Factiva) [Accessed 3 Jan. 2006]

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Reproductive Health Matters. 1 May 2004. Vol. 12. Yasmin Tambiah. "Sexuality and Women's Rights in Armed Conflict in Sri Lanka." (Dialog)

United Nations (UN). April 2004. United Nations High Commissioner for Refugees (UNHCR). "Background Paper on Refugees and Asylum-Seekers from Sri Lanka." <<http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDCOI&id=40d837f42>> [Accessed 23 Dec. 2005]

Additional Sources Consulted

Two oral sources did not provide information within the time constraints of this Response.

Internet sites, including: Amnesty International, Asian Human Rights Commission, Asia-Pacific Human Rights Network, *Daily News*, Home for Human Rights, *The Island* (Colombo), International Committee of the Red Cross, Norwegian Refugee Council, Women's International League for Peace and Freedom, United Kingdom Home Office, United States Department of State.

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