

ABSTRACT

VIOLENCE AGAINST WOMEN IN SRI LANKA WITH SPECIAL EMPHASIS ON THE DOMESTIC VIOLENCE ACT NO.34 OF 2005

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Domestic Violence has become an ordinary matter in the contemporary society. Consequently, there is a national and international concern regarding the suppression of domestic violence. It has been evidenced through research that Sri Lanka has not yet been able to address the issue on domestic violence completely. The study thus attempts to examine the national legal framework on domestic violence against women and the international standards on the subject and make suggestions to improve the level of protection available to women. Sri Lanka's intimacy with international obligations is significant in its attempts to provide a lasting solution to domestic violence. In an Asian society such as Sri Lanka, victims of domestic violence are largely females. Therefore, violence caused in a domestic setting is mostly based on gender. Judiciary plays a vital role in the prevention of violence against women. The Magistrate's Court has the jurisdiction to hear such matters in accordance with the primary legislation introduced in 2005. The said facts outline the main objective of the study which is to assess whether the primary legislation on Domestic violence in Sri Lanka, the Domestic Violence Act No.34 of 2005 and the judgments delivered by the Magistrates Courts of Sri Lanka are on par with International Standards expressly recognized under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its General Recommendation 19 on domestic violence. In order to achieve the said objective, both primary and secondary sources of legal research, sources of international law primarily international conventions and general principles of international law are reviewed. Moreover, a pilot survey based on selected case law is conducted for a better understanding of practical situations related to domestic violence against women in Sri Lanka. As the previous studies suggest, Sri Lanka has not observed certain forms of domestic violence when drafting the said national legislation. Therefore, the present study aims at providing a broad definition to domestic violence for a better protection of women in violent situations.

KEYWORDS; Domestic Violence against Women, Prevention of Domestic Violence Act of Sri Lanka, CEDAW