

## Testimony – Shreen Abdul Saroor

**Good morning Vice Chair and Commissioners and warm greetings to my colleagues. Thank you very much for the opportunity.**

**Today my testimony will focus on FORB and Muslim women right activists' struggles in Sri Lanka**

Piety within religion is often visibly expressed through women's gatherings and rituals, with their bodies, clothing, and through control of women's reproductive abilities. All play a central role in shaping the politics of religious identity, particularly in the post-war context and post-Easter-attacks Sri Lanka. In the Eastern province, there have been allegations against Muslims of abducting young Tamil girls to marry them, fueling tensions between Tamil and Muslim minority communities, and leading to the ostracization of couples who cross community lines in relationships or marriages<sup>1</sup>.

Following the 2019 Easter Sunday attacks, Muslim women in Sri Lanka found themselves fighting for their right to wear cultural attire, safety in public spaces, mobility, and freedom of association. They also became targets of the draconian Prevention of Terrorism Act (PTA), with many working tirelessly to secure the release of family members detained under this law. Out of nearly 2000 Muslims who have been arrested after the Easter attack about 300 men, women and children were held in detention, under the PTA, for long period. It was the women who were at the forefront to get them released and are continuing to struggle for the release of remaining 25 men in prolonged detention. Similarly, when the government imposed a racist policy of COVID 19 forced cremation it was the women who mounted the campaign against it by petitioning the Human Rights Commission, the Supreme Court and appealing to the international community including the Secretariat of the Organisation of the Islamic Cooperation and the UN Human Rights Council. Despite facing challenges, these women have been at the forefront of advocating for their rights and the rights of their community members.

The Muslim Marriage and Divorce Act (MMDA), enacted in 1951 in Sri Lanka, has been a point of contention, as it codifies customs common among Muslims and is administered through a system overseen by a male only 'Quazi'. The implementation of this law has led to the marginalization and discrimination of Muslim women and girls as it legitimizes unconditional polygamy, child marriage, and teenage pregnancy.

Efforts to reform the MMDA have been ongoing since the 1980s, with recent progress in getting cabinet approval for reforms. However, some influential but chauvinist individuals within the community are resistant to change, spreading falsehood that the reforming of MMDA would abolish Muslim personal law altogether. This resistance stems from cultural, not religious, sources and reflects a reluctance to empower women and to retain the undue male advantages.

It is crucial to advocate for a more inclusive and rational approach to religious and cultural practices that values individual freedom, diversity, co-existence, and tolerance. Criticisms against Muslim women's rights activists often stem from attempts to discredit

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<sup>1</sup> <https://www.state.gov/reports/2019-report-on-international-religious-freedom/sri-lanka/>

or pressure them into abandoning their advocacy efforts. These activists play a vital role in addressing women's issues within the Muslim community and mobilizing for broader community struggles.

The intersectionality of gender and religion shapes experiences of safety and fundamental freedoms for Muslim women, highlighting the need for gender-sensitive approaches to protect and promote their rights. State actions or inactions can either uphold or permit violations of these rights to persist.

In response to the increasing trend of Islamophobia following are the recommendations:

1. It is essential to push back against discriminatory practices and policies targeting Muslims community, in this context:
  - reject the government's cynical use of the Easter Sunday attacks to promote unwarranted counterterrorism frameworks that will further persecute minority communities.
  - Demand repeal of the PTA and reject the proposed ATB, and
  - condemn the use of the ICCPR Act of 2007 to persecute minority communities.
2. At the same time, recognize that fighting Islamophobia does not mean renunciation of women's rights. Recognizing and supporting the demands of Muslim women's rights activists who have been fighting over 40 years to reform the MMDA fundamental.
3. Call on the government of Sri Lanka to respect and enforce its obligations under CEDAW and other human rights instruments.

Thank you,

By **Shreen Abdul Saroor of Women's Action Network**