

Optimizing Screening and Support Services for Gender-Based Violence and Trafficking in Persons Victims Sri Lanka

Trafficking in Persons (TIP) and Gender-Based Violence (GBV) are both human rights violations. In fact, they are violations of several rights and are deeply rooted in inequality and systematic discrimination, disproportionately affecting certain sections of the society.

While TIP and GBV are both on the rise, the mechanisms to address these two types of crimes – such as, law enforcement and services provided to victims – are not adequately equipped to respond, which point to a deficiency in the state and non-state service delivery apparatus.

A study was conducted in India, Nepal and Sri Lanka - aims to identify promising practices, gaps, and challenges in integrating or separating services for TIP and GBV victims and optimizing screening and support services.

Sri Lanka has a checkered track record of extending services to victims of Trafficking in Persons (TIP) and Gender Based Violence (GBV). The largely qualitative data gathered in Sri Lanka points to the challenges that TIP victims encounter when trying to access services. The question of integration or separation offers a nuanced understanding of how TIP and GBV victims are perceived and the resultant differential access to services.

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Multi-country study covering **India, Nepal and Sri Lanka**

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Sri Lanka study conducted and report compiled by **Center for Poverty Analysis (CEPA)**



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Methodology

Qualitative primary research carried out through key informant interviews and focus groups discussions in Colombo, Batticaloa, Jaffna, Matara and Nuwara Eliya. Secondary data was also collected through a literature review.



Criteria for Selection of Locations



Maintaining ethno-linguistic balance.



Capturing data from high migration districts.



Tapping into GBV shelters.

In-depth Interviews With;

- Government and Non-Governmental service-providers – **54**
- Law enforcement officials – **13**
- Victims - **4**
- Focus Group Discussions – **2**

Key Findings

- Stakeholders think GBV is restricted to domestic violence and physical violence, women are the only victims.
- They believe it “could happen to anyone” but mostly poorer and less educated women. On the other hand, stakeholders have a very weak understanding on TIP.
- Only those in the Criminal Investigation Department, Department of Immigration and Emigration and Attorney General Department understand it.
- They Consider victims to be mostly female and believes that TIP is only prevalent in external labour migration.
- Those engaged in sex work, LGBTQI+ and men are not considered as potential victims



Limited understanding of GBV and TIP



Legal framework on GBV and TIP provides adequate protection to victims



Lack of screening and identification leads to differential access to services.

The respondents of the study recognized the importance of maintaining separate services for TIP victims. But the findings also indicate that in practice, what exists in Sri Lanka is a hybrid model – TIP victims have access to public services like health, counselling, legal aid and livelihood support that largely respond to GBV. Since the public sector offers most of these services and the Government has only limited funding and human resources to maintain two separate service frameworks, respondents agree for a pragmatic way forward where TIP victims' access to existing services are improved.

Obstacles to Identifying Victims

Reluctance to come forward



Social stigma



Fear of being marginalised



Family/religious pressures



Mistrust of the system

Institutional gaps in identification



Preconceived/Punitive notions



Inadequate staff



Lack of coordination with NGOs



Language barriers

Challenges in Accessing Services

GBV



Funding shortages

NGOs offering limited services and making referrals to government services instead.



Lack of accessibility

Distance to service points- too costly and difficult to access

TIP



Gaps in identification –

Untrained officials may not know the right way to screen / question victims.

Possible victims left out

Officials tend to think only women are prone to these crimes and give little or no attention to men and LGBTQI communities.



Distrust of NGOs

Sometimes victims prefer not to seek assistance because they fail to offer effective assistance.

Confusion over responsibility

When officials aren't aware of the existing laws and aren't properly trained to deal with victims, they may not know how to take charge of a situation.



Recommendations for Government Stakeholders:

- Strengthen understanding among officers at the Divisional Secretariat level: Existing training efforts targeting these officials must be strengthened to increase understanding of TIP and GBV. Cross-fertilization of knowledge on the two concepts would help understand how both constitute different forms of violence.
- Strengthen capacity of Police Officers at the local stations: As one of the first points of contact, it is important that police officers are sensitized and guided on how to use screening and identification tools to be used in TIP.
- Sensitize public health officials: Counsellors and Medical Officers of Health operating within the Mithuru Piyasa centers of general/teaching and base hospitals can assist to screen and identify TIP victims.
- Training for Consular staff of Embassies: As labor attaches are withdrawn from the Embassies, training the relevant officials in the Embassies can help efforts to support regular as well as irregular migrant workers, especially in instances where they may experience forced labor or sexual exploitation.
- Strengthen the National Anti Human Trafficking Task Force: The Task Force must play a more proactive role to help make referrals as well as keep presumed TIP victims within the service framework.
- Design a cohesive framework for access to services: As described in the Standard Operating Procedures, identified entities – government and NGO - must be included within this framework and the necessary personnel must be trained and sensitized to offer legal, medical, documentation and counselling services.

Recommendations for Non-Government Stakeholders

- Focus on preventative measures/efforts: Community level awareness creation is paramount especially in light of the socio-economic challenges at-risk populations would experience as a result of the COVID-19 pandemic.
- Incentivize existing service providers: Enhancing access to services through existing service providers must not lead to a reduction in resources at the disposal of NGOs to support GBV victims.
- Conduct needs assessment on separate shelter: A needs assessment can focus on what form shelter services must take, including whether protection can be provided within a non-institutional setting, the geographical location of the shelter on the basis of need, the costs of setting up this separate system and under whose authority this shelter must operate.

