



# OPTIMIZING SCREENING AND SUPPORT SERVICES FOR GENDER BASED VIOLENCE AND TRAFFICKING IN PERSONS

## SRI LANKA

### CONTEXT

Sri Lanka's checkered track record of extending services to victims of Trafficking in Persons (TIP) raises valid questions of the existent gaps and how best to strengthen the systems in place. Given the limited resources, a common argument put forth is to integrate services provided to TIP victims with those provided to victims of Gender-Based Violence (GBV). This multi-country study, anchored by The Asia Foundation, was conducted in India, Nepal, and Sri Lanka to critically examine how screening and service delivery can be optimized for TIP victims.

A key question underlying the research was the possibility of integrating or separating services for TIP and GBV victims and thereby, ensure that TIP victims have better access to services. The largely qualitative data gathered in Sri Lanka, points to the challenges TIP victims encounter in 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. Perceptions about who constitutes a victim and the feminization of victimhood are writ large in attempting to access services. The study offers some recommendations which could work towards supporting victims in a more cohesive and meaningful manner.

### METHODOLOGY

The research adopted a qualitative approach to data collection, with in-depth and structured interviews conducted with identified stakeholders including government and non-governmental service-providers. The districts of Colombo, Batticaloa, Jaffna,

Mulaitivu, Matara and Nuwara Eliya were selected to maintain an ethno-linguistic balance, to capture data from high migration districts and due to the presence of GBV shelters in some of these districts.

### KEY FINDINGS

Sri Lanka has multiple policy documents and a legal framework that provide an overarching structure to access services and legal protection but how GBV and TIP are understood can undermine victim identification. Similarly, existing social norms including ideas steeped in patriarchy prevent potential victims from coming forward. When such victims do come forward, existing institutional gaps act as a strong deterrent. Some of these key issues identified are outlined below.

#### Limited understanding of GBV and TIP

GBV is understood predominantly as domestic violence and violence too is mostly understood as physical while other forms of violence are left out. GBV is also understood as a phenomenon faced by women and marginalises all other genders. Understanding of TIP is quite weak with the exception of law enforcement officials directly engaged in the identification processes. Even so, little to no attention is paid to trafficking that occurs within Sri Lanka. This inadequate understanding of both GBV and TIP, coupled with the lack of human and financial resources to identify and refer to victim services, prevent extending comprehensive support to victims. This is further compounded by the fear and stigma of being labelled and marginalized for coming forward.



## Legal framework on TIP and GBV

Among policy circles and government and non-governmental development stakeholders, there is general agreement on Sri Lanka's ability to design and/or develop policies, Action Plans and even laws that seek to address any gaps in the existing legal and policy framework. The problem lies in enforcement and/or implementation. Despite some gaps, in general, Sri Lanka's law pertaining to GBV and TIP provides adequate protection to victims of these crimes.

## Service Provision Framework and Access to Services

The Government of Sri Lanka has taken considerable measures in the provision of services for victims of violence, especially GBV. Government, public health and law enforcement structures remain strong, and referrals are commonly made for professional counselling services and economic support. Comparatively, a cohesive service provision framework is visible wherever a recognized Shelter for victims is operating. Once a shelter is accessed, case management becomes efficient as counselling, legal aid and economic support are all addressed on the basis of a need assessment carried out.

This degree of cohesiveness is absent for TIP victims as the prime responsibility for the victims is not anchored with a single entity and a majority of the service-providers do not offer any specific services to them exclusively. In TIP cases, the lack of understanding of what constitutes trafficking and how to make referrals and lodge complaints make it difficult to identify potential victims, creating hurdles for them to access services.

# RECOMMENDATIONS

It is recognized that responses to gaps in service provision is largely determined by limited financial as well as human resources. The recommendations reflect these gaps and focus on how existing service providers, as well as government service frameworks, can be better improved and aligned to respond to the gaps in services

## Strengthen understanding among officers at the Divisional Secretariat level

Existing training efforts targeting these officials must be strengthened and where possible, consultations should be held with the respective line ministries to explore how the understanding of TIP and GBV can be included in the training modules for the officers. 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. This would have a direct impact on improving identification of internal trafficking.

## 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 as a form of violence. This is imperative as marginalized groups such as sex workers and LGBTQ individuals have relatively easier access to public health services.

## 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. It must consider if a victim can be anchored to a state entity or office which can assume primary responsibility for the victim. Similarly, the Task Force must consider how best to engage with at least some identified NGOs to bridge the gaps in services for TIP victims.



### Design a cohesive framework for access to services

As detailed in the Standard Operating Procedures, identified entities – government and NGO – must be included within this framework and the necessary personnel trained and sensitized to offer legal, medical, documentation and counselling services. The fact that many of these services are ultimately linked to public services is helpful since a system is already in operation to provide these services.

### 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. There is an urgency to include the few organizations that work with men and women engaged in the commercial sex trade, domestic workers' unions and associations, as well as the Associations that represent the LGBTQ community and a selection of NGOs that support workers of the Export Processing Zones.

### 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. Therefore, NGOs must be incentivized with training as well as financial resources to provide counselling and legal counsel to TIP 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.

## ABOUT THE STUDY

The Asia Foundation (TAF), with support from the Office to Monitor and Combat Trafficking in Persons (J/TIP), United States (US) Department of State conducted a multicounty qualitative research study to improve the efficiency and effectiveness of screening and service provision to victims of trafficking in persons (TIP) and gender-based violence (GBV) in diverse contexts. In Sri Lanka, TAF worked with local research partner **Centre for Poverty Analysis** to conduct the research and disseminate its findings. The study's primary objective is to identify promising practices and challenges in integrating or separating services for GBV and TIP victims in the three target countries of India, Nepal, and Sri Lanka. GBV and TIP victims often suffer similar and intersecting forms of abuse, however, at the screening process these multiple vulnerabilities are often not identified, and hence care is delayed. This study is premised upon a deeper study of these intersections; its resultant impact on the identification of victims; leading to a concluding exploration of effective service delivery to the victims, and whether these stand in need of integration. The qualitative data collection for the research was completed between 2020-2021.

*This research was funded by a grant from the United States Department of State. The opinions, findings and conclusions stated herein are those of the author[s] and do not necessarily reflect those of the United States Department of State.*