

GENDER EQUALITY, WOMEN'S RIGHTS AND CHILD RIGHTS

A TRAINING MODULE

**(With specific reference to Anuradhapura
and Kilinochchi Districts)**



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ACRONYMS AND ABBREVIATIONS

CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEJ	Centre for Equality and Justice
CERT	Computer Emergency Readiness Team
CID	Criminal Investigation Department
CRPD	United Nations Convention on the Rights of Persons with Disabilities
CRSA	Child Rights Situation Analysis
CSO	Civil Society Organization
DS	Divisional Secretariat
FAQ	Frequently Asked Questions
FGM	Female Genital Mutilation
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
LAC	Legal Aid Commission
NCPA	National Child Protection Authority
PDVA	Prevention of Domestic Violence Act No.34 of 2005
SDG	Sustainable Development Goals
SGBV	Sexual and Gender-Based Violence
SHGs	Self-Help Groups
SLBFE	Sri Lanka Bureau of Foreign Employment
SOGI	Sexual Orientation and Gender Identity
SRHR	Sexual and Reproductive Health Rights
STEM	Science, Technology, Engineering, and Math
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
VAW	Violence Against Women
VCDC	Village Child Development Committee
WDO	Women Development Officer

01

ABOUT THIS MODULE

1.1 Introduction

This training module was developed by the Centre for Equality and Justice (CEJ) supported by Kindernothilfe, as part of its project titled “Collectively Coping: War Affected Children at Risk and Resilient Mothers in Kilinochchi and Anuradhapura District”. Through the project, CEJ focuses on capacitating and supporting women in Self-Help Groups (SHGs) to enable them to engage in discussions in order to make decisions on different aspects of their lives and the lives of their children. This Module was developed in response to and using issues and themes identified in the Child Rights Situation Analysis (CRSA) conducted in the Kilinochchi and Anuradhapura Districts; baseline studies CEJ conducted in the two project districts; and consultations held with field officers, community facilitators of CEJ, government officials, and civil society actors in these two districts.

CEJ works with women and children in areas which are remote, poverty stricken, and have little or no social infrastructure. This directly and indirectly impacts access to information of women and children in these communities. Access to information is a constitutionally guaranteed right to all citizens in Sri Lanka (Article 14A) including women and chil-

dren. Enabling women and children access to information about their rights allows them to claim their human rights. Therefore, the overall objective of the module is:



Empowering women and children through increased access to information about their rights.

The specific objectives of the Module are:

- To facilitate guiding women and children with basic or no understanding of their rights towards the overall understanding of concepts of gender equality, women’s rights, and children’s rights.
- To facilitate enhancing the understanding of gender equality, women’s rights, and children’s rights of those who have a basic understanding of the concepts.
- To build capacity of women and children in vulnerable communities to identify violations of rights, seek appropriate remedies, and claim their rights.

- To provide guidance for facilitators/trainers (Facilitators) such as teachers, activists, community facilitators, and community leaders to conduct training to community members on issues related to gender equality, women's rights, and children's rights.

1.2 Layout and target groups

This module consists of 03 main parts, each dealing with a specific area:



Gender Equality



Women's Rights



Children's Rights

Each part is further divided into sub-topics. The sub-topics contain:

- Simple objectives;
- Notes which explain the basic concepts and rights related to the topic from a theoretical perspective;
- Available remedies when rights are violated; and
- What practical action has been taken and could be taken to ensure each of the rights.
- Activities for participants (both adult and child, as relevant) in order for them to easily understand the information given to them.

In addition, recognizing that interventions such as these trainings carry certain risks for both Facilitators and participants, Section 1.3 contains basic ethical principles and guidelines facilitators must follow in order ensure both participants and themselves are protected. Notes on preparation, planning, and delivering of the training are contained in Section 1.4 for the use of facilitators, which could also be used as a checklist when preparing for training.

Facilitators are the main users of this Module.



- They should understand and be well-equipped with information on the topics at hand before they conduct any training. The notes accompanying each sub-topic in this module as well as further reading material suggested at the end of the module will be useful for this purpose.
- Facilitators are encouraged to pick topics relevant to their target audience depending on available time. However, it is strongly recommended to introduce the concept of Gender Equality at all trainings.
- They could decide to spend more or less time on certain sessions.
- Facilitators may also use similar activities to those given in the Module, and have the flexibility to improve and adjust activities for maximum impact. However, less experienced facilitators could follow the specific instructions accompanying each activity, without any deviation. What is important is to understand the spirit and objectives of this training module.

1.3 Ethical considerations for facilitators/ trainers

It is important to remember that Facilitators will engage with women and children who are vulnerable due to various reasons. Some of these women and children may have faced painful experiences of violence and other forms of violations, while some topics discussed in this module may trigger emotional distress in participants. Facilitators do not have to be experts on psychology or counseling. But it is necessary for them to be conscious of the dangers implied in working with women and children who may have suffered or are

suffering trauma, and avoid causing harm to those who may already be suffering. In recognition of this reality, the following ethical considerations must guide facilitators when conducting trainings. These guidelines are meant to assist facilitators to work professionally, rather than to restrict their conduct. These considerations provide a framework which will assist Facilitators to act and behave in ways that are responsible and morally right.



Respect **privacy and/or confidentiality**. Do not share participants' private stories if you are not certain it is for public consumption either at or outside the training. At the same time, if their experiences are written down, make sure the notes are stored in a safe place and that outsiders do not have access to that information or are destroyed after the training. Respecting confidentiality ensures participants are not exposed to further threats or violence because of the actions of the facilitator.



Share information about participants either at the training or outside the training only with their **informed consent**. Informed consent requires first explaining to the person what you want to do, asking if they agree, and if they do, asking them to sign a consent form. Participants should never be forced into consenting to anything with which they do not feel comfortable.



Accept the participants' **freedom of choice and right to self-determination**. Do not force any woman or child suffering violence to talk about such violence or seek help. This would be another form of violence and can traumatize them further. Facilitators should only give the audiences the information necessary to choose what is right for them.



If and when participants share their experiences, be **non-judgmental**. Provide support and information to them regardless of your own feelings and accept them not as victims but as persons and survivors.



Take a Do-No-Harm approach which requires acting in the **best interest of the participants**. This may sometimes require breaking the rule of confidentiality. For example, if the facilitator suspects that a child is being abused, or a woman is contemplating committing suicide, the facilitator may break the rule of confidentiality to help them. However, facilitators must inform the participant/s why they have to break the confidentiality rule and make all possible attempts to work together with the participants to find solutions so that they will not feel disempowered.



Ensure safety of the participants. If the facilitator is aware that a certain topic may cause discomfort or trigger distress, they should warn the participants of this before beginning the session. Do not misrepresent what they can do for the participants in these circumstances. Give them full information on what the facilitator can and cannot do for them. Have a list of contacts participants may contact (government, legal and/or mental health support) if they need support. These contacts may be given to the participant privately, or displayed in a place that is visible to the whole group. Remember it is not the facilitator's role to provide referrals. Also, if participants display discomfort or distress, give them time to step out for a specific amount of time and allow sometime for debriefing.



Keep in mind that participants may include persons with various disabilities, who may have special requirements. Facilitators must ensure no-one is left behind during the trainings and that the delivery of training is tailored to **accommodate disabilities**.



If possible, i.e. if resources permit, invite a **trained counselor** to be present at sessions that may cause emotional distress to participants or have contact information at hand for a trained counselor that the participants can speak with after the session.



Do not abuse or exploit participants in any form.

1.4 Notes and Tips for facilitators/ trainers

The following tips and notes are intended to help facilitators plan, prepare, and deliver for sessions successfully.

- Select a venue that is conveniently accessible (both physically and geographically) to all participants. Remember to check if participants have any mobility issues.
- Before every session, make sure to keep all material necessary for the training ready. Make a checklist of necessary material prior to each training and use it to make sure all material is available.
- An effective training session depends on the facilitator knowing well the topic/training to be delivered. Therefore, read all information

related to the topic of the training and be familiar with the subject matter and activities designed for each topic.

- On the day of the training, make sure to establish an atmosphere of informality in which participants feel comfortable and safe. Facilitators may choose their own ice-breakers at the beginning of the sessions to ease the participants into the training.
- Make sure to clearly state the objectives of each session so that the facilitator and participants are clear about what is expected from the session.
- Use the activities in this Module to facilitate interactive learning. It will help build confidence of participants through effective interpersonal communication. However, remember the extent of interactions will largely depend on the comfort level and exposure of the participants to those topics.

- Use group activities to encourage participants to work together and have more opportunity to express their opinion. Use different ways to divide them into groups and pairs.
- Encourage active listening, which will help participants better understand other points of view.
- Refer to the whole group for their opinion whenever it is needed. Encourage participants to share their opinions instead of the facilitator giving all the answers. Encourage everyone to speak at least once during each session before anyone speaks twice, to ensure that everyone is heard.
- If participants ask questions to which the Facilitator is unable to answer, be frank and undertake to provide an answer on the next day or at the next session. Make sure to follow up on another day or session.
- Prepare energisers/ refreshers that can quickly be used when participants' attention starts to wane.
- Remember to get participants' feedback after each session or sessions. Use this feedback to improve delivery of the training next time.

“Communities are sometimes aware of their rights, but do not know how to access redress mechanisms. Therefore, it is important for communities to be part of these trainings”

Participant

Sharing session: Training Module on Gender Equality, Women's and Children's Rights

“We've got to work to save our children and do it with full respect for the fact that if we do not, no one else is going to do it”

Dorothy Height

African-American civil rights and women's rights activist

“Women belong in all places where decisions are being made. It shouldn't be that women are the exception”

Ruth Bader Ginsburg

Associate Justice of the Supreme Court of the US

02

GENDER AND GENDER EQUALITY

2.1 Introduction

Gender is important for SHGs. Understanding what gender and gender equality mean and what happens when there is no gender equality allows women and children to enjoy all of the human rights they were born with, without any limitations imposed by society. This chapter will introduce the concepts of gender, Sex v. Gender, and gender equality and discrimination in order to help promote gender equality.

2.2 Objectives

For participants to:



- Understand the concept of gender, differences between gender and sex, and how it relates to human rights.
- Clearly understand and explain what gender equality means.
- Identify instances of gender inequality/discrimination and steps they can take to achieve gender equality at home and in the community.
- Learn how to support equality of women.

2.3 Why focus on this area?

- It is important to recognize and challenge stereotypes surrounding Sexual Orientation and Gender Identity (SOGI) of individuals.



Gender Identity: A person's internal sense of being a man/male, woman/female, both, neither, or another gender. Eg: a person born as male (sex) may identify as a woman; or a person born as a female (sex) may identify as a man; or a person born as a male or female (sex) may identify as gender fluid- that is, neither male nor female and which gender identity changes over time.



Sexual Orientation: How a person characterizes their emotional and sexual attraction to others. Eg: a man physically and emotionally attracted to a woman is of a heterosexual orientation; a woman physically and emotionally attracted to a woman is of a lesbian orientation; a man physically and emotionally attracted to a man is of a gay orientation; a woman physically and emotionally attracted to both men and women is of a bisexual orientation.

- Gender stereotypes are commonly held beliefs based on traditions and customs about the SOGI of people, eg. Girls should play with dolls and boys should play with trucks; women have long hair and men have short hair; only men can be construction workers; boys should not wear dresses or other clothes that are typically worn by girls; men should not show their emotions; there is something wrong with transgender or gender fluid people; heterosexuality is the only acceptable sexual orientation etc.
- Recognizing the negative impact of gender stereotypes help create cooperation, mutual respect, and acceptance among

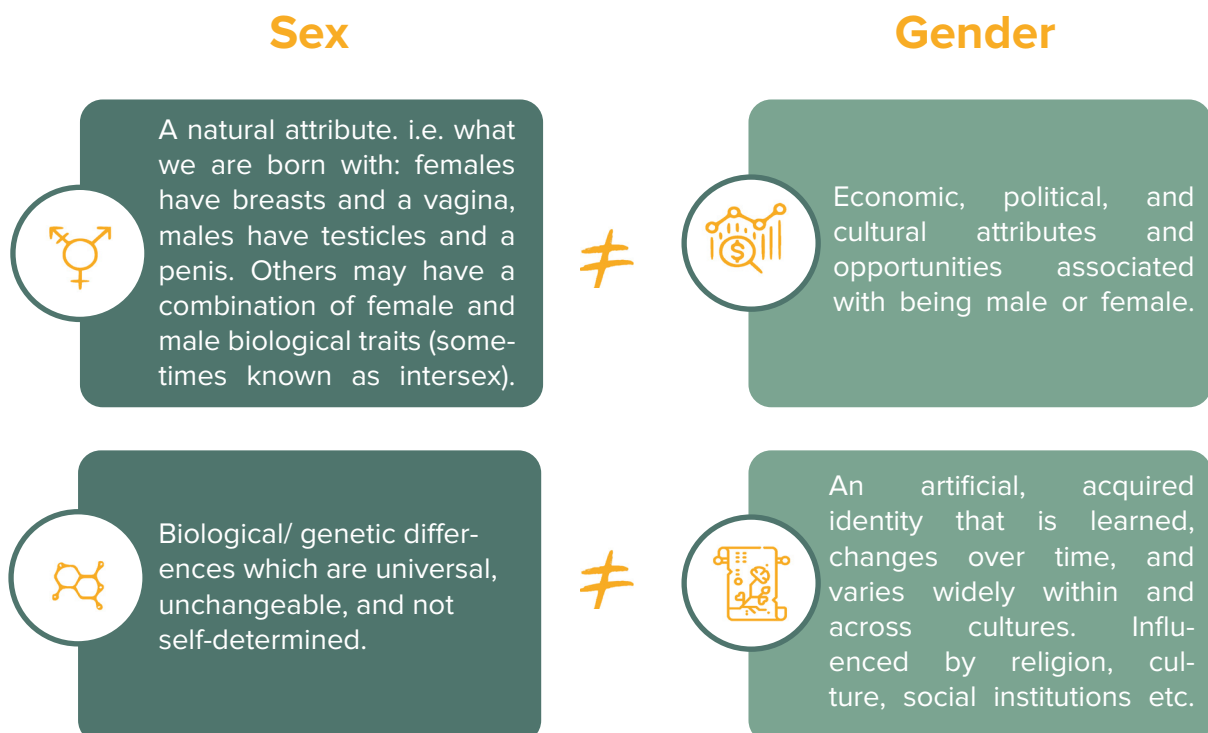
women, men, or persons with other SOGI identities within a community.

- It is important to accept that no person is valued less or more simply because they are a woman, a man, or a person with another SOGI identity.
- This knowledge will help women and children reach their full potential, make decisions for themselves, and play a bigger role in their own wellbeing without being limited by unreasonable social constructs and expectations.

2.4 What is gender? Is it different from sex?

In simple terms, Gender is a social construct. It refers to the roles, activities, and attributes that a society considers appropriate for men and women of that society. Eg: boys are tough, girls are sensitive, girls should have long hair, it is the job of women to take care of children, gifting little boys trucks and guns while gifting little girls cooking sets and dolls.

To fully understand Gender, it is important to understand the difference between Sex and Gender. Often, these two concepts are considered the same and are used in place of one another. However, this is incorrect because unlike Gender, Sex refers to biological and physiological differences in men and women.





cannot be changed without surgical and medical intervention.

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The way in which a society teaches people how they should behave based on their sex: women are responsible for taking care of children; only men can do heavy labour; women should dress modestly; boys should be strong and never cry; girls must help their mothers clean the house; there is something wrong with transgender or gender fluid people. Plays a role in how people perceive themselves and one another and how they interact with each other. It also influences power dynamics within society.

Activity 1 (for adults and children):



- 1 Divide the participants into pairs. Ask them to discuss among themselves two specific characteristics of a flower.
- 2 Divide a flipchart into two columns titled “Nature” and “Society”.
- 3 Instruct participants to share the two characteristics each pair came up with.
- 4 Write the characteristics under the appropriate column.
 - Participants may come up with characteristics such as colour, shape of petals, and fragrance, which are characteristics given by nature. Others may refer to beauty, decorative nature, or used as a symbol of love and for religious rituals, which are characteristics given by society.
 - Explain these characteristics separately and clarify that characteristics given by nature cannot be changed and the characteristics attributed by society may be changed. Relate this to the concepts of sex (characteristics given by nature) and gender (characteristics given by society).

Activity 2 (for adults and children):



- 1 Prepare a list of objects and phrases similar to the following (some of the phrases may need to be changed or skipped for child audiences):

Cooking	Sanitary napkins
Brooms	Crying
Breastfeeding	Razor
Army	Fashionable
Driving trucks	Alcohol
Trousers	Politics
Sewing	Beautiful

- 2 Divide the participants into several smaller groups and appoint a leader for each group.
- 3 Explain that you will read out various phrases/ objects about or related to men and women, and invite the groups to select if they associate the phrase/ object with “Men”, “Women” or both and explain why they do so. Group leaders must raise their hands to answer. Whoever raises their hand first will be given the opportunity to answer first.
- 4 Ask the other groups whether they agree or whether they have a different answer.

- In explaining “WHY?” ask the participants to reflect if the phrase/ object is associated with a particular group because of biological differences between the bodies of males or females (Sex), or whether it is because of what families, communities, culture, and society have taught them to think (Gender)? Emphasise that gendered associations are in most cases arbitrary and give examples of how gender constructs have changed over time in other societies. Eg: Women in Saudi Arabia were not allowed to drive until recently. Women were not allowed to graduate as doctors in the UK until 1876. Nowadays, women wear trousers and most chefs in big hotels are men. (In the list above, only breastfeeding and sanitary napkins are related to sex and can be correctly associated with women).

2.5 What does gender equality mean?

Gender equality happens when all people in a society are treated fairly and equally, whether they are men or women or people with other gender identities.

- It does not mean that women, men, and people with other gender identities have to become the same.
- It means that their rights, responsibilities, and opportunities will not depend on whether they are born male, female, intersex or, on widely accepted gender stereotypes.
- Gender Equality is a basic human right.

The absence of gender equality is called gender discrimination. That is, treating people unequally or unfairly in accessing different things such as employment, healthcare, education, or other resources and opportunities, based on whether they are men or women/male or female or people with other SOGI.

- Gender discrimination is typically the result of gender stereotypes. That is, with what a society traditionally expects men, women, or persons with other SOGI identities to do.
- People from different cultures and societies experience discrimination differently,

- In some places working women are discriminated against as they are employed mostly in low-paying jobs.
- In other places women are expected to stay home and take care of children, who cannot therefore, work to earn a living at all.
- Sometimes women cannot continue education because families give preference to sons to continue education over daughters.

- In other situations, child marriages affect girl children and honour killings are committed by men on women in their families to save the 'reputation' of the family.
- In some countries the law restricts women's life, Eg. women cannot choose their dress; or open a bank account without the husband's signature; or apply for a loan without their husband's consent.
- In other societies, social taboos and economic challenges surrounding Sexual and Reproductive Health Rights (SRHR) prevent women and girls from accessing healthcare services, products, and information about family planning, contraception, and safe sex. This leads to teenage pregnancies, poor menstrual hygiene, and poor reproductive health in women. They are also robbed of the freedom of choice regarding their SRHR including whom to marry, how many children to have, and which healthcare services to access as these decisions are often taken by others, including husbands, parents, and in-laws.
- Similarly, unequal inheritance laws and lack of secure property rights means women do not have much bargaining power in their homes or in their communities. Women are susceptible to violence as a result.

- When women are discriminated against, they cannot enjoy all of their rights.
- They often also have to depend on another person such as the husband, son, daughter, parents etc. socially and financially.
- Being dependent in this way makes women more vulnerable to different forms of violence.
- Most women also face multiple discrimination: as women, and as members of one or more

other social groups such as persons with disabilities, persons with other SOGI, or the poor. This is known as intersectionality, i.e. discrimination based on overlapping identities.

- But, it is important to remember that all women irrespective of their sexual orientation, ethnicity, economic circumstances, or disabilities have the right and should have the space to participate in every aspect of society on an equal basis.
- However, remember, even though gender discrimination is often discussed as an issue impacting women, men also could be discriminated against based on gender, Eg. Preferring women over men for jobs such as nannies, nurses, preschool teachers etc.

Sometimes justice and fairness demand differential treatment to achieve gender equality, which is called gender equity.

- Differential treatment of men and women may be necessary if women have been discriminated against in a society for a long time.
- Certain actions must be taken to right that wrong and create a level playing field for men and women.
- These are called affirmative action. It is meant to reverse discrimination.
- This allows the government or other organizations to introduce programmes for the improvement of women, without being accused of preferential treatment for women, which goes against gender equality. eg. Introducing quotas for women candidates at local government elections; or providing more subsidies for business women to encourage more women to start their own businesses.

Activity 3 (for adults): Case Study



Aruni and Arun are 16 year-old twins. Their father is a farmer and the mother is a home-maker. They were schooled in the village school. They have both passed their O/L examination and Aruni scored better results than Arun. They both want to take Science subjects for their A/L. Unfortunately, for that they have to go to a school in the closest town, which is 15KM away. This is going to be expensive, and beyond the means of their father. Therefore, after consulting the priest at the village temple, the father decides that Arun will go to school in the nearest town and study in the Science stream, while Aruni will continue to go to the school in the village and study Arts. When Aruni tried to talk to her father about this, he said that the priest thought Arts was more suitable for a girl and that Aruni need not worry because she can marry a man who will support her.

- Divide the participants into small groups of 3-4 people. Distribute the handouts with the case study to the groups. Allow them read and understand the scenario (if participants are unable to read, read it out to them slowly. Allow time for them to understand each piece of information).
 - 1 Discuss with the participants issues of gender equality in this scenario (Giving the son preference over the daughter; mother being economically dependent on the father; the fact that the mother or Aruni is not asked for their opinion; gender stereotypes- expectation of girls to be financially dependent on men, making educational choices based on gender; role of culture/ religion in continuing gender stereotypes).

- 2 Ask the participants if they have experienced or seen such discriminatory incidents in their personal or professional lives.
- 3 Discuss why women are being discriminated against and how it affects them personally, their families, and society at large.

Activity 4 (for children):



- 1 Divide the children into pairs. Each pair must consist of a boy and a girl.
- 2 Distribute sheets of waste paper (or old newspaper) to each of the children.
- 3 Ask them to make paper boats with the paper by themselves (if they do not know how, demonstrate).
- 4 After every child has finished making the paper boats, ask them to hold their creations out for the facilitator to examine.
- 5 Give all the boys a reward (eg. a toffee) but none to the girls.
- 6 Observe their reactions for a few minutes.
 - Discuss with the group what they felt after the reward was given.
 - Ask the boys if they thought it was fair that they got a reward when none of the girls did. Why or why not? (If anybody says yes because their boats look better, emphasise that girls may not know how to make boats because they have never been taught how to make boats. Link this to gendered roles)
 - Ask the girls if they thought it was fair that only the boys were rewarded when their boats were equally well done.
 - Ask all if they have experienced or seen such discriminatory incidents in their personal lives and why they think such things happen? Is it because they think boys are better than girls?
 - Discuss how gender discrimination affects them personally, their families, and society at large.

2.6 How can gender equality be ensured?

Some international conventions Sri Lanka is a party to, promote gender equality at the **international level**. A Convention or a treaty is

an agreement between countries to behave a certain way. Countries that are party to conventions are legally bound to put the convention into practice.



The United Nations (UN) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

- Requires governments to protect rights of women by eliminating discrimination.
- Looks beyond legal guarantees of equal treatment and demands countries to actually take action to end discrimination.



The International Covenant on Civil and Political Rights (ICCPR)

- Prohibits discrimination on the ground of sex.
- Requires states to ensure the equal enjoyment of all rights provided in the Covenant for men and women.



Sustainable Development Goals (SDG) No. 05

- Seeks to end discrimination and violence against women and girls and achieve gender equality.

In Sri Lanka:

The Constitution of Sri Lanka



Article 12 (2)- non-discrimination on the ground of sex



Article 12(4)- affirmative action for the advancement of women and children

However, some old laws in Sri Lanka still have provisions which discriminate against women. There are other laws which do not have specific measures to ensure gender equality, which therefore results in discrimination. In practice also, gender discrimination happens in the private and public lives of women all

the time. Several measures could be taken to ensure gender equality in the community:

- Start with the young. Treat both boys and girls on an equal footing. Do not give preference to boys over girls. Give them equal access to education and other opportunities.

- Ask both sons and daughters to help with household chores, especially cooking and cleaning the house.
- Be aware of the language used around children. Avoid saying things like 'Don't act like a girl' or 'Be a man' to boys. These statements reinforce stereotypical messages about how children should feel and behave.
- Give women and girls the freedom to make life choices such as what subjects to choose for their studies, which jobs to do, or whether and when to marry.
- Look for opportunities to support and encourage girls to build skills in science, technology, engineering, and math (STEM).
- Educate men on gender equality and invite them to a frank discussion on whether gender equality is practiced in their homes or workplaces.
- Educate employers in the community on ensuring gender equality within the workplace through such measures as zero tolerance of sexual harassment, equal pay, and employing more women.
- Lobby the local governments to provide for child and disability care facilities such as daycares and creches, to reduce the unpaid caregiving work of women in the community. This will free them to find employment, start businesses, and achieve economic freedom.
- Increase women leaders at community and local levels. More women in decision-making positions will also ensure discriminatory laws and practices are revisited and revised or repealed in order to achieve gender equality.
- Use SHGs to discuss instances of gender inequality members witness or experience in their daily lives. Brainstorm solutions or interventions.

Activity 5 (For adults and children):



Present the following scenarios to the group and ask them to identify what measures could be taken to ensure gender equality in these scenarios:

A mother of two works a full-time job. She has to cook dinner for the family every evening and supervise the children. Then she prepares food for the next day, and cleans the house before going to sleep. Her husband also works a full-time job. (Gender equality in this scenario would be to split up household chores as evenly as possible between everybody at home, so that the burden of taking care of the home is not solely on the mother. It is important to emphasise that on average, women around the world do three times more unpaid work at home than men, while in most cases working full or part time jobs).

A woman gets a good job opportunity but has to work the night shift. (Providing transport, putting up street lights etc. will give the woman an equal opportunity to benefit from the job offer).

A concert was planned at school. Boys are asked to help organize the concert and move tables and chairs, while girls are asked to clean the school hall and take part in dance and song items. (Girls must be given an equal opportunity to take part in decision-making and boys must be exposed to activities like cleaning)

A woman takes time off from work to take maternity leave. After she returned to the workplace, she noticed that her bosses were overlooking her for interesting assignments and training opportunities. Some of her colleagues (both male and female) asked her if she was planning on having another child and if so, how soon. She overheard a recruitment manager asking a potential recruit if their children would prevent them from going out of town on work. (Gender equality in this scenario would be to consider the woman for the same opportunities and pay raises that she would have been given had she not taken time off to care for her family. A Zero tolerance policy for discriminatory and offensive comments would also help).

“women can collectively lobby with local government representatives in pursuing better services for their localities, thereby empowering them to stand for their rights. This will help the political empowerment of women too”

Participant

Sharing session: Training Module on Gender Equality, Women’s and Children’s Rights

“I won’t give up until the exploitation of all children has ended and all children have their rights”

Craig Kielburger

Canadian human rights activist and social entrepreneur

“The connection between women’s human rights, gender equality, socioeconomic development and peace is increasingly apparent”

Mahnaz Afkhami

Iranian-American human rights activist

03

WOMEN'S RIGHTS

3.1 Introduction

Women's rights are human rights. It is important for women to be able to enjoy these rights in the

same way as men. Here are some examples below:



Right to make decisions for themselves



Right to education



Right not to be treated unfairly



Right to earn an equal wage



Freedom of movement



Right to to vote and take part in political life



Right to health



Right to own property

Yet many women around the world are still denied these rights and experience discrimination, simply because they are wom-

en. Gender inequality leads to many rights violations.



Sexual and Gender Based Violence (SGBV)



Unequal pay



Barriers to access healthcare



Barriers to access education



Not being able to make decisions for themselves (lack of agency)



Lack of employment opportunities

This chapter identifies some of the most significant violations of women's rights and

discusses how women could be protected when their rights are violated.

3.2 Understanding Violence Against Women (VAW)

Before a discussion on protection from violence, it is important to understand the concepts of SGBV and VAW.

SGBV is harmful acts directed at a person

against that person's will and based on their biological sex, gender norms (social interpretations of what it means to be male or female), and unequal power relations i.e. directed at a person in a subordinate position within the relationship eg: husband at the wife when the husband is the sole wage-earner in the family; government officials at people who come to them for services; teachers at students.

SGBV is anything harmful done to a person against their will, because of their sex or gender.

Types of SGBV



Physical Violence



Emotional or psychological violence



Sexual violence



Denial of resources or access to services (Socio-economic violence)

SGBV can be experienced by people of all genders in their public or private life. However, it

disproportionately affects women.

It is reported that SGBV affects one in every three women in the world, while one in every Thirty-Three men suffers SGBV.

VAW is an act of SGBV. Any act which results in physical, sexual, or psychological harm or suffering to women and/or girls is an act of VAW.

VAW is an umbrella term which includes:



Domestic or intimate partner violence i.e. physical violence, sexual violence, economic abuse, psychological harm, threats, and other forms of controlling behaviour by a current or former partner or spouse



Sexual violence at the hands of others



Sexual harassment



Harmful traditional practices eg. 'honour killings', Female Genital Mutilation (FGM), and early and forced marriages



Exploitation such as trafficking in women



Violence which happens through technology and social media

SGBV, including VAW happen due to one or more these reasons:

- Harmful gender stereotypes;
- Poverty and other economic challenges;

- Lack of legal protections;
- Conflicts and displacement; and
- Not having enough women in decision-making roles.

These harmful acts continue because communities and societies are silent or are denying that violence happens. Women and girls are usually expected to endure it. However, violence negatively impacts self-esteem, confidence, creativity, and independence of women and girls. SGBV and VAW also violate the following universally accepted human rights:

- Right to Equality and Non-Discrimination
- Right to Freedom from Torture and Cruel, Inhuman, or Degrading Treatment
- Right to liberty and security of person
- Right to Privacy
- Right to life
- Freedom of movement
- Freedom from slavery and forced labour
- Right to Health
- Right to property
- Right to Justice and Access to Legal Remedies

These rights are recognized in international treaties and documents such as the:

- ICCPR
- CEDAW
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or

- Punishment (CAT), and
- The United Nations Declaration on the Elimination of Violence against Women of 1993.

States which are parties to these treaties have an obligation to take measures to stop VAW in their countries. Sri Lanka has ratified all key international Human Rights treaties except the ICESCR.

3.3 Domestic Violence

3.3.1 Introduction

Domestic violence is a form of widespread SGBV. It is also known as intimate partner violence. It violates a survivor's human rights guaranteed by international and domestic laws. This section will introduce what domestic violence means, why it is important to identify and respond to domestic violence, and how domestic violence can be prevented and survivors of domestic violence protected.

3.3.2 Objectives

For participants to:



- Clearly understand what domestic violence is and how domestic violence manifests itself.
- Be able to identify instances of domestic violence and steps they can take to prevent it.

3.3.3 Why focus on this area?

- Domestic violence is a violation of basic human rights.

- It can happen to anyone of any age, SOGI, religion, ethnicity, levels of education, or socio-economic background.
- It could even happen to children.
- Even though men could also be victim-survivors of domestic violence, it affects women more.
- It is so commonplace that often early signs are either ignored or not detected until those escalate in frequency and severity.
- Domestic violence not only affects those who are abused, but also their family members, relatives, friends, co-workers, and the community at large.
- It is also one of the most pervasive forms of VAW in Sri Lanka.



Women in Sri Lanka are significantly more prone to experiencing physical violence from their partners (17.4%), compared to violence from anyone else (7.2%)



They also experience more sexual violence from partners (6.2%) than from others (4.1%).

The 2019 Women's Wellbeing Survey conducted by the Department of Census and Statistics, Sri Lanka

- Therefore, it is important to understand what domestic violence is and how it could be prevented, because everybody deserves to be safe, respected, and valued.

3.3.4 What is domestic violence?

- ◇ Domestic violence is harmful acts done by one partner to control the other partner in a relationship.
- ◇ It can be physical, sexual, emotional, economic, psychological, or technological actions or threats of actions to influence the other partner within the relationship.
- ◇ This includes behaviour that intimidates, manipulates, humiliates, isolates, frightens, terrorizes, coerces, threatens, blames, hurts, injures, or wounds the partner or another person within the household. Some examples are:

- **Physical abuse-** Hitting, kicking, pushing, burning, choking, biting, hair pulling, throwing objects, denying them medical treatment, poisoning, forcing alcohol and/or drug use on them
- **Sexual abuse-** forcing or attempting to force any sexual act without consent (See activity 6). Sexual abuse includes, attacks on sexual parts of the body, forcing sex after physically abusing, or treating one in a sexually demeaning manner.
- **Emotional abuse-** Undermining a person's sense of freedom, self-worth and/or self-esteem, including by constantly criticizing, belittling their abilities, name-calling, or damaging their relationship with their children.
- **Economic abuse-** involves making a person financially dependent by not letting them have any access to money; forbidding them going school or work; preventing them from owning or dealing with property including confiscating or stealing property documents.
- **Psychological abuse-** causing fear by intimidation; threatening physical

harm to themselves, partner or children; harming pets and property; or isolating a person from friends, family, school and/or work.

- **Technological Abuse** – includes harmful acts done using any form of technology, including internet devices, social media, computers, mobile devices, cameras, location tracking devices etc. Eg: taking and/or distributing nude or explicit images or videos of the partner without her consent; sending threatening messages via email or the phone; stalking the partner online; and tracking the partner via electronic devices.

- ◇ Remember that domestic violence is used to gain and maintain control of the other person.
- ◇ While physical and sexual violence is often associated with domestic violence, emotional or psychological abuse cannot be ignored.
- ◇ Emotional abuse destroys self-worth, isolates survivors, and results in mental health issues such as depression and anxiety.
- ◇ Domestic violence often escalates from threats and verbal assault to physical violence. It could even result in serious injury or death.

Activity 6 (for adults): Touch the arm Analogy (to demonstrate the concept of Consent in the case of sexual violence)



- 1 Ask one of the participants if the facilitator could touch her arm during the session.
- 2 After she says yes, touch the arm of that participant.
- 3 Then proceed to touch her arm in other ways: grabbing, stroking, pinching, squeezing, pulling etc.
- 4 Continue to discuss the points of the session while observing the participant whose arm is used for demonstrating.
- 5 At some point during the session she will become really uncomfortable and will likely try to pull away from the facilitator.
- 6 When the participant does this, ask her what the problem is – tell her and the other participants that she agreed to the facilitator touching her arm.
- 6 Listen to their responses. Use this opportunity to discuss one of the key elements of consent- that is, both parties must agree to the same thing. In relation to sexual activities including recording or taking intimate photos, agreement must be given affirmatively through words or conduct. Being silent or passive does not indicate consent under any circumstance. Consenting now does not mean it is still valid tomorrow or at any point in the future. Consent could also be taken back at any point.

Activity 7 (For adults):



- 1 Prepare 04 flip charts with the captions “Physical abuse”, “Emotional and psychological abuse”, “Sexual abuse” and “Economic abuse” written on each of the flipcharts and place those at the front of the room.

- 2 Print/ write the following statements on separate strips of paper (1 statement per strip)
(The captions below are only for the reference of the facilitator).

● **Physical abuse**

- Damages property when angry (throws objects, punches walls, kicks doors, etc.).
- Pushes, slaps, bites, kicks or chokes you.
- Abandons you in a dangerous or unfamiliar place.
- Scares you by driving recklessly.
- Uses a weapon to threaten or hurt you.
- Forces you to leave your home.
- Traps you in your home or keeps you from leaving.
- Prevents you from calling police or seeking medical attention.
- Hurts your children.
- Uses physical force in sexual situations.
- Destroys your belongings.
- Taking away your mobile phone or computer.

● **Emotional and psychological abuse**

- Calls you names.
- Belittles you in the presence of your family, neighbours, friends.
- Threatens to take the children away.
- Yells at you at home or in public.
- Takes away your mobile phone.
- Insults your appearance.
- Ignores your opinions and suggestions at home or in public.
- Threatens to commit suicide if you leave.

● **Sexual abuse**

- Accuses you of cheating or is often jealous of your outside relationships.
- Wants you to dress in a sexual way.
- Insults you in sexual ways or calls you sexual names.
- Forces or manipulates you into having sex or performing sexual acts.
- Holds you down during sex even when you feel uncomfortable with it.
- Demands sex when you are sick, tired or after beating you.
- Hurts you with weapons or objects during sex.
- Involves other people in sexual activities.
- Ignores your feelings regarding sex.

● Economic abuse

- Rigidly controls your finances.
- Withholds money or credit cards.
- Makes you account for every rupee you spend.
- Withholds basic necessities (food, clothes, medication, shelter).
- Prevents you from working or choosing your own career.
- Sabotages your job (making you miss work, calling constantly).
- Steals from you or take your money.

- 3 Divide the participants into 04 groups and ask them to appoint a leader for themselves.
- 4 Roll up the strips of paper and shuffle those well.
- 5 Ask each group leader to come up to the facilitator and pick Nine (09) strips of paper each. The leaders should not open the strips until asked to do so.
- 6 Ask the group members to open the strips picked up by their leaders. Tell them that all the statements refer to different types of domestic violence situations. Give them 10 minutes to discuss which type of domestic violence each statement denotes.
- 7 At the end of 10 minutes ask each group to come up to the charts and pin (using thumb tacks) the statements under the correct captions.
- 8 After all the groups have pinned the statements, note the ones that have been slotted under incorrect captions.
- 9 Close with a discussion of how actions that are often tolerated as minor or natural; or because those are considered to be done out of love; or because those do not happen regularly; or because there is no physical violence are in fact instances of domestic violence.

3.3.5 How can domestic violence be prevented and survivors of domestic violence be protected?

Legal protection:

At the international level:



General Recommendation No. 35 on gender-based violence against women, of the CEDAW Committee defines ‘discrimination’ to include gender-based violence against women. It also recognizes that Gender-based violence against women may amount to torture or cruel, inhuman or degrading treatment in certain circumstances, including in cases of rape, domestic violence or harmful practices.

In Sri Lanka:



- Prevention of Domestic Violence Act No.34 of 2005 (PDVA)
- The Penal Code
- The Assistance to and Protection of Victims of Crime and Witnesses Act No. 4 of 2015

◇ **Prevention of Domestic Violence Act No.34 of 2005 (PDVA)** is the main law which deals with domestic violence.

- It does not recognize domestic violence as a crime because the main aim of the Act is to provide a civil remedy for the safety of the victim- survivor. This means that this law cannot be used to send the abuser to prison. However, the Act defines domestic violence as:

- i. Acts of physical violence already criminalized in the Penal Code, including murder, attempted murder, assault, wrongful confinement or restraint, intimidation, incest, rape, causing miscarriage, extortion etc. and/ or
- ii. Emotional abuse, which is defined as a pattern of cruel, inhuman, degrading or humiliating conduct of a serious nature directed toward an aggrieved person.

- These acts could happen at home or even outside the home. What is important is, there must be a personal relationship between the victim- survivor and the violent person. They need not be husband and wife. Even children, parents, grandparents, and other relatives can seek protection under this Act.
- Unfortunately, the Act does not recognize marital rape (which is, a spouse raping the other spouse) and sexual abuse between spouses as a form of domestic violence.
- It is important to remember that the Act does not refer only to women as victim- survivor. It is gender-neutral, which means even men and people of other genders can seek protection under the Act.
- The main protection under the PDVA is called a “Protection Order”. Any person affected by domestic violence can go to the Magistrates Court, either by themselves or through the Police to ask the court for a protection order.

- A protection order may be first given for 14 days, which is called an “interim protection order”. At this stage, the person applying does not have the burden to prove her/his case. The interim order is later extended for up to 12 months after fully inquiring into the application to court.

- When a protection order is in place, it prevents the respondent (violent person) from entering the home or workplace or school of the victim- survivor; from having any contact with them; from hurting any person assisting the victim- survivor; from selling home in which the victim- survivor resides and making the victim- survivor destitute etc.

- The Magistrate can also order the violent person to take care of the financial needs of the victim- survivor; provide child support; surrender any weapons they have; and attend counseling sessions with the victim etc.

- ◇ In addition, survivors can also separately make a complaint under the **Penal Code** against their abusers if they have committed any crime recognized in the Penal Code.

- This can be done either through the Police or by themselves.

- After inquiry, if found guilty, the offenders may be sent to prison and fined

- ◇ **The Assistance to and Protection of Victims of Crime and Witnesses Act No. 4 of 2015** is another important law.

- It allows victim- survivors to make inquiries on the progress of their complaints; to give evidence through video; to receive compensation; and to request protection from the abuser and treatment for psychological trauma.

In practice:

- ◆ Any woman or child facing domestic violence can go to the:

- Nearest branch of the **Legal Aid Commission (LAC)** to receive legal advice and/or assistance free of charge. These LAC branches are usually located in the nearest Magistrates’ Court or in the vicinity.

- **Children & Women’s desks** of the Sri Lanka Police in each police station which are staffed by female police officers. Women can also talk to these officers at the police station. It is possible to talk to these officers in private in order to protect the survivor’s identity and privacy.

- **Women Development Officer (WDO)** who is stationed at the divisional secretariat office. They can refer victim-survivors to necessary services like hospitals, counselors etc.

- **Village Child Development Committee (VCDC)** or the **School Child Protection Committee** which can assist with referrals to authorities such as the district or divisional Child Protection Officers or the police.

- ◆ However, social attitudes sometimes discourage victim- survivors from reporting and seeking help through courts, as they are made to believe domestic violence is a family dispute which must be kept private.

- ◆ Silence surrounding the topic is also a barrier to ending domestic violence. It is necessary to speak out about it and understand that stigma and lack of support keep survivors silent.

- ◆ Consider the following steps in responding to domestic violence:

- The first step towards preventing or stopping domestic violence is to recognize or **acknowledge that one’s relationship is abusive**. Consider talking about the experiences with a trusted ally.

- **Become aware** about domestic violence and speak about it openly. Find out what services are available in the community to

support survivors of domestic violence.

- **Create safe spaces for women** to speak openly about domestic violence. This is easy to do through SHGs. Consider advocating with local level officials and hospitals to make sure they also become safe spaces for survivors.
- As a community, seek to **empower women** through education, income generation activities etc. to break the economic dependency of most survivors on their abusers.
- Encourage both men and women to have **ongoing discussions about mutual respect**. Ensure people recognise that it is important to involve men and boys.
- If a person suspects that someone they

know is being abused, **do not ignore** the signs. Express their concern if not publicly, at least privately to them. This might encourage survivors to talk about their experiences and seek help. Remember to treat them with respect. Listen to them carefully and maintain confidentiality. No information about a survivor should be revealed without their consent.

- Remember that the **safety of survivors and their families** is the most important thing to consider. Therefore, any intervention should be done with care and with the consent of the survivor.
- **Help survivors access services** available to them such as the WDO, police, hospital, women's organizations providing shelter, counselors etc.

Activity 8 (For adults):



- 1 Give each participant a blank sheet of paper.
- 2 Ask them to cut the paper out in the shape of some clothing item, eg: dress, t-shirt-blouse etc (or the facilitator could pre-cut the paper into different shapes of clothes).
- 3 On the paper clothing item, ask them to write messages about standing up against domestic violence (If a participant does not know how to write, the facilitator or another participant could assist them). These messages could be about behaviour they will not accept anymore or on measures they will take to fight against domestic violence.
- 4 Once the messages are written, draw a clothesline across the room and hang the messages on the clothesline. This will be called the "Say-No to Domestic Violence clothesline".
- 5 Close by asking the participants to reflect on the clothesline and to see if anything important has been missed.

3.4 Other forms of Violence Against Women (VAW)

3.4.1 Introduction

As mentioned in 3.2 VAW is an umbrella term which includes multiple other harmful conduct. This section will focus on several of such issues which affect women in Sri Lanka: rape, sexual harassment, and other forms of sexual abuse; online or technology facilitated violence; and sexual bribery.

3.4.2 Objectives

For participants to:



- Clearly understand some of the other forms of VAW, namely; rape, sexual harassment, and other forms of sexual abuse; online or technology facilitated violence; and sexual bribery.
- Be able to identify instances of VAW and steps they can take to prevent these violations.

3.4.3 Why focus on this area?

- VAW is a violation of multiple basic human rights.
- It can happen to women of any age, sexual orientation, religion, ethnicity, levels of education, or socio-economic background.
- It could even happen to children.
- Women who are left as heads of their families are more vulnerable to different types of violence.
- If violence is ignored for long or is not identified, women become more vulnerable.

- Therefore, it is important to talk about the forms of VAW that affect women in our communities and ensure they have the necessary information to identify and prevent acts of violence against themselves.

3.4.4 Understanding other forms of VAW

Sexual abuse is the most familiar form of VAW, which include rape, incest, and sexual harassment, all of which are serious crimes.



Rape happens when a person does not want to have sex to have not given their consent to have sex.

- Remember it is not sex if the woman has not consented to have sex with the other person. While rape can be committed by any person, in Sri Lanka, rape can only be committed by men on women.
- For the act to amount to rape, there must be peno-vaginal penetration i.e. the penis of the man must have entered the vagina of the woman against her consent.
- If this happens to a girl below the age of 16 years, it would be considered rape even if she has given her consent. This is to protect children as children are not capable of giving consent.
- However, if the husband forces his wife to have sex against her will, even if it is rape, it is not recognized as a crime under Sri Lankan law.
- Other acts which are sexual in nature done to a person (man or woman) without their consent, but there is no peno-vaginal penetration are called grave sexual abuse, eg. Oral sex, forcing to touch a man's penis. Those are also crimes in Sri Lanka.



Incest is sexual acts between family members or close relatives, eg. Parents and children, between siblings, grandparents and grandchildren, adoptive parents and adopted children, blood cousins.

- It is a crime in Sri Lanka even in cases where it is not forced on a person, i.e. even if the parties have consented.
- Incest often go unnoticed, are sometimes considered natural, and are often accompanied by intimidation and threats.
- Women who are subjected to incest against their will suffer mental health issues. This can lead to isolating themselves from others, not being able to be employed continuously, and ultimately exposing them to further abuse and dependency.



Sexual harassment is an act of violence which may cover a range of actions, in the form of verbal or physical acts of a sexual nature.

- This could be an assault or use of criminal force or use of words or actions such as unwelcome sexual advances, requests for sexual favours, sexual assault, grabbing, groping, unwanted kissing, or making lewd comments of a sexual nature.
- It could happen to both men and women, but as is true for other forms of SGBV, it affects women disproportionately.
- Sexual harassment could happen in the workplace, on public transport, in religious places, or in other public places.
- The harasser can be the survivor-victim's employer, supervisor, a co-worker, a customer, religious figure, public official,

money lender, debt collector, or any other person.

- Sexual harassment is common and particularly widespread in public transport in Sri Lanka.
- Women also face sexual harassment in the workplace and in every day life.



Online or technology facilitated VAW appear to be increasing in recent times.

- This could be any harmful act that is committed using electronic or digital tools such as mobile phones, computers, social media platforms.
- It can happen in online spaces as well as offline through the use of technology, such as using a GPS tracker or a mobile phone location app to control a woman's movements.
- Technology aggravates existing forms of VAW, such as domestic violence.
- Online violence could include:

- **Cyberbullying:** sending intimidating or threatening messages to a person; impersonating through hacking, catfishing, or creating fake profiles; or sharing nude or explicit photos of persons publicly without their consent through electronic or digital devices.

- **Non-consensual sexting:** sharing nude or explicit messages or photos through electronic means without the consent of the receiver.

- **Doxing:** public release of private or identifying information about a person without that person's consent.



Sexual bribery is when someone in a position of power, like a public official (e.g., Grama Niladhari, Police Officer, Samurdhi Officer, Judge, etc.) demands or implies that sexual acts are required to provide services or benefits people are entitled to.

- It is a form of corruption in which the bribe is sex, as opposed to money.

- Under the law persons in positions of power cannot demand payment of any kind including sexual favours, for the services they give.
- Sexual Bribery disproportionately affects women who are vulnerable such as single, widowed, or divorced women, who are often female heads of household and dependent on powerful persons in their communities.
- These incidents are seldom reported because women fear retaliation and have to endure social stigma.

3.4.5 How can protection from violence be ensured?

Legal protection:

At the international level:



- **ICCPR** guarantees core human rights such as the right to equality and non-Discrimination; right to freedom from Torture and Cruel, Inhuman, or Degrading Treatment; right to liberty and security of person; and the right to life.
- General Recommendation No. 35 on gender-based violence against women of the **CEDAW Committee** defines the term 'discrimination' to include SGBV against women. It also recognizes that Gender-based violence against women may amount to torture or cruel, inhuman or degrading treatment in certain circumstances, including in cases of rape, domestic violence, or harmful practices.

In Sri Lanka:



- Article 12 of the **Constitution**
- **Penal Code**- criminalizes rape, incest, grave sexual abuse, and sexual harassment.
- **Anti- Corruption Act. No. 09 of 2023** criminalises offering and accepting sexual bribery.
- **Obscene Publications (Amendment) Act No. 22 of 1983** prohibits selling, distributing, sharing publicly, or even having "obscene" photographs, films, or videos.
- **Computer Crimes Act, No. 24 of 2007** prohibits hacking of computers and the using information taken without the consent of the user or owner of the computer.

In practice:

- ◆ Any woman who has faced or is facing sexual violence can:
 - Go to the **Children & Women's desks** of the Sri Lanka Police in each police station which are staffed by female police officers. Women can also talk to these officers at the police station. It is possible to talk to these officers in private in order to protect the survivor's identity and privacy.
 - Go to the **WDO** who is stationed at the divisional secretariat office. They can refer survivor-victims to necessary services like hospitals, counselors etc.
 - Make complaints related to sexual bribery to the **police station** or to the **Bribery Commission**.
 - Make Complaints regarding online violence to the **nearest police station** or to the **Cyber Crimes Division of the Criminal Investigation Department (CID)** based in Colombo. Police stations across the country are instructed to direct complaints related to online violence to this Division.
 - Get in touch with the **Computer Emergency Readiness Team (CERT)**. CERT will advise victim-survivors of online harassment or violence about how to complain to the social media platforms and how to prevent further breaches of their online security
- and how to remove problematic content. However, CERT cannot accept complaints relating to technology-based violence.
- Complain to the **National Women's Hotline 1938** operated by the Sri Lanka Women's Bureau. It refers complaints to appropriate agencies for assistance and relief.
- ◆ In addition, as communities, it is important to:
 - Understand that VAW is **not the fault of the woman**. It is important not to engage in victim-blaming.
 - **Become educated** about VAW and speak about it openly. Find out what services are available in the community to support survivors.
 - **Create safe spaces for women** to speak openly about violence. This is easy to do through SHGs. Consider advocating with local level officials and hospitals to make sure they also become safe spaces for survivors.
 - Encourage both men and women to have **ongoing discussions about mutual respect**. Ensure people recognise that it is important to engage men and boys.
 - **Help survivors access services** available to them such as the police, hospital, women's organizations providing shelter, counselors etc.

Activity 9 (for adults): Myths and facts quiz



- 1 In preparation for the quiz, divide the participants into Four groups and ask them to appoint a 'responder' for their groups.
- 2 The responder's task is to raise their hand if the group can answer the question.

- 3 The responder who raises their hand first will be asked to answer first. The responder who raised their hand second can answer if the first 'responder' gives the incorrect answer.
- 4 The groups must answer "TRUE" or "FALSE". Explain the correct answer after a group has given the correct answer.
- 5 Keep count of how many correct answers each group gets.
- 6 The group with the highest number of correct answers wins. Acknowledge this by giving the winning team a symbolic token such as a paper flower or a medal cut out of paper.

Statements:

A. If a woman goes to the house of a man late in the evening, by herself he is free to make sexual advances. FALSE

Explanation: Sexual acts without the consent of one of the parties, is rape or another sexual assault. It is about power and control. not about consent. Accusing a person of "risking it" wrongfully places the responsibility of the offender's actions with the victim-survivors.

B. Men can be sexually assaulted. TRUE

Explanation: Men are victim-survivors of sexual assault. They may be sexually assaulted either by another male or a female.

C. Sexual crimes are under-reported to the police. TRUE

Explanation: due to social stigma, fear, and/ or mistrust, rape or other sexual abuse incidents are under-reported.

D. The way a woman is dressed is often why she is raped. FALSE

Explanation: Sexual assault is not the result of the way a person dresses or acts. It is the assailant who decides to assault another person. The victim-survivors is not an accessory to the crime. If the crime was a man being mugged on the streets at night, do we say what were you wearing when it happened? Why were you out so late? etc.

E. Sexual offenders are often known to the victim-survivors. TRUE

Explanation: Most sexual assaults are committed by someone the victim-survivors knows. Studies show that approximately 80% of the people reporting sexual assaults knew the person who assaulted them.

F. When a woman says “no” she really means “maybe” or “yes”. FALSE

Explanation: When a woman or a man says “no,” he or she means “no.” “No” means no. Sexual intercourse without consent is rape. A person has the right to control his or her own body.

G. Old, disabled, or people who are not good looking are never sexually assaulted. FALSE

Explanation: The myth that only young, pretty women are sexually assaulted stems from the myth that sexual assault is based on sex and physical attraction. Sexual assault is a crime of power and control. Offenders often choose people whom they perceive as most vulnerable to attack or over whom they believe they can assert power.

H. Victim-survivors who have been sexually assaulted are always disheveled and disoriented. FALSE

Explanation: Victim-survivors of sexual assault may show several emotions including: calm, hysteria, withdrawal, anger, apathy, denial and shock. Being sexually assaulted is a very traumatic experience and reactions to the assault and the length of time needed to process through the experience vary with each person. There is no “right way” to react to being sexually assaulted.

I. Once men are sexually aroused, they cannot help themselves or stop. FALSE

Explanation: Forcing sexual activity without consent is a choice on the part of the offender. Rape is an aggressive and violent act used to exert control over the other person. If this is true, think of a man having sex (with a consenting partner!) and the other person’s parent walked through the room – would he stop? Yes, he would stop, grab his clothes, and run away!

J. An intimate partner has a right to demand for nude photos from the other partner. FALSE

Explanation: You have the right to decide if you want to share intimate photos with your partner. Conduct such as repeatedly asking even when you have said no, threatening or demanding for such photos etc. is harassment.

K. If the Grama Niladari asks you to come to his office at 5AM to get your allocation of dry rations from the government, you can refuse to go. TRUE

Explanation: Sexual bribery takes many forms. If you feel uncomfortable with requests to meet people in positions of power outside their office hours, you can refuse to do so. They cannot threaten to take away your entitlements if you do not meet them.

L. If a man gropes you on the bus, you can report him to the nearest police station. TRUE

Explanation: This is sexual harassment. It is a crime under the Penal Code.

3.5 Safe labour migration

3.5.1 Introduction

According to official statistics, women account for one third of all people who go abroad (migrate) for employment in Sri Lanka. The actual numbers may be higher. They contribute significantly to the economy when they send their salaries home. Women also find jobs in other parts of the country, which take them away from their homes. Therefore, this section discusses what safe migration is, and what women can do to protect themselves from dangers such as exploitation.

3.5.2 Objectives

For participants to:



- Clearly understand what safe migration is and how exploitation and abuse could happen within the labour migration process;
- Through information, protect themselves from human trafficking and other abuse when finding employment in Sri Lanka or abroad.

3.5.3 Why focus on this area?

- Many women seek jobs locally and abroad to have a better life for their families and themselves.
- It is their right to decide about their future, to improve their standard of living, to secure the family's security, and earn a living wage.
- Migrant remittances are the largest source of foreign remittances to Sri Lanka, which was approximately Three Billion US Dollars in 2022. Migrant worker women contribute to Sri Lanka's foreign remittances.

- However, most of the women who seek foreign employment are low-skilled or unskilled. Therefore, they can migrate only for low paying jobs such as domestic helpers, housekeepers etc.
- Most women from poor and rural communities who find jobs in other parts of the country to support their families are also low-skilled or unskilled. Therefore, they find work as domestic workers, garment factory workers etc.
- Some attempt to migrate through irregular channels, eg. Through friends and neighbours, with forged passports, on visitor visas, without work authorizations.
- Irregular and low-skilled women migrants can face the risk of violence and abuse from middlemen, employers, partners, and others.
- They are particularly at risk of exploitation, abuse, violence, forced labour and trafficking, eg: beaten and tortured by employers, kept prisoner in the house, taking away their passports or national identity cards, starving them of without food or water, sexual assaults, not paying wages.
- Both home communities and host communities sometimes display negative attitudes towards migrant worker women, eg. Their work is of low value, they take the jobs of people in the host country, they are a security risk, they are without morals (they are 'easy' women or that they steal) etc.

- Therefore, it is important for women who consider going abroad for work or who find employment within the country, to protect themselves from exploitation and be safe.

3.5.4 What is safe labour migration?

- The concept of safe labour migration is usually used in relation to foreign employment. But here it will be used to refer to both foreign employment and employment in the country sometimes, away from home.
- Safe labour migration means that the

migrants are protected from any risks related to their health, legal status, or life.

- This means, as a first step having access all information necessary to make an informed decision about migrating eg. A clear understanding of why they want employment; if going abroad, country conditions in the host country; nature of work and work conditions; background information about the recruiter or employment agency; information about organizations or persons that could help them if they are in trouble or risk etc.
- It also means completing the period of employment and returning home without any problem.
- Finding jobs through regular channels do not always guarantee a safe experience.
- Even persons migrating abroad through irregular means may live and work abroad and return safely.
- However, following a regular and legal procedure is always advisable for foreign employment because it acts as a safety net. If a migrant worker faces any difficulty in a foreign country, they can ask for help if they find a job through a regular and legal channel.
- Migrant workers must be aware of human trafficking.

3.5.5 What is human trafficking?

- In simple terms, human trafficking is selling people for profit. It is a form of modern-day slavery.
- People could be trafficked for labour, for sex (prostitution), for organ harvesting etc.
- Men, women, and children of all ages and from all backgrounds can become victims of this crime.
- But women are the primary targets and girls are mainly trafficked for sex.
- Traffickers use fear, violence, intimidation,

threats, fraud, and false promises to control and exploit the victim-survivors against their will, Eg: using physical and sexual abuse, blackmail such as nude photos or threats of harming their families, emotional manipulation, taking away passports or national identity cards, starving people, pretending to love them, promising to marry.

- Exploitation can happen in their own hometown or other parts of Sri Lanka or outside Sri Lanka.
- Traffickers could be any person. They could be a neighbor, a friend, a family member, a politician in the area, a criminal gang in the area, or even a government official.
- People are pushed towards traffickers for various reasons such as, because they are poor, or have not completed their education, or do not have a job, or because they do not have all the information they should have to make an informed decision.

3.5.6 How can migrant women protect themselves?

Legal protection:



- The **Penal Code** makes human trafficking a crime.
- The **SLBFE Act No. 21 of 1985** requires all people who go abroad for jobs to register themselves with the Sri Lanka Bureau of Foreign Employment Act.
- The **Immigrants and Emigrants (Amendment) Act, No. 31 of 2006** makes it a crime to trick a person into going abroad for employment.
- **Assistance to and protection of Victims of Crime and Witnesses Act No. 04 of 2015** provides for compensation to victim-survivors.

In practice:

- ◆ A woman who wants to migrate for a foreign job may contact:
 - The **Foreign Employment Development Officer** and/or **migrant information centre** of the nearest DS office; or
 - The nearest branch of the **Sri Lanka Bureau of Foreign Employment (SLBFE)**
 - A **Migrant circle** or a **CSO working on migrant issues** in the area,to get information about the migration process.
- ◆ A woman who wants to or has received a job offer in another part of the country:
 - Contact the **WDO** or a **CSO** in the area to discuss if it is a safe job or whether there is other income generating work in the community.
 - Discuss the pros and cons of going away from home with the **WDO**, **CSO**, or other **community level women's collectives** they are a member of.

- ◆ If a woman faces a situation which could be trafficking or exploitation, it could be reported to:
 - The **nearest police station**. The Children & Women's desks of the Sri Lanka Police in each police station are staffed by female police officers. Women can also talk to these officers at the police station. It is possible to talk to these officers in private in order to protect the survivor's identity and privacy.
 - The **Grama Niladari** or **WDO** who is stationed at the divisional secretariat office. They can refer victim-survivors to necessary services like hospitals, counselors etc.
 - The **National Women's Hotline 1938** operated by the Sri Lanka Women's Bureau. It refers complaints to appropriate agencies for assistance and relief.

Activity 10 (for adults):



- 1 Read out the following statements to the participants.
- 2 They have to identify if the statement is 'True' or 'False'.
- 3 Ask them to correct the 'False' statements. The explanations under 'Reality' are for the benefit of the facilitator.

A. Women who go abroad for jobs through reputed recruitment agencies which are registered with the government are always safe and have a pleasant experience. (FALSE)

Reality: Even though it is the safest route for foreign employment, women are not always guaranteed a safe experience. But, if they go through regular, approved channels they can seek help if they face exploitation.

B. Human trafficking is always a violent crime, which involves kidnapping the person. (FALSE)

Reality: human traffickers often use non-physical manipulation, fraud, deception, and/or intimidation on victim-survivors to exploit them for commercial sex and/or labour.

C. Human trafficking can happen in the victim-survivor's own country or even in their own home. (TRUE)

D. All trafficked women are used in the commercial sex trade as prostitutes. (FALSE)

Reality: Globally there are more situations of labour trafficking than sex trafficking. Women are trafficked more for sex than for labour. But women are also trafficked for labour.

D. A neighbour promises a 20 year-old girl from Puttalam that she will get her a well-paid job at a hotel in Kandy. She also tells her that she will be working the nightshift. The girl agrees and was paid 20,000/= before she went to Kandy. She was told the payment was an advance from her salary. The girl gave most of the money to her mother to keep. When she goes to the hotel, she finds out that it was a brothel. She refused to work and locked herself up in her room because she did not have any money to go back home. This is still a case of human trafficking even if the girl accepted payment, knew that she had to work nights, and was not stopped by anybody from leaving the hotel. (TRUE)

F. Most trafficked persons do not know the people who targeted them for trafficking (the traffickers). (FALSE)

Reality: A majority of survivors report being trafficked by spouses, partners, relatives, parents, or friends and neighbours.

3.6 Unpaid Care Work and socio-economic dependency

3.6.1 Introduction

Unpaid care work is important for the economy of the country and for families. However, women and girls are unfairly burdened with unpaid care work. This section discusses the importance of unpaid care work and what steps could be taken to reduce the burden of unpaid care work on women and girls.

3.6.2 Objectives

For participants to:

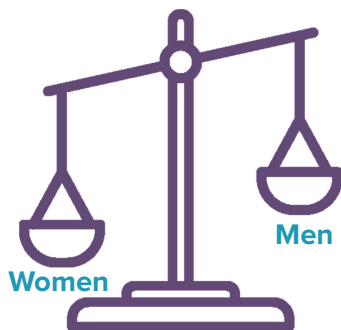


- Understand the concept of unpaid care work and how it relates to women's rights.
- Learn what steps to take in order to reduce the burden of unpaid care work on themselves and develop other areas in their lives.

3.6.3 Why focus on this area?

- In developing countries such as Sri Lanka, women and girls have to do most of the household work and care for family members.
- This is mostly because of gender stereotypes in society, which consider household work a woman's responsibility.
- The amount of time spent on these chores may not always seem like a lot. But this time adds up.

Around the world, women spend two to ten times more time on unpaid care work than men.



- This unequal distribution of responsibilities treats women and girls unfairly. It takes away time women have for other things in their lives.
- It stops or limits women and girls from being able to do any paid work. As a result, they become financially dependent on other family members such as fathers, husbands, sons and daughters.
- For working women, unpaid care work doubles the burden as they have to do their paid work as well as unpaid care work at home.
- It does not allow a woman time for leisure or to take care of herself eg: watch television, go to the doctor if she is not well, take a nap when she is tired.
- It also does not leave women too much time to meet friends, visit neighbours, or go to community meetings.

- Therefore, it is necessary to find ways to reduce the burden of unpaid care work on women and girls so that they have time for other things too.

3.6.4 What is unpaid care work?

- Unpaid care work is all work a person does in the household for which they do not receive any payment. This includes household duties such as preparing meals, cooking, cleaning the house, collecting water, caring for children and older family members.
- Household work and caring for family members are important to a well-functioning family, society, and economy.
- However, because it is unpaid, it is considered low value and therefore invisible.
- But studies show that, if unpaid care work is given a monetary value, it would be equal to 1/10 of the world's economy.
- In Sri Lanka women have to spend more time on unpaid care work because they have to take care of children, old people, and people with disabilities.
- This is because the government or other organizations have not provided enough care facilities such as day-care centres, schools for children with disabilities, and assisted living facilities or nursing homes for older people.
- The unequal distribution of unpaid care work between women and men violates women's human rights.
- It results in most women becoming poorer because they do not have enough time to do paid work.
- It also violates a woman's right to leisure, right to health, and right to community.

Activity 11 (For adults and children): Understanding unpaid care work



- 1 Divide participants into small groups.
- 2 Ask half the groups to imagine the day in the life of a wife, and the other groups to imagine the day in the life of a husband.
- 3 Ask all groups to creatively perform the tasks done by women and men in the household over a period of 24 hours.
- 4 Note down the points on a flip chart.
- 5 After groups have presented, ask the group to draw out what the groups thought in common, e.g. if all the groups imagined the wife allocated time for cooking; if all the groups imagined the husband allocated time to go to work or to read the paper.
- 6 List the activities that were presented under paid work, community work (meeting friends, attending village committee meetings etc), care work.
- 7 Discuss who spends more time on what type of work. The exercise will most probably show that women spend a disproportionate amount of time on unpaid care work. Highlight it to the group.

3.6.5 How can the burden of unpaid care work on women be reduced?

Unpaid care work is not recognized in the law in Sri Lanka. However, there are steps women can take individually and collectively to reduce the burden of unpaid care work on themselves:

Educate oneself on what unpaid care work is.

- Share this knowledge with family, friends, and neighbours.

- Ask them to think about how much time each person spends on unpaid care work each day.
- This will allow people to recognize that a lot of time is spent on unpaid care work each day. Women do most of this work.

Ask other family members to help them with unpaid care work.

- Ask men to learn to cook, help feed and dress children, or clean the home.
- Ask both sons and daughters to help with household chores, especially cooking and

cleaning the house.

- Redistributing the time spent on unpaid care work will give them more time for other activities.

Collectively organize at community level such as by forming SHG or other women's collectives.

- Invite men to the discussions on unpaid care work. Remember big changes happen in small steps. Making sure men attend the meetings regularly is a step in the right direction even if they will not change their ways immediately.
- Use these collectives to find self-employment or business opportunities within the community.
- This will increase prospects of earning money

and reduce depending on others for support.

Collectively request local governments to establish safe and affordable care services such as daycares for children with or without disabilities.

- This will release women from care responsibilities at least for a few hours each day to concentrate on other activities such as paid work or to attend community meetings.

Through village or community level organizations, lobby the government to increase the allowances paid to family members with disabilities and elders.

- This will increase the household income.
- It will also be indirectly accepting the unpaid care work of women who care these family members.

Activity 12 (for adults and children):



- 1 Divide the participants into two groups.
- 2 Ask one group to imagine themselves to be men. The other group can be themselves (women).
- 3 Ask members of each group what they do (When people are asked what they do, the response is most often related to productive, paid work, eg. I'm a policeman, I'm a fisherman, I'm a doctor etc. Women not in paid work will often say they do not do anything).
- 4 After all the participants have stated what they do, ask the participants who said they do not do any work to imagine if they had to pay for all the unpaid care work they do at home.
- 5 Ask all participants if they can afford to pay for others to do that work and how much it would cost if they do.
- 6 Discuss how productive activities of women such as cooking, cleaning, caring for children etc. are considered "non-work" because those are not paid.
- 7 Emphasise that unpaid care work of women is productive work even if not paid and that such work has value. Highlight how women's productive work (unpaid care work) is often less visible and less valued than that of men (paid employment).

04

CHILDREN AND RIGHTS

4.1 Introduction

- All children in the world have human rights, which are known as children's rights. Children need rights to be safe, healthy, happy, and cared for within their families and communities.
- Therefore, it is important for children and adults alike, to know what child rights are, how those are not respected, and what one could do when child rights are not respected.
- Firstly, this chapter contains a brief session on introducing child rights to adults and children. The activities under this section are for children, as adults will be able to understand the content without any trouble.
- Thereafter, it discusses child rights under 04 main categories:



Right to Survival- This means ensuring the right to life, nutrition, name and nationality.



Right to Protection- This means ensuring protection from exploitation, abuse and neglect.



Right to Development- This means the right to education, care, leisure, play and recreation.



Right to Participation- This means participating to express and be informed.

4.2 Understanding rights and responsibilities

4.2.1 Introduction

- It is important to understand that every child is equal and important, irrespective of what they look like, where they come from, what language they speak, how old they are, or if they are a boy or a girl.
- Children have the same human rights as adults, by virtue of being born human beings.
- They do not have more rights than adults. But some support is needed to make sure the rights of children are respected and

protected properly. Children's rights provide this additional support.

4.2.2 Objectives

For participants to:



- Clearly understand what rights are and the difference between wants and rights.
- Understand that rights carry responsibilities.
- Learn about the United Nations Convention on the Rights of the Child (UNCRC).

4.2.3 What are rights and why are those important?

- Children need rights to be safe, healthy, happy, and cared for within their families and communities.
- There is an important difference between what are rights and what are wants or likes (Rights v. wants/ likes). There are lots of things people may want. But rights are those very important things needed to support people as human beings. eg: it is nice to have an ice-cream, but a person can live without it. On the other hand, people need rice and vegetables to eat. One cannot live without essential food. People can demand for their rights. But they cannot demand what they want or like.

Activity 13 (for children): Understanding rights



- 1 Source the following items and put them in a non-transparent bag:

- A. A picture or photo of a smiling family (right to live with your family, unless it is bad for you, Article 9 of the UNCRC)
- B. A fruit or biscuits or other food item (right to food, Article 24)
- C. A small bottle of water (right to water, Article 24)
- D. A small toy house of some kind (If you cannot find one, draw a house on a paper), (right to a safe house, Article 24)
- E. A Ball (right to play, Article 31)
- F. A stethoscope or bottle of cough syrup or other medical item (right to health care, Article 24)
- G. An exercise book or story book and a pencil (right to education, Article 28)

- 2 Explain to the children that they are going to think about important things that children need in order to stay alive and grow up well.
- 3 Explain that they are going to play a game to help them to think about these things.
- 4 Take each item from the bag and show it to the group. Ask them:
 - A. What is it?
 - B. What important thing does it make you think of?
 - C. Are those things they mentioned important for all children? Why is it important?
 - D. How would it feel if they did not allow this thing?
- 5 Use the opportunity to explain that a right is different from wants. Wants are things that will be nice to have but which a person can live without.
- 6 Also discuss how all the rights (objects in the bag) are necessary for a child to thrive.

- Having rights does not mean children can always do what they want. There are also things

that children have to do without fail or have a duty to do. These are called responsibilities.



Go to school regularly



Respect the opinions of others



Help your parents



Follow safety rules



Respect your elders and friends



Take care of all school books



Be kind to other people

Activity 14 (for children): Understanding responsibilities



- 1 Divide the participants into pairs.
- 2 Ask each of the pairs to think of a right. Help each pair come up with an actual right.
- 3 Then ask them to think of two duties related to each right.
- 4 Ask each pair to share their answers with the rest of the group.
- 5 Discuss whether and how each answer is a responsibility and how it relates to rights.

4.2.4 From where do child rights come?

- A child is anyone who is below 18 years of age. (**Note to children:** This means all of you and your sisters and brothers who are not yet 18, are children)
- Every child in the world is born with these rights as human beings.
- But to make sure these rights are protected, the United Nations Convention on the Rights of the Child (UNCRC) contains a list of rights all children have. Countries around the world, including Sri Lanka, have agreed to protect these rights.
- The UNCRC is a specific list of all the things children need. It explains that all children everywhere have the same human rights as adults, as well as additional rights that they need to learn, grow, play, develop and reach their full potential.
- It reminds us that all human rights are equal. No right is more important than another. There are no “priority rights”.
- UNCRC lists 41 human rights to be respected and protected for every child under the age of eighteen years.
- The UNCRC is guided by 04 main values. These are:



- **Non-discrimination:** All children have these rights. They cannot be treated unfairly because of who they or their parents are, where they live, what they do, what colour their skin is, whether they are a boy or girl, which language they speak, what their religion is, what their culture is, whether they have a disability, or whether they are rich or poor. (Article 2)
- **Best interests of the child:** When adults make decisions for children, they must always first think of how their decisions will affect children. (Article 3)
- **Right to life, survival and development:** Children have the right to be alive. Countries do everything possible to make

sure children live and grow up strong. (Article 6)

- **Respect for the views of children:** All children who are capable of forming their own views can give their opinions freely about anything that affects them. Adults must listen to these opinions and take those seriously. (Article 12)

- Many different people like,
 - Parents
 - Relatives
 - Friends
 - Teachers
 - Doctors and nurses
 - Adults in the community
 - Adults in the Government

Can help to protect children and make sure they enjoy their rights.

4.3 Right to Survival- This means ensuring the right to life, nutrition, healthcare, name and nationality

4.3.1 Introduction

Governments and other adults have a duty to make sure that children survive and grow up healthily. This includes not only making sure they are alive and protected from harm, but also giving them all opportunities to thrive in life. This section will discuss what the right to survival includes, how it is violated, and what steps could be taken when violations happen.

4.3.2 Objectives

For participants to:



- Clearly understand what the right to survival means.
- Be able to identify instances of when the right to survival is being violated.
- Learn what steps they could take to prevent these violations.

4.3.3 Why focus on this area?

- Since the first moment children are born, they have the right to life.
- This includes the right to a registered name and nationality; the right to be cared for and protected by their parents; the right not to be separated from their families; and the right to basic needs necessary to develop and be healthy such as nutrition and clean water.
- But in Sri Lanka sometimes children do not have nutritious food to eat; they do not have clean drinking water or toilets to use; if they have a disability, they do not have good schools that will help them learn; sometimes they are physically hurt by teachers (corporal punishment); children are exposed to drugs; they are not safe at home; they live on the streets; they are abandoned by their parents or other family; and if their parents are not married or if they only have a mother, children face problems.
- Therefore, it is necessary to understand what rights are included in the right to survival, know how important these things are, and be able to take certain steps if they or somebody they know are denied these rights.

4.3.4 What is the right to survival about?

- At first glance one might think the right to survival is about the right to life. But this right is not only about the right to life.
- It is also about making sure that all things necessary for a child's well-being and development are given.
- The right to survival is tied with protecting the child from physical risks which are threats to their life.
- It also refers to the psychological wellbeing of the child (to make sure the child is happy). This includes:

The right to live with and be taken care of by parents:

- Families take care of their children's needs.
- Children have a right to grow up feeling protected, supported, and respected.
- Mothers, fathers, sisters and brothers, grandparents, aunties, uncles, cousins all play an important role in growing up and teaching. They know what is best for their children. Therefore, the family must be the ones making decisions for the children.
- Families connect children with their roots, their culture. These help children have a strong sense of who they are, where they belong to and understand their family and community relationships. These are important to a child's self-esteem and well-being.

Not to be separated from the family unless it is bad for the child:

- Children only need care outside the home, when it is clear that the family is not able to provide or is unwilling to provide a safe and nurturing environment for the child.

A safe place to live:

- Children must have houses that are safe places for them to grow up.
- Houses must have basic facilities like spaces to cook and washrooms.
- Those must be according to the culture of the children, have enough space, and protected from rain or heat.

Providing quality healthcare, nutritious food, safe drinking water:

- Healthy food helps children grow up strong and avoid sickness. Therefore, children should be able to have healthy and affordable food.
- Clean water is important for children to stay healthy and not be sick from diseases carried through water. When families have clean water, they can grow healthy food for a better diet, allowing children to grow healthy and strong.
- Health care is essential for all children. It needs to be affordable, easy to access, and culturally appropriate (right to healthcare).
- If children are sad or feel lonely or have any negative emotions, they should be able to go to a trusted adult for help (psychosocial support).

Not treating children unfairly when registering their births:

- Children have a right to a name and to nationality in their country.
- As far as possible, they have a right to know their parents. But not all children may know who their parents are.
- The right to survival also means caring for children with special needs in a way that helps them live a full life even with the disability.
- It is the responsibility of the government to

safeguard these rights and provide basic services for children to survive and thrive.

- Unfortunately, in Sri Lanka, there are many children who cannot enjoy their right to survival fully:



- Around 16,000 children are suffering severe malnutrition.
 - More than one in five children under 5 years of age are underweight.
 - The majority of 100,000 persons addicted to drugs in Sri Lanka are children.
 - 682,000 children below 18 years of age live in poverty.
- Children who do not live with their families; or are poor; or do not have enough food, clean water, or good healthcare are at a higher risk of being treated badly or unfairly.

4.3.5 How can this right be protected?

Legal protection:



- At the international level conventions including the UNCRC, the ICESCR, and the United Nations Convention on the Rights of Persons with Disabilities (CRPD) ensure that children enjoy their right to survival.
- There are several laws in Sri Lanka too which protect this right of children:
 - The Constitution of Sri Lanka
 - National Child Protection Authority Act No. 50 of 1998
 - Right to Information Act No. 12 of 2016

- Maintenance Act No. 37 of 1999
- Legitimacy Act No. 03 of 1970
- Protection of the Rights of Persons with Disabilities Act No. 28 of 1996

In practice:

Adults:

- ◆ Adults, including parents, have a responsibility to make sure children enjoy all rights related to their survival. A child's family is the most important unit needed for the protection of their rights and for them to reach their full potential. Parents and families could:
 - Educate themselves and their children on what the right to survival of a child is all about. Reflect if they understand what this right is about and whether all children they know enjoy this right.
 - Create a peaceful environment at home for children to enjoy their life.
 - Encourage children to speak out if they feel their rights or somebody else's rights are being violated.
 - Learn to listen to their children and build trust with them. This will encourage children to confide in the parents more often and see them as an ally.
 - If drug use or other type of delinquency is suspected in a child, be patient. It is important as parents or adults not to make any rash decisions. If parents do not think they could talk to their child without alienating them, ask another trusted adult to talk to them. If the parents talk to them, offer empathy and compassion. Demonstrate that the parents understand they are in a difficult place and that they want to help the child.
 - Help protect children against drug use including alcohol by talking to them early and often about drug use by sharing facts about

drug usage before they could be involved in drugs. This would make them less likely to experiment with drugs. For younger children, explain that drugs are dangerous and can cause problems in the body. Teach children to say no if someone offers them anything that they think may be dangerous. For older children, ask them what they know or have heard about drugs. Discuss the legal consequences like prison time and fines, as well as the possibility that drug usage could result in death or serious injury. Have an open mind when having these conversations as children will not be receptive to the message if they feel judged. If they are approached in a non-judgmental, calm, and relaxed manner they are more likely to respond honestly. In addition, set rules and boundaries for older children in relation to drugs. Let them know that the parents do not want them to use drugs, and make clear the consequences if that rule is broken.

- ◆ Collectively lobby the government or political authorities in the area for better facilities needed to realize this right such as fully equipped hospitals, clean drinking water, adequate food, measures to eradicate drugs from the area.
- ◆ Be vigilant. If any adult sees, hears, or knows that a child's survival related rights are being violated, they can:
 - Contact the **1929 helpline of the National Child Protection Authority (NCPA)**. It can be contacted free of charge from anywhere in the country, at any time of the day in all Three languages. NCPA can help the child with psychosocial services, legal services or any related service.
 - Complain to the **Children & Women's desks** of the Sri Lanka Police in each police station which are staffed by female police officers.
 - Inform the **Probation officer** attached to the Probation Department of your Province.
 - Inform the **Grama Niladhari, District psychosocial officer** or **District child protection officer** stationed at the district

secretariat, or **Divisional child protection officers** stationed at divisional secretariats, who can provide necessary support services or make referrals.

- Inform the **Village Child Development Committee (VCDC)** or the **School Child Protection Committee** which can assist with referrals to authorities such as the district or divisional Child Protection Officers or the police.
- Submit **an application under the Right to Information (RTI) Act** to compel government authorities to give information in relation to the violation, eg: if the construction of the hospital, or a road, or a clean water supply project in an area is delayed unnecessarily, people in the area could submit a RTI application to inquire about the status of the project and find out if the funds allocated for the project are used for that purpose.

Children:

- ◆ If a child thinks their right to survival is violated, they could talk about this with his **family**; or a **trusted teacher**; or another adult.
- ◆ They could also inform the **Village Child Development Committee (VCDC)** or the **School Child Protection Committee** which can assist them by inquiring into the issue or by referring them to authorities such as the district or divisional Child Protection Officers or the police.
- ◆ Children could contact the **1929 helpline of the National Child Protection Authority (NCPA)**. It can be contacted free of charge from anywhere in the country, at any time of the day in all three languages. NCPA can help the child with psychosocial services, legal services or any related service.

Activity 15 (for children): Our village map



- 1 Caption a poster sized flipchart paper with the words “Our Village Map”.
- 2 Draw a big outline to represent the village around the outside of the paper.



- 3 Try to include anything that helps identify the village (mountains, buildings, parks, rivers or the beach).
- 4 Ask the children if they know where the school is. Once they have identified the location of the school, write in the name of the school.
- 5 Repeat this step by asking about: the hospital, their favourite grocery shop (or paddy field or vegetable patch), a playground or park, a river or well, etc.
- 6 Think about all the different places in the village that connect to finding or eating healthy food, accessing medical care, drinking clean water, or living in a safe and supportive environment. Help the children think about each of these places.
- 7 After they have identified 5-6 of these places, divide them into groups.
- 8 Ask each group to draw a picture to put under each place. Eg: picture of a hospital or a playground etc.
- 9 After they have finished their pictures, ask the children to paste their picture on the right spot on the poster.
- 10 Use this as an opportunity to show the children different services they need to have a happy and safe life.

Activity 16 (for adults, with the possibility of adapting for children): Safe hands



- 1 Ask the participants to put their hand on a piece of paper and spread their fingers.
- 2 Then ask them to trace their hand print with a pen or pencil.
- 3 On the fingers of the hand print ask them to individually write the names of people or institutions they could reach out to, if they come across an incident of a child's right to survival being violated. Give them only 05 minutes for this.
- 4 Ask them to exchange their papers with the person next to them.
- 5 Then ask the participants to check if their neighbour's answers are correct.
- 6 Discuss if any important point of contact has been left out.
- 7 For anybody who cannot read or write, step 03 onwards can be done verbally.

4.4 Right to Development- This means the right to education, care, leisure, play and recreation

4.4.1 Introduction

Governments and other adults have a duty to make sure that children survive and grow up healthily. This includes not only making sure they are alive and protected from harm, but also

giving them all opportunities to thrive in life. This section will discuss what the right to survival includes, how it is violated, and what steps could be taken when violations happen.

4.4.2 Objectives

For participants to:



- Clearly understand what the right to survival means.

- Be able to identify instances of when the right to survival is being violated.
- Learn what steps they could take to prevent these violations.

4.4.3 Why focus on this area?

- Children are the future. They are the ones that will be making important decisions for their families, their countries, and themselves tomorrow.
- In order for them to be able make good decisions in the future, it is necessary to make sure their physical, mental, spiritual, moral, psychological, and social abilities are developed.
- For this purpose, it is necessary to guarantee that children have access to education, leisure time, care, and play and recreation activities.
- Unfortunately, some children in Sri Lanka do not get to go to school regularly; or have enough leisure time; or get the chance to play or take up sports.
- Therefore, it is necessary to understand what rights are included in the right to development, know how important these things are, and be able to take certain steps if they or somebody they know are denied these rights

4.4.4 What is the right to development about?

- The right to development is more than just physical needs. It also includes access to opportunities for children to develop their abilities.
- Children must have access to things that are helpful to develop their physical, mental, spiritual, moral, psychological, and social development.
- This means being able to have such things as

education and access to information, leisure time, care, and play and recreation activities. The right to development ideally includes:

Access to quality education:

- This means education must be available, in a safe, functioning, and healthy environment. Education must also be accessible. That is, it must be free and available for all children, wherever they live- whether in towns or rural areas, or whether they have a disability or not.
- Children should not be discriminated against, either directly or indirectly at school by anyone or by the school system itself.
- Education must also respect and include the culture of the children. It must relate to their lives; It must be taught in their language; learning must go beyond the classroom to homes, and communities and use nature as the classroom.
- Good quality education means schools should have trained teachers, a strong learning environment and quality curriculum.
- Education must be flexible, to adapt to the needs of changing societies and communities; to respond to the evolving capacities of the child.
- It also means access to information that is important to the wellbeing of the child. Children should be able to access this information through books, computers, internet, newspapers, adults etc.

The right to rest and play:

- This includes the right to rest and leisure; to engage in play and recreational activities appropriate to their age; and to enjoy cultural activities.
- Children need a good night's sleep. This is especially important for children because it plays a role in brain development and day-to-day functioning. When a child

has not slept well, it is much harder for them to concentrate in school and manage their emotions. Sleep is just as important as healthy eating and regular exercise.

- They also must have the chance to play and have fun. That is, to take up a sport, to play with their friends after school, to play with their sisters and brothers. Having fun is an important part of growing up.
- Play and recreation is also important for children to be able to learn new skills that build their physical and mental strengths and creativity.
- But its important to make sure that the activities are not harmful for the child. Eg: using smart phones for too long, playing violent video games, being exposed to pornography.
- The ability to take part in cultural activities, helps a child develop their identity, knowledge, self-esteem, well-being and values. This includes religious celebrations such as Christmas, Vesak, Deepavali, Eid; cultural events such as April new year celebrations; almsgivings etc.
- Parents are responsible for providing guidance. They have to make sure the activities children do and information children get are not harmful.
- They have to also help children find information important to them and help them understand that information.
- Several instances of the right to development of children being violated can be found in Sri Lanka:



- 6% of children of primary school age are out of school.
- 37% of female students do not attend

school for one or two days when they are on their period because they do not have sanitary wear.

- Lack of enough schools for the use of children with special needs.
- Children sometimes work to support their families without school or rest.

4.4.5 How can this right be protected?

Legal protection:



- At the international level conventions including the UNCRC, the ICESCR, and CRPD ensure that children enjoy their right to development.
- There are several laws in Sri Lanka too which protect this right of children:
 - Article 12 of the Constitution
 - National Child Protection Authority Act No.50 of 1998
 - Right to Information Act, No. 12 of 2016
 - Protection of the Rights of Persons with Disabilities Act No. 28 of 1996
 - Compulsory education Gazette notification No. 1963/30 dated 20 April 2016 (Note however that, the right to education is not guaranteed as a fundamental right in the Constitution).

In practice:

Adults:

- ◆ Adults, including parents, have a responsibility to make sure children enjoy all rights related to education, rest, and play. A child's

family is the most important unit needed for the protection of their rights and for them to reach their full potential. Parents and families could:

- Educate themselves and their children on what the right to development of a child is all about. Reflect if they understand what this right is about and whether all children they know enjoy this right.
- Monitor the leisure time activities of children, without being intrusive. Explain to children that parents or adults monitor their activities for their own benefit. Explain that parents have a responsibility to do so.
- Encourage children to speak out if they feel their rights or somebody else's rights are being violated.
- If children spend too much time on smart phones, think of ways to get them involved in other household chores. Invite them to do something else together, even if it is something as simple as watering the plants in the garden.
- Establish "phone free" times and zones within the home. Tell children that they cannot use the mobile phone either in those areas of the house or during the designated times.
- Talk to children about the impact of excessive phone usage, including its effect on mental health and performance in studies.
- Collectively lobby the government or political authorities in the area for better facilities needed to realize this right such as good schools in or closer to the village, playgrounds and children's play areas, libraries, menstrual products at affordable prices.
- Be vigilant. If any adult sees, hears, or knows that a child's development related rights are being violated, they can:

- Contact the **1929 helpline of the National Child Protection Authority (NCPA)**. It can be contacted free of charge from anywhere in the country, at any time of the day in all Three languages.
- Complain to the **Children & Women's desks** of the Sri Lanka Police in each police station which are staffed by female police officers.
- Inform the **Probation officer** attached to the Probation Department of your Province.
- Inform the **Grama Niladhari, District psychosocial officer** or **District child protection officer** stationed at the district secretariat, or **Divisional child protection officers** stationed at divisional secretariats, who can provide necessary support services or make referrals.
- If the violation relates to education, the **department of education** in the province.
- Submit a **RTI application** to compel government authorities to give information in relation to the violation, eg: if a school in the area is going to be closed or if a child is not admitted to a school, parents or another interested person could submit a RTI application to access information about the actual reasons for the school's closure or not admitting the child to school.
- Inform the **Village Child Development Committee (VCDC)** or the **School Child Protection Committee** which can assist with referrals to authorities such as the district or divisional Child Protection Officers or the police.

Children:

- ◆ If a child thinks their right to development is violated, they could talk about this with his family; or a trusted teacher; or another adult.
- ◆ Children must go to school regularly, at least until they turn 16 years of age.

Understand that excessive screen use is an addiction. If they are addicted to mobile phones, talk about it with their parents, teacher, or other trusted adult.

Activity 17 (for children): Who am I?



- 1 Ask each participant to think of their favourite animal. Ask them not to share it with the others.
- 2 Invite each participant to come to the front of the room and mime their favourite animal.
- 3 The others have to guess who the animal is.
- 4 Give all participants the opportunity to mime their favourite animal.
- 5 Afterwards, ask the participants what they felt when playing the game. Did it make them happy? Are they excited to do another game? Etc.
- 6 Ask them if they learnt anything new from the game.
- 7 Highlight that having fun is important and that children can learn even from fun activities.

Activity 18 (for children): Cultural festivals



- 1 Divide the participants into 04 groups.
- 2 Give each group a sheet of paper and colouring pencils, crayons etc.

- 3 Ask each group to draw a poster of a cultural or religious festival in Sri Lanka. Make sure no two groups select the same theme. Give them 30 minutes.
- 4 After the groups have finished drawing, pin those up at the front of the room.
- 5 Ask the participants what they know about each festival. List these down on a flipchart.
- 6 Highlight how they could learn while having fun with their friends.
- 7 Tell them that spending more time with family and friends lessens feeling lonely and being addicted to smart phones. Ask them to consider spending more time with their families and away from phones.

Activity 19 (for adults): Right to development clothesline



- 1 Give each participant a blank sheet of paper.
- 2 Ask them to cut the paper out in the shape of some clothing item, eg: dress, t-shirt-blouse etc (or the facilitator could pre-cut the paper into different shapes of clothes).
- 3 On the paper clothing item, ask them to write messages about the right to development. These messages could be about what they think the right to development is, or about how to ensure the right to development of children.
- 4 Once the messages are written, draw a clothesline across the room and hang the messages on the clothesline. This will be called the “Right to development clothesline”.
- 5 Close by asking the participants to reflect on the clothesline and to see if anything important has been missed.

4.5 Right to Protection-

This means ensuring protection from exploitation, abuse and neglect

4.5.1 Introduction

Every child has the right to be protected from all forms of harm after they are born. Governments and other adults have a duty to ensure that children are protected from physical and psychological harm at home and outside the home. This section will discuss what the right to protection includes, how it is violated, and what steps could be taken when violations happen.

4.3.2 Objectives

For participants to:



- Clearly understand what the right to protection means.
- Be able to identify instances of when the right to protection is being violated.
- Learn what steps they could take to prevent these violations.

4.5.3 Why focus on this area?

- Children are innocent and often defenseless. Because of this, they can be harmed.
- Even though children should not be harmed or abused, it happens.
- Such harm can affect their mental and physical health.
- It can even last a lifetime, keeping them from

being successful adults.

- But children often lack the skills needed to protect themselves.
- Therefore, preventing harm to children and protecting them are important. It is the responsibility of adults, as parents, teachers, relatives, to safeguard children and to teach them the skills to be safe.
- Protecting them from harm allows children to thrive, be happy, have pleasant memories, and grow up to be well adjusted adults.
- Therefore, it is necessary to understand what rights are included in the right to protection, know how important these things are, and be able to take certain steps if they or somebody they know are denied these rights.

4.5.4 What is the right to protection about?

- All children have a right to be protected from all forms of physical or mental violence.
- This means, they cannot be injured or abused, neglected, or exploited, including sexual abuse.
- It is related to protecting a child's body and mind.
- Children should be taught that their body is their own. Nobody can interfere with their body. This means, they cannot be hit, or beaten, or shaken or subject them to sexually inappropriate behaviour.
- It is also wrong to subject them to mental abuse such as constantly yelling at them, threatening them with harm and so on.
- The right to protection includes:
 - Being protected from child labour.**
 - Child labour is work that harms or exploits children.
 - It is sometimes dangerous or obstructs

their education.

- Often, children are not paid well or even paid at all for their labour.
- It mostly happens due to poverty.

Being protected from harmful drugs, alcohol, and tobacco.

- Drugs are dangerous.
- Drugs can cause many problems to their bodies and minds. It can affect their studies. It may cause them to lose friends.
- It is also against the law to use or carry drugs.

Being protected from violence.

- Violence includes domestic violence.

- Domestic violence is when an adult at home threatens, bullies, or hurts another adult and/or the child.
- It involves:
 - kicking, punching, hitting
 - threatening to kill someone or hurt them
 - controlling another person, like telling them where they can go and what they can wear
 - controlling someone's money by not letting them have any money or stopping someone going to work
 - making someone feel guilty, criticising them or making them feel small and stopping them from standing up for themselves
 - reading emails, text messages or letters of the other person

- making someone do something sexual when they do not want to.

- It makes children feel unsafe, it frightens them, and makes them sad.

- Violence can also be child abuse.

- Child abuse is when an adult hurts a child, and it is not an accident.

- Abuse could happen at home, at school, or any other place.

- It could be:

- **Physical abuse:** when an adult hurts a child by hitting, shaking, choking, burning, pinching, beating, or any other action that causes pain or injury. If a child is physically abused, they may notice cuts, bruises, or other marks on their body. Corporal punishment is also a form of physical abuse. The UN Committee on the Rights of the Child, which oversees the UNCRC defines corporal punishment as “any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light”.

- **Emotional abuse:** is when an adult hurts a child by always yelling at the child, threatening to leave, or saying mean things. If a child is emotionally abused, they may feel that no one cares about them.

- **Sexual abuse:** when an adult or someone older than a child touches the genitals of a child or has a child touch the older person's genitals. Genitals are the parts covered by bathing suits or underwear. These are sometimes referred to as “private parts” (Note to facilitators: be mindful that a person's genitals are referred to

by several colloquial terms by parents as well as children. Therefore, it will be useful to refer to these terms but emphasise that the correct phrase is “genitals”). If an adult touches the lips of a child with their lips, that too could be child abuse. It is also sexual abuse if an adult shows a child pictures or movies of people without their clothes on or takes these types of pictures of a child. If a child is being sexually abused, they may feel uncomfortable, scared, or confused.

- Violence happens online too. It is not only through physical contact.

- Cybercrimes are illegal activities that are done using computers and/or the internet.
- This includes stealing somebody else’s personal information, tricking them into giving their information (leading to sexual exploitation), taking or sharing naked images and videos of adults or children (pornography), through the internet; receiving threatening or abusive messages via email or the phone; or receiving threatening phone calls.
- Nowadays, children are exposed to technology on a daily basis.
- They are also curious, naïve, and trusting, they can be easily tricked into sharing personal information.
- This makes them vulnerable to cybercrimes.

- Violence can relate to war.

- In wartime, every child must be protected from war or joining the fighting.

- When children are refugees, they must have special assistance and protection.

Being protected from exploitation.

- Exploitation includes human trafficking.

- People affected by human trafficking are being exploited (used) in some way (e.g. sexually, physically, etc.) against their will (by force, or manipulation, or control) to benefit another person. In short, it is selling people for profit.
- A child could be trafficked even if the child was not forced or it is done with the consent of the child.
- This is because a child is not mature enough to give consent under the law.

- Exploitation could be forcing a child into marriage.

- In Sri Lanka a person has to be over 18 years of age to legally marry (except under the Muslim law).
- Child marriage is when a child is married to an adult or another child.
- It is harmful for children because they miss out on going to school; they are sometimes cut off from their friends and family; and it might be physically harmful.
- Child marriages affect children in various ethnic or religious communities differently. Eg: the Muslim Marriage and Divorce Act which applies to the Muslim community has no minimum legal age of marriage. This means even minor girls can be given in marriage¹.

1. There are ongoing law reform efforts to address this issue.

- In Sri Lanka, unfortunately there are many children who cannot enjoy their right to protection fully



- 1% of all children have been used as child labour.
- 10% of the girls marry before they are 18.
- 10497 cases of child abuse were reported to the NCPA in 2022.
- More than a quarter of the children have experienced cyber-violence at least once in their lives.

4.5.5 How can this right be protected?

Legal protection:



- At the international level conventions including the UNCRC, the ICCPR, ICESCR, CEDAW, CRPD ensure that children enjoy their right to Protection.
- There are several laws in Sri Lanka too which protect this right of children:
 - Articles 11 and 12 of the Constitution
 - National Child Protection Authority Act No.50 of 1998
 - Penal Code
 - Prevention of Domestic Violence Act No.34 of 2005
 - Obscene Publications (Amendment) Act No. 22 of 1983
 - Computer Crimes Act, No. 24 of 2007

- Circular No. 12/2016 issued by the Ministry of Education prohibiting corporal punishment
- Compulsory education Gazette notification No. 1963/30 dated 20 April 2016
- Several labour laws

In practice:

Adults:

- ◆ Protecting children is the responsibility of many people:
 - Governments have a duty to ensure that children who have faced violence, abuse, or exploitation receive the care they need.
 - Parents and families must also care for and protect children.
 - Children should also be taken care of by people who are responsible or who are in charge of them for any period of time, such as teachers and sports coaches.
- ◆ Parents and families could:
 - Educate themselves and their children on what the right to protection of a child is all about. Reflect if they understand what this right is about and how it is violated.
 - Think about whether all children they know enjoy this right. When children understand they have the right to be safe, they are less likely to think abuse is their fault, and more likely to report an offender.
 - Learn to listen to their children and build trust with them. This will encourage children to confide in the parents more often and see them as an ally and somebody who will protect them. Remember to tell them to come to the parents if they think they are in trouble eg: "Please remember you can tell me anything. I won't judge or

punish you. I can help you”.

- Check their behaviour to make sure they are not abusive towards their children. Disciplining children must be done thoughtfully. Abuse is not just physical. Even words and actions can be hurtful. Use actions to show children and other adults that conflicts can be settled without hitting or yelling.
- In age appropriate language, talk to children about:

- what pornography is- for very young children use phrases like “Pornography is pictures of people without any clothes on”; “It might make you feel uncomfortable, embarrassed, or sick to your stomach”. For older children acknowledge that it might be exciting for them
- how online violence could happen;
- teach them about sexual abuse. The very young children should be given messages about ‘Good touch/ bad touch’; about ‘stranger danger’ etc.
- It is never too early to talk about sex with children. Parents are the best people to have these conversations. Talking about sex and the human body from a young age can help children understand that sex and sexuality are healthy parts of life. It will help promote SRHR of girl children and may give them the knowledge needed to avoid teenage and unplanned pregnancies. It could also help children identify sexual abuse and be inclined to report such abuse.
- When children are taught the names of their body parts, it is important to use the accurate names of their body parts. Teach them the following names: nipples, breasts, bottom, penis, vagina, and anus. Knowing these

correct names helps protect children from sexual abuse because, often children find it hard to discuss sexual abuse because they do not know the words to use. If children are taught these words from a young age, they will be better able to describe what happened if they were sexually abused and will not be afraid to use the correct words.

- If domestic violence, drug use etc. are shown on TV, make it a point of conversation. Talk with children about what they think; how it is harmful; what should one do if they ever experience it.
- Monitor the leisure time activities of children, without being intrusive. Explain to children that parents or adults monitor their activities for their own benefit. Explain that parents have a responsibility to do so. That the safety of children is a parent’s number one priority.
- Encourage children to take part in hobbies, sports, and any leisure activities which interest them. This can help with positive interactions and self-esteem. Know who their friends are and where they spend their time.
- If drug use, addiction to pornography or other type of delinquency is suspected in a child, be patient. It is important as parents or adults not to make any rash decisions. If the parents do not think they could talk to the child without alienating them, ask another trusted adult to talk to them.
- Encourage children to speak out if they feel their rights or somebody else’s rights are being violated Eg: “if you see any naked photos of people online, please tell me”. “If somebody touches you inappropriately and makes you feel uncomfortable, you have to always tell me”.
- Collectively lobby the government or political authorities in the area for better af-

ter-school activities for children in their area. It will help keep children from harm and use their time for learning.

- Be vigilant. If any adult sees, hears, or knows that a child's protection related rights are being violated, they can:
 - Contact the **1929 helpline of the National Child Protection Authority (NCPA)**. It can be contacted free of charge from anywhere in the country, at any time of the day in all three languages.
 - Complain to the **Children & Women's desks** of the Sri Lanka Police in each police station which are staffed by female police officers.
 - Inform the **Probation officer** attached to the Probation Department of your Province.
 - Inform the **Grama Niladhari, District psychosocial officer** or **District child protection officer** stationed at the district secretariat, or **Divisional child protection officers** stationed at divisional secretariats, who can provide necessary support services or make referrals.
 - Inform the **Village Child Development Committee (VCDC)** or the **School Child Protection Committee** which can assist with referrals to authorities such as the district or divisional Child Protection Officers or the police.

Children:

- ◆ If a child thinks their right to protection is violated, they could talk about this with his **family**; or a **trusted teacher**; or another adult.
- ◆ Children must go to school regularly, at least until they turn 16 years of age.
- ◆ Find hobbies, sports, or other leisure activities that interest them. Take part in those after school and on the weekends.
- ◆ Do not talk to strangers, or eat or drink anything that they give, or go with them anywhere without the permission of a parent or guardian.
- ◆ It is not good for other adults to touch a child in a way that makes them uncomfortable. This could be a parent, a teacher, an older brother or sister, a relative, anybody. If somebody touches them inappropriately, immediately tell this to a trusted adult.
- ◆ Understand that pornography and drug use are bad. It can be harmful for their body and their minds.

Activity 20 (for children): Touch the arm Analogy (to demonstrate the concept of Consent in the case of physical and sexual abuse)



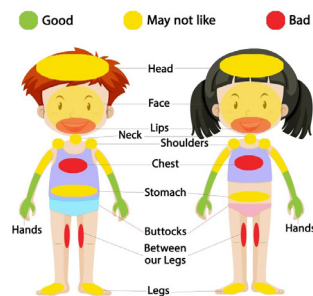
- 1 Ask one of the children if the facilitator could touch their arm during the session.
- 2 After s/he says yes, touch the arm of that participant.
- 3 Then proceed to touch s/he arm in other ways: grabbing, stroking, pinching, squeezing, pulling etc.
- 4 Continue to discuss the points of the session while observing the participant whose arm is used for demonstrating.
- 5 At some point during the session s/he will become really uncomfortable and will likely try to pull away from the facilitator.
- 6 When the participant does this, ask them what the problem is – tell them and the other participants that they agreed to the facilitator touching her/his arm.
- 7 Listen to their responses. Use this opportunity to discuss one of the key elements of consent- that is, both parties must agree to the same thing. Being silent or passive does not indicate consent under any circumstance. Emphasise that a child cannot consent to sexual activity at all, even if they say yes to it. This is because children are not mature enough to understand the true nature of consenting to sexual activity or other forms of physical harm.

Activity 21 (for children): Good touch/ bad touch



- 1 Draw the likeness of a person on a flipchart. You can also use a doll for this activity.

- 2 Name all the body parts of the drawing/ doll correctly. Use the correct names such as eyes, ears, arms, legs, stomach, penis, breasts, vagina etc.



Source: <https://wonderhouse.hom blog/2019/12/10 /5-tips-for-parents-to-teach-your-kids-good-and-bad-touch/>

- 3 After this, tell them that some areas of their body should not be touched, photographed or shown to other people.

- 4 Tell them that there are three kinds of touches (explain each one with examples):

- ♦ **Safe touches:** These are touches that keep children safe and are good for them, and that make children feel good, safe, or comfortable.

Eg: hugging, pats on the back, and an arm around the shoulder, high-fives, holding hands.

Safe touches can also include touches that might hurt, such as removing a splinter. Explain to children that when somebody removes a splinter, they do it to keep the children healthy, which makes it a safe touch.

- ♦ **Unsafe touches:** These are touches that hurt children's bodies or feelings, eg: hitting, pushing, pinching, choking, and kicking. Tell the children that these kinds of touches are not okay.

- ♦ **Unwanted touches:** These are touches that might be safe but that a child does not want from that person or at that moment.

- 5 Tell them that it is okay for a child to say "no" to an unwanted touch, even if it is from a known person.

- 6 Now, ask all the children to say "No" loudly. Help children practice saying "no" in a strong, yet polite voice. This will help children learn to set personal boundaries.

- 7 Once this message is given, tell them that there is another type of unsafe touch which is not okay. That is, when an older person touches their private body parts in a wrong way. [be careful to teach them that sometimes it is okay for older people to touch them, such as by doctor when they are sick (but this should be done when a parent is with them)].

8 Next, ask the children if the following is “OKAY” or “not OKAY”:

- A. Hug your grandmother (OKAY).
- B. Someone puts their hands under your clothes (Not OKAY).
- C. Someone touches their own private body parts in front of you (Not OKAY).
- D. To hold hands with your friends (OKAY).
- E. If someone asks you to touch his or her private body parts (Not OKAY).
- F. If someone asks you to take your clothes off (Not OKAY).
- G. A doctor asks you to take your clothes off in his/her office when your mother takes you to them when you are sick (OKAY).
- H. stranger touches your chest in a bus (Not OKAY).
- I. Someone takes photos or videos of you with your clothes off (Not OKAY).
- J. Someone shows you photos or videos of people without their clothes on (Not OKAY).

9 Close with telling the children that if someone touches you in the wrong way, tell someone you trust what has happened. Tell them not to let threats scare them into running away or keeping quiet.

Activity 22 (for adults): Safety map



- 1 Caption a poster sized flipchart paper with the words “Our Safety Map”
- 2 Draw a big outline to represent the village around the outside of the paper.
- 3 Try to include anything that helps identify the village (mountains, buildings, parks, rivers or the beach).

- 4 Ask the participants to think about all the different places in the community that are relevant for the protection of children. These could be families, neighbours, the police, school, DS office, Grama Niladhari, libraries, playgrounds, hospitals etc.
- 5 Write these on a flipchart.
- 6 After they have identified these places, ask them what types of services each place offer to keep children protected.
- 7 Discuss if more could be done for the protection of children in the community. Add these to the map.

4.6 Right to Participation-

This means participating to express and be informed

4.6.1 Introduction

Children have the right to be heard and to have their views taken seriously. Governments and other adults must listen to what children have to say, and respond to their needs. This section will discuss what the right to participation includes, how it is violated, and what steps could be taken when violations happen.

4.6.2 Objectives

For participants to:



- Clearly understand what the right to participation means.
- Be able to identify instances of when the right to participation is being violated.

- Learn what steps they could take to prevent these violations.

4.6.3 Why focus on this area?

- Everybody is free to express their thoughts and opinions.
- Even though they are physically small, children are human beings and full members of society.
- Therefore, they should be able to express their thoughts, views, and opinion on every matter which affects them.
- Adults make decisions for children regularly. The children should have a voice in decisions taken on their behalf by adults.
- Involving children in decision-making empowers them: It gives them agency over their own lives; allows them to develop critical skills needed for responsible decision-making; it gives them self-esteem; provides the space to participate in community and society; and it leads to good quality services.

Eg: Children look up to adults. When an adult asks a child how they are, the child feels important. They feel happy. They feel that they matter.

If a child is asked which coloured t-shirt do they want before buying them clothes, they will feel heard and happy that they were consulted.

- Therefore, it is necessary to understand what the right to participation means and be able to take certain steps if any child is denied these rights.

4.6.4 What is the right to participation about?

- All children have the right to say what they think about all issues that affect them.
- Children have this right as soon as they are capable of forming an opinion and expressing it in some way.
- This right includes speaking up and being listened to when important decisions are being made about their lives.

Eg: Important decisions could relate to where they live (consider separation from parents); who they live with (consider institutional care and adoption); choosing a school; or how to spend their free time.

- It is also about giving children all information necessary to make a decision and providing a safe space for sharing their opinions.
- When children are provided the necessary information about options that exist and the pros and cons of each option, it helps them make informed and free decisions.

Eg: what are the benefits of going to a new school (Pros)? You get to learn new subjects that are not available in your school; The new school also has a swimming pool. Because you are a good swimmer, you can compete at swim meets.

What is the down side to going to this new school (Cons)? You will miss your friends; because the school is in the city, you will have to be away from home.

- They also gain confidence to express their views when a decision will have some effect on their lives.
- For children to receive information related to them, they should have access to information. Information could come from family members, from newspapers, books, electronic and social media.
- Children should not be pressured or influenced so as to prevent them from freely expressing their opinions. Instead of feeling empowered, they will feel manipulated.
- This right has a duty attached to it. It means, the voices of children must be taken seriously by adults, including the government, family, schools etc, taking into account their age and maturity.
- This right recognises that as children grow up, their ability to make decisions for themselves grows and changes. That is, as children grow in maturity, the types of decisions they can make increases.

Eg: a 14 year-old child is better able to decide which school is best for them than a 5 year old.

Therefore, parents must give proper weight to the opinions of each child based on their age and maturity.

- This does not mean parents or other adults have to do exactly what children want.
- But they will need to explain to the child why their reasoning was not followed in relation to that particular decision.

4.6.5 How can this right be protected?

Legal protection:



- At the international level conventions including the UNCRC, the ICCPR, ICESCR, CEDAW, CRPD ensure that children enjoy their right to participation.
- There are some laws in Sri Lanka too which protect this right of children:
 - The Constitution
 - National Child Protection Authority Act No.50 of 1998

In practice:

- ◆ The government must include children when making decisions that will have an impact on children.

Eg: If the government is thinking of changing the age at which children can take the Grade 5 scholarship exam, it must ask children how they feel about it. Whether they think the grade 05 exam is too difficult for a 10 year old or do they think the exam should remain as it is, because then children who get through the exam get to go to better schools.

Adults:

- ◆ Parents and other adults have a responsibility to support children by informing them of what is happening in appropriate language, and assisting them to feel comfortable to speak up and say what they think. Parents and families could:
 - Educate themselves and their children on what the right to participation of a child is all about. Reflect if they understand what this

right is about and how it is violated.

- Think about whether all children they know enjoy this right.
- Involve your children in decision-making at home. Do not tell them they have to do something because you are the parent. Ask them how they feel about it. Start with small things:

“What do you think we should cook for dinner?”

Your uncle wants to visit us on the day before your exam. Is it ok for him to come? Will it disturb you?

We are thinking of moving to a new town. What do you think about it? Do you think you will be happy?”

- If children express opinions, do not ignore those. Listen to them. Ask them why they think that way. Do not say no without giving them an explanation. It is acceptable to say no to them, but explain your reasons.

Eg: If the child asks for a new pair of shoes, without telling them no outright, explain why you cannot get it for them.

- Encourage children to access information by reading papers; watching the news, documentaries, movies; going to the library; talking to other adults.
- Monitor media access of children, without being intrusive. Explain to children that parents or adults monitor their activities for their own benefit. Explain that parents have a responsibility to do so.
- Encourage children to take part and take leadership in community activities such as children’s clubs, sports clubs, or book clubs, organizing festivals etc. which interest them. This can help with positive interactions and self-esteem.
- Encourage children to speak out if they feel their rights or somebody else’s rights are being violated.

- Collectively lobby the government or political authorities in the area for better leadership and community activities for children in their area. It will help children develop leadership and decision-making skills.

- ◆ Find clubs or other community activities that interest them. Take part in those after school and on the weekends.
- ◆ Access information important to them by reading papers; watching the news, documentaries, movies; going to the library; talking to other adults.

Children:

- ◆ If a child thinks that they are not being heard, they could talk about this with his family; or a teacher; or another adult.

Activity 23 (for children): Kids rule



- 1 Divide the participants into two or three groups.
- 2 Tell them that they will be the teacher today.
- 3 Ask them to appoint a leader for the groups. They will be the “kid teacher” for the activity.
- 4 Ask the “kid teacher” to choose an activity or game that they want to play.
- 5 Once they have chosen a game or activity to play, ask them to explain the rules to their groups.
- 6 Ask the groups to start the activity.
- 7 This is an opportunity for the children to make decisions for themselves: to choose their own activity.

Activity 24 (for adults): Children in decision-making checklist



- 1 Divide the participants into Four groups.
- 2 Ask each group to select two incidents in which they said 'No' to their children.
- 3 Now ask each group if they had done the following in relation to each incident:
 - ◇ Inform- Does the child have the information they need to think about your decision?
 - ◇ Discuss- Have you talked it through with the child, to make sure there are no misunderstandings?
 - ◇ Listen- Have you heard what the child is really saying – including anything unspoken?
 - ◇ Consider- Have you reflected on the child's position and tried to see it from their point of view too?
 - ◇ Feedback- Have you talked to the child and given reasons for the final decision?
- 4 After the groups have discussed, ask each group to present to the others how they have handled each situation and what they could do differently/better next time.
- 5 Invite the other groups to comment on the approach of the presenting group.

05

LIST OF USEFUL CONTACTS, REFERENCES, AND SUGGESTED READING

Useful contacts

Legal Aid Commission (LAC)

Legal Aid Commission of Sri Lanka, No 129, Hulftsdorp Street, Colombo - 12, Sri Lanka.
Telephone: +94 115 335 329 / +94 115 335 281
+94 112 433 618
Email: legalaid@sltnet.lk

The Bureau for the Prevention of Abuse of Children & Women, Sri Lanka Police (Children & Women's Desks)

No. 78, 1st Floor, Mukthar Plaza Building, Grandpass Road, Colombo 14, Sri Lanka.
Emergency: 109
Hotline: 011-2444444
Telephone: 011-2337041
Emails: dir.cwbureau@police.gov.lk or cwb.online@police.gov.lk

Sri Lanka Women's Bureau

Ministry of Women and Child Affairs, 5th Floor, Sethsiripaya Stage II, Battaramulla, Sri Lanka.
Telephone: +94 11 2186055
Fax: +94 11 2187249
Online Inquiries: 1938
Email: secycdwa@gmail.com

Commission to Investigate Allegations of Bribery or Corruption Commission

36, Malalasekera Mawatha, Colombo 07, Sri Lanka.
Telephone: +94 112 596360 / 1954
Email: eciaboc_gen@ciaboc.gov.lk

Cyber Crimes Division of the Criminal Investigation Department (CID)

Computer Crime Investigation Division, Police Headquarters, Colombo 01.
Telephone: 0112 381 045
Email: dir.ccid@police.gov.lk

National Authority for the Protection of Victims of Crime and Witnesses (NAPVCW)

First Floor, No. 428/11 A, Denzil Kobbakaduwa Mawatha, Battaramulla.
Telephone: 0112 879 539
Hotline: 1985
Email: witness.protection.srilanka@gmail.com

Computer Emergency Readiness Team (CERT)

Room 4-112, BMICH, Bauddhaloka Mawatha, Colombo 07, Sri Lanka.
Hotline: 101
Telephone: +94 11 269 1692
Email: General Inquiry- cert@cert.gov.lk
Security Incidents- incidents@cert.gov.lk
Social Media Incidents- report@cert.gov.lk

National Child Protection Authority (NCPA)

No. 330, Thalawathugoda Road, Madiwela,
Sri Lanka.

Telephone: +94 11 2 778 911 – 12 – 14

Fax: +94 11 2 778 915

Email: ncpa@childprotection.gov.lk

Department of Probation and Childcare Services

No. 330, Thalawathugoda Road, Madiwela,
Sri Lanka.

Telephone: +94 11 2 778 911 – 12 – 14

Fax: +94 11 2 778 915

Email: ncpa@childprotection.gov.lk

Sri Lanka Bureau of Foreign Employment (SLBFE)

234 Denzil Kobbekaduwa Mawatha,
Battaramulla.

Telephone: 0112 880 500

Hotline: 1989

Email: info_center@slbfe.lk

Department of Education

Isurupaya, Battaramulla.

Telephone: +94 112 785141-50

National Child Line: 1929

Email: info@moe.gov.lk

Right to Information Commission of Sri Lanka

Rooms No 203-204, Block 2, BMICH,
Buddhaloka Mawatha, Colombo 07.

Telephone: 011 2691625/ 011 2678980

Fax: 011 2691625

Email: rti.commission16@gmail.com
info@rtic.gov.lk

References and suggested reading

The information and activities in this module have been extracted and adapted or modified from the following sources. If possible, facilitators are encouraged to refer to all or some of these material to enhance their knowledge.

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Laws in Sri Lanka

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- Anti- Corruption Act. No. 09 of 2023
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- Protection of the Rights of Persons with Disabilities Act No. 28 of 1996
- Prevention of Domestic Violence Act No.34 of 2005 (PDVA)
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