

Child Abuses: A National Security Issue next in Line?

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Children are the world's most valuable resource and the best hope for the future because they are the blooming opportunities and strength of the country. In today's world affairs children have plenty of abilities to address the significant issues by intermediating and debating on various avenues which helps to create a new dimension of strategic solutions. Children are the most vulnerable group of this current society by being violated and abused in many ways. The government has failed to protect the safety and security although when there are many rules and regulations available. When you think of child abuse, your first thought may be of a child with bruises or other marks that raise red flags. But the signs aren't always so clear. Abuse can be physical, sexual, or emotional such as Violence, abuse, neglect, exploitation and discrimination. Therefore, Child abuse is not just physical violence directed at a child. It is any form of maltreatment by an adult, which is violent or threatening to a child.

During the lockdown period due to the outbreak of the deadly Coronavirus many schools were closed, children were stuck at home all day and many parents were unable to go to work. Stress, isolation and economic hardship factored for the increasing risk of domestic violence, child cruelty and abuses in all over the world. In Sri Lanka, just over 140 incidents of rape, 42 cases of serious sexual abuse and 54 cases of child abuse have been reported from various police divisions in the country within the first 15 days of 2020. According to the statistics it shows that child abuses are varying in a broad array of types. From the 01st of January till 31st December 2019, "1929" child helpline reported 8558 complaints in which children have been abused in various forms (National Child Protection Authority, 2019). Child abuses has increased dramatically even when there were many rules and regulations to protect children from abuses. This is controversial question which will be coming up as a serious human security issue next inline in the national security.

Crimes against children in Sri Lanka are rising at an alarming speed within short time period of time each incident more shocking than the previous one. Cruelty on child, sexual harassment, grave sexual abuses and neglect on child are the most reported crimes against children. There are many unreported crimes in rural areas because of the lack of knowledge, fear of reporting the incidents and

unawareness of the procedures to file a complaint. Perpetrators have the opportunity to continuously practice same when they are aware of the loopholes in the law and order. The inability of the State and non-state actors to protect and secure children has allowed the perpetrators to scot free is even more disgraceful.

From Law enforcement to protect children in practically

The Sri Lankan Government has identified the protection and promotion of the rights of children as a strategic policy goal and the Ministry of Women and Child Affairs has been assigned as a lead agency to implement this policy through strategic plan on prevention of child abuse based on Cabinet Decision of 24 May 2016. The National Child Protection Authority (NCPA) is also been established by the parliament of Sri Lanka under the Act No.50 of 1998 to protect the children from these misbehaving and abusing, although these rules and laws have been implemented and regulating all around the country still children are directly targeting to the abuses (National Child Protection Authority, 2019). The failures of Judiciary System, Human Rights Commission of Sri Lanka (HRCSL), Police, National Child Protection Authority (NCPA) and other respective organization in protecting children and promoting their rights have resulted in frustrating inadequacies, lengthy and painful progression of inquiries. For the moment, Sri Lanka needs more advanced law implementation which is practically applicable than the theoretical arguments.

The lack of consensus on how a child is defined, creates gaps in how the substantive law is applied. The Penal Code on Sexual Exploitation of children has many shortfalls. The current legislation in Sri Lanka on child pornography or Child Sexual Abuse Material (CSAM) does not adequately cover Online Child Sexual Exploitation (OCSE) and because of the loopholes of CSAM, Sivaloganathan Vidya was brutally murdered and still these kinds of incidents are happening. Furthermore, the legal framework in Sri Lanka fails to codify grooming as a crime. The OCSE does not have a section in penal code on cyber-crimes (United Nations, 2002) and it is problematic. Male victims of OCSE are not recognized as victims of OCSE in Sri Lanka. The current substantive law in Sri Lanka uses gendered pronouns within the definition of the crimes thus creating a vacuum for male child victims. This is especially a challenging situation for prevention of child sex tourism industry in Sri Lanka (Nazim, 2018).

People with intellectual disabilities are sexually assaulted at a rate seven times higher than those without disabilities and physical abnormalities in every part of the world. Especially there are no laws to punish the predators target people with intellectual disabilities in Sri Lanka because they know they are easily manipulated and will have difficulty of testifying later. These crimes go mostly

unaccountable, unrecognized, unprosecuted and unpunished thus the abuser is free to abuse again. Police and prosecutors are often reluctant to take these cases because they are difficult to win in trial. In Sri Lanka, we do not have strong legal background to sentence these criminals who are destroying the future of our nation.

According to penal code the death penalty is mandatory for murder. But in Sri Lanka the last known execution occurred in 1976 (Death Penalty Database, 2011). No execution has been recorded after that period. Those who are sentence to execute by death, ended up being prisoned in lifetime. It may increase the non-fear of being a predator and abusers are encouraged to do the offences without guilty. These are some shortfalls in Sri Lankan law and order which motivate predators to do the crimes.

From Cultural diversification into Child insecurity

Child abuses could be identified as the ethical collapse of human ideologies. For the second time, according to the researched carried out by the “Google Trends” has revealed that Sri Lanka ranked second-highest on the dubious list of countries that most searched for the term 'Sex' on Google Search for 2019 (Senaratna, 2020). The North Central Province in Sri Lanka has been ranked the greatest number of searches for the term, followed by Uva, Northern, Sabaragamuwa and Eastern Provinces. Sri Lanka is a country where the sexual literacy rate is very low. Adolescents are learning the sex and reproduction from the internet. If this term could be defined as the general term in vocabulary and by providing a comprehensive knowledge starting from family and school, the risk of being abused could be minimized. Unfortunately, 2500 years cultural diversification would not allow us to improve the sexual literacy rate but continuously people will experience child abuses and other crimes related sexual and reproductive health (SRH).

Recently it was reported that 100 under-aged couples were engaged in inappropriate behaviour had been taken into custody in Anuradhapura (Ada Derana, 2020). If the adolescents do not have a place to meet and talk, they would be looking for alternative options such as rooms and private lodges. Sri Lanka needs to reconsider these points and secure the adolescents' security but also to keep in mind to not limit their freedom.

Curiosity always leads to explore the unknown perspectives. Therefore, we should promote the adolescents' freedom to learn, gather, discuss, debate on their issues under the proper supervision by the family, school and other relevant parties. According to the point of law in Sri Lanka, the prostitution, LGBT are offences and it is not legalized. Although it is not legalized to have

female sex workers (FSX), transgender women (TGW), men who have sex with men (MSM), many have been located in all over the country. Recently according to the reports there is a serious issue of increasing the HIV affected male population between 19-25 ages. This could be identifies as the worst result of illiteracy of SRH. If Sri Lanka is able to legalize prostitution and secure transgender rights, would able to minimize the threat of transmitting social diseases because of proper monitoring system, rules and regulations and increasing awareness. Since legislation of rules and regulation related to the legalizing prostitution and LGBT rights are directly engaged with cultural diversification of Sri Lanka, there will be more debates arising from the religious perspective which will delay the road to justice but as a nation who really needs to protect children from abuses, it is high time to think outside of the box to get more solutions.

Key takeaways and recommendation

Child abuses are not just a crime and it is a crime which directly engages and affects the overall national security of the country. Law enforcement officers need to be trained at national, district and divisional level to identify the strategies of child abusers. In addition, a victim-friendly complaint mechanism is needs to be implemented to report the cases of exploitation. Professionals should be trained on criminal justice related to the child protection. Children need to be educated on how to recognize trusted persons and to identify physical, sexual, and emotional abuse, neglect, family violence, and bullying. Sectors of education and health should be improved with accessible services for care and rehabilitation for children who are vulnerable and suffering from child protection problems. Intrusion of sexual and reproductive health should be started form the root level which is from family and school.

Youth organization and other relevant parties should engage with adolescent health by formulating a platform where everyone could able to talk, debate and express their views on different issues. Reporting and complaints mechanisms need to be improved in more prominent way such as, raising awareness programme among children, communities and public about available helplines and complains reporting services. Awareness programme for parents, caregivers and teachers about the negative impact in the use of physical and humiliating punishment should be enhanced and monitored under the supervision of proper guidelines. Child abuses are directly associating with psychological issues and ideological differences. Traditionally most Sri Lankan people are reluctant of accepting changes but it is necessary to rethink about this issue from unconventional perspective to secure the future our nation. The Government should cooperate and coordinate with the relevant authoritarian parties to implement new rules and regulations. Judiciary system should be independent and preventing from political involvement. Furthermore, it is important to

formulate rehabilitation centres for the child prisoners and child soldiers because they need guidance to move out of and away from the gruesome pasts and become a valuable citizen. Government should formulate proper policy formulation to monitor Foster care centres, Orphanages and abandoned children. Especially child marriages should be stopped and eradicated forever.

Conclusion

Day by day child abuses are increasing by formulating controversial impact on society. Each passing day recorded in the news highlights Sri Lanka as becoming a country where it is usually experiencing child abuse cases. Everyone have responsibilities to protect the future of the nation. If we are unable to protect children being abused by various methods, future youth generation and workforce would not be capable enough to maintain the controversial issues of national security. Therefore Preventing child abuse is not simply a matter of parents doing a better job, but rather it is about creating a context in which “doing better” is easier. Enlightened public policy and the replication of high-quality publicly supported interventions are only part of what is needed to successfully combat child abuse.

K. A. Waruni Madhubhashini served as a Research Assistant at the Institute of National Security Studies (INSS), the premier think tank on National Security established under the Ministry of Defence. The opinion expressed in this article are her own and not necessarily reflective of the INSS.

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