

“Hush, Girl! Don’t Share Your Family Troubles with the Outside World”

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Abstract: Domestic abuse is a significant problem in Sri Lanka with government statistics showing that 17% of ever-married women between the ages of 15 to 49 have experienced some form of domestic abuse. However, this number could be higher in reality, given the prevalence of physical and emotional abuse in situations where partners live together without being married, in situations where the woman is under 15 years of age (Sri Lanka has a 2% child marriage rate), and due to low self-reportage. Although Sri Lankans can only be married after they reach 18 years of age, the war and economic conditions have resulted in a high number of child marriages in recent times. In this paper, I look at two main questions: What is the correlation between child marriage and the beginning of abuse? What is the correlation between pregnancy and the beginning of abuse? The paper draws from desk research. The paper looks only at physical abuse: It is acknowledged that the arena of emotional abuse was recognized only in 2005 after the Prevention of Domestic Violence Act was introduced in 2005 and that even now, such abuse is not given the prominence it deserves in conversations on domestic abuse. However, it was not possible in this research to examine emotional abuse due to time and resource constraints and also because even today the aspect of domestic physical abuse is also not accepted as a problem in Sri Lanka.

Keywords: Domestic abuse; intimate partner violence; silencing women in intimate partnerships, child marriages, marital rape

Introduction

Domestic violence is a pervasive condition visible throughout the world. Although known interchangeably as intimate partner violence and gender-based violence (GBV), there are some differences in the terms. GBV is all forms of violence based on gender that include “intimate partner and family violence, elder abuse, sexual violence, stalking, and human trafficking” (NYC.gov, 2020). In such situations, there is a visible unequal relationship between the two genders, where usually the male occupies a position of higher power. This could happen in the house, on the road, at work, or any social situation. Domestic violence, put simply, is violence that happens within the home between partners or in a family.

While intimate partners do not need to be heterosexual, and in some instances intimate partner violence takes place in same-sex relationships, I limit this paper to instances of violence occurring between a man and a woman where the woman is the victim to highlight the violence that takes place on the women because of their gender. These relationships could be past or present. Also, the paper looks only at physical abuse: It is acknowledged that the arena of emotional abuse was recognized only in 2005 after the Prevention of Domestic Violence Act (PDVA) was introduced in 2005 and that even now, such abuse is not given the prominence it deserves in the discourse on domestic abuse. However, it was not possible in this research to examine emotional abuse due to time and resource constraints (resulting from the restrictions on mobility due to the pandemic). Also, even today, the aspect of domestic physical abuse is not accepted as a problem in Sri Lanka, thus hampering the collection of data related to physical (and emotional) abuse within the confines of a private dwelling.

Literature Review

This study bases itself on vulnerability theory, which is a crucial starting point in understanding the stressors women face in domestic situations of risk or “the probability of harmful consequences, or expected loss of lives”

(UNDP cited in Sebnem and Sener, n.d.: p2). In a domestic situation of inherent risk, the woman faces increased stressors of safeguarding oneself and the children and she comes to rely on the community, which is where researchers and organisations become important. During the first few months of the COVID-19 pandemic, researchers attempted to understand the extent of domestic violence against women when they occupy a confined space with their abuser. They wished to bring the enormity to light so that better ways of communicating with such women could be created if not understood to help the women access the help they needed. Thus, they were attempting to stop the gap in resource access, analyzed in the following section.

While such cases definitely increase during emergency situations such as wars, pandemics, and other crises, this paper looks at domestic violence in non-emergency times, and mostly at the correlations between early-age marriages, pregnancy, and domestic violence. It draws from desk research. The 2020 pandemic resulted in logistical issues that precluded first-person narratives. The desk research encompasses newspaper articles on domestic violence instances reported from 2011 to 2020.

Violence around the world

This focus on instances of violence against women is due to the sheer numbers of GBV cases against women: Globally, more women suffer from intimate partner violence than do men (Posso, Smith, & Ferrone, 2019, p. 2; UN Women, 2020; Phelps, 2020). Many researches have been conducted on GBV and domestic violence (Chakwana et al., 2020; Damon, 2020; Peterman et al., 2020; Phelps, 2020; Posso, Smith, & Ferrone, 2019; UN Women, 2020; UN Women, 2020a; Williams, 2020; World Bank.org, 2019). These researches point to the pervasive nature of GBV around the world. The United Nations (UN) and the World Bank have published many researches and reports that stand as the official statistics. According to UN estimates, about 70% of all women around the world have faced some gender-based violence in their lifetime (NYC.gov, 2020). According to the World Bank, about 35% of all women have faced some physical or sexual violence by their intimate partners or sexual violence at the hands of non-partners at some point in their lives (World Bank.org, 2019).

Damon (2020) highlights instances in the Pacific region where, “The prevalence rates for violence against women in the Pacific region are some of the highest in the world with 60-80 percent of women aged 15 to 49 years experiencing some form of partner violence in their lifetime” (Damon, 2020, p. 10). Nguyen, Darcy, & Kelley (2020, p. 19) point out that, “Timor-Leste’s rate of GBV is one of highest in the world with 59% of ever-partnered women aged 15-49 years experiencing intimate partner physical and/or sexual violence at least once in their lifetime”. The site Data 2X (2019, p. 2) declares about Vietnam: “An alarming 58% of respondents reported having been physically, sexually, or emotionally abused by their husbands, and 87% of women who had experienced physical or sexual violence had not sought any form of help.” Mahuku et al. (2020, p. 12) talk about violence in the Democratic Republic of the Congo (DRC), where “56% of women have experienced some form of violence, and 24% have experienced sexual violence, from their partners.” Statistics from Malawi are equally worrying, with numbers high in comparison with the world averages at 45% of girls aged 15-19 reporting as having experienced some form of physical or sexual violence (Chakwana et al., 2020, p. vi). Nguyen et al (2020) explain the conditions in Australia, saying that family violence affects 1 of 6 women and 1 of 16 men, which numbers are reportedly much higher during the pandemic. Speaking about the situation during the COVID-19 pandemic, Mahuku et al. (2020, p. 12-13) say that “South Africa reported 87,000 cases of gender-based violence in seven days of lockdown”. These alarming numbers are an indication that policy makers and researchers must analyze and address the situation, and propose solutions that are culture- and location-specific.

Domestic violence in Sri Lanka

Domestic violence is a significant problem in Sri Lanka with government statistics showing that 17% of ever-married women between the ages of 15 to 49 have experienced some form of domestic abuse. According to the Demographic and Health Survey - 2016, Sri Lanka, about 2% of women who have been married at some point in their lives suffered from some form of domestic violence daily (Demographic and Health Survey, 2016). However, this number could be higher in reality, given the prevalence of physical and emotional abuse in situations where partners live together without being married, in situations where the woman is under 15 years of age (Sri Lanka has a 2% child marriage rate), and due to low self-reportage, all of which are affected by the legal context of the country.

Economic, legal, and political conditions of Sri Lanka relevant to domestic violence

Although Sri Lankans can only be married once they reach 18 years of age, the war and resultant economic conditions resulted in a high number of child marriages in recent times. The social tapestry of Sri Lanka shows many changes over the 30 years of war. Many young girls married early for safety. Some married because their fiancés were army officers. This resulted in young widows, young mothers, and young victims of violence (Girls not Brides, n.d.; Fokus Women, 2016). These marriages took place against the law. The women took two routes to marriage: They eloped and lived together without marrying till they were 18 or the parents falsified the girls' birth records to make the girls appear older (Girls not Brides, n.d.; Fokus Women, 2016). In such instances, the girls are left without what legal protection they would have been entitled to if they were if they were legally married. However, the legal system is not comprehensive or infallible.

Two of the glaring issues in the Sri Lankan legal system are that marital rape is not recognized in the laws and emotional abuse is not given due recognition in the legal process. The PDVA of 2005 does not recognize marital rape (Rameez, 2016), which possibly also explains and harkens back to the cultural attitude that domestic violence is a family matter. Also, this is another entrenched belief where 67% of the women and 58% of men believe that the woman cannot refuse sex if the husband or partner requests or demands it (Rameez, 2016). Emotional abuse is recognized in the Act but, in practice, this aspect is not given the consideration it deserves. Many police officers appear not to be sensitized so as to recognize emotional abuse as domestic abuse, and many men do not see emotional abuse as abuse.

A third issue with the PDVA is that it acts as a protection mechanism rather than as a criminalizing and deterring law (Rameez, 2016). It provides a protection order, valid for one year, rather than a jail term. Thus, it does not offer hope to a victim, who would feel safer if the perpetrator was in jail. Since the law does not criminalize, except if he violates the protection order in which case he would be jailed, the perpetrator walks away unharmed.

Research Questions and Methodology

In this paper, I addressed two main questions: What is the correlation between child marriage and the beginning of abuse? What is the correlation between pregnancy and the beginning of abuse? The paper drew from desk research of women who were married young and were abused by their husbands. The desk research analyzed articles and newspaper reports written about the prevalence of domestic violence as well as those that report incidents of domestic violence. The paper is based on data from other researches and government surveys, to ground it in relevant and current facts.

The words "domestic abuse" and "gender-based violence" were used to locate newspaper articles through a Google search. In addition, newspapers and news websites were individually scanned: These included the English news sources News First, Sunday Times, and Sunday Observer, and the Sinhala newspapers

Lankadeepa, Silumina, Divaina, and Dinamina. Only news items in the last 10 years (2011-2020) were selected to ensure relevance.

Results and discussion

In 2016, the Demographic and Health Survey Sri Lanka uncovered that 16.6% of the 16,629 women surveyed had experienced some domestic violence, while 2.1% of that sample experienced violence daily (Demographic and Health Survey Sri Lanka, 2016, p. 198). Of those who experienced violence, only 28% is recorded to have sought help with escaping the situation (Demographic and Health Survey Sri Lanka, 2016, p. 199). An article by Rameez on Roar Media (2016) points out that of those who faced violence, less than 1% seek redress under the PDVA. According to the government survey, from those who sought help, only 18% had sought help from the police. The majority sought help from friends and family (Demographic and Health Survey Sri Lanka, 2016, p. 202).

A larger percentage of women who experienced abuse was from the urban area, at 20% compared to 16% rural and 17% estate (Demographic and Health Survey Sri Lanka, 2016, p. 199). The survey also found that “there is a negative relationship between the prevalence of physical violence and household wealth (the lowest wealth quintile has a significantly higher prevalence of domestic violence than women in the other four quintiles)” (ibid).

Case study – analysis of desk research findings

According to the articles scanned in the desk research, causes of (a surge in) domestic abuse can be alcoholism, drugs, and unemployment, all of which remain true whether in an emergency situation or not. Some violence also could be seen to arise with pregnancies. The articles point to the increase in violence against young females and pregnant females rather than older females. Physical violence can take many forms, including but not limited to, throwing things at the female partner or the children, throwing the children against the wall, hitting the partner's head on the wall, cutting/slashing and killing her or the children, rape, and tying up. The 2016 survey identifies similar incidents batched together such as of pushing her and beating her. A precaution method taken by the husband or partner is to remove the woman's clothing when she is beaten up so that she cannot/will not scream to attract attention. The fear of shame connected to being naked if someone discovers her ensures that she keeps quiet. Emotional abuse goes hand-in-hand with physical abuse in some cases and is used by the partner to keep the woman under control or to manipulate her. In one instance, the husband had stripped naked his pregnant wife and made her sit outside for everyone to see so as to create social shame. Being so shamed would lead her to fear being ostracized and creates vulnerability in her. It is interesting to note that it is the woman who experiences this vulnerability through fearing (and sometimes facing) the shame of being beaten up whereas the man faces little to no repercussions.

Local newspapers point to a significant number of domestic abuse incidents per week. Some report deaths while others only injuries. Some cases are significant due to the victim: On 18th June, 2016, News First reported that Olympic Medalist Susanthika Jayasinghe was hospitalized after being assaulted by her husband. Her husband was arrested but released on bail after being produced in court (News First, 2016). Other cases are significant due to the nature of the crime: Sachethana Sandamali (wife) and their two babies under three years of age were killed by Madura Manaranga De Silva (the husband/father) on 17 December, 2012 (Daily Mirror, 2019). He strangled her and the elder child and set fire to the mosquito net under which the 3-month old baby lay. The husband was given the death sentence in 2019. In another case, Shyamila Swapna was 14 when she was forced into a marriage where she suffered domestic abuse for years before she decided to run away from the husband (News First, 2017). However, when she went to the police, she was asked to reconcile with the husband. The husband set fire to her, which burn injuries she succumbed to when she was 17.

Such women need a safe way in which they can access healthcare, psychosocial support, and basic safety. It seems important to sensitize officials and educate them on how to work with abused women. The women too need to be educated on the services available to them and how to access them. They are not aware of how they may reach the help they need and, thus, continue to stay with the men abusing them.

Discussion

Domestic violence occurs around the world irrespective of whether conditions are stable or not (Posso, Smith, Ferrone, 2019; Williams, 2020), but it is inarguable that data is underreported across the board at any given time (UN Women, 2020a). This could be due to myriad reasons including shame, fear, inability, and/or unwillingness, among others (Peterman et al., 2020, p. 4). For example, given its pervasive nature and how entrenched it has become in society over long periods of time, GBV is seen as somewhat normal by some and as a matter between a man and his wife by others. The manner in which it is framed (“one’s wife”) denotes how much support a woman can expect to receive, irrespective of the legal conditions in place to safeguard her. Anecdotal evidence exists that show how little support women receive when they approach police officers to lodge complaints. They are more often than not told to return home because it is a family matter. Thus, at least in Sri Lanka, it is difficult to make women lodge complaints with the police. In the instances they do lodge complaints or even attempt to do so, the outcome is most often not favorable to her. The police officers will advise her to attempt to reconcile with the husband, as evidenced in the example of Shyamila (see above) chosen from the desk research.

Child brides (see section on legal literature) face many issues: Some were left with in-laws who were cruel to them, some was victimized by other men in the village and in the government administrative system who demanded sexual favors to help them in various situations, and some were beaten or sexually abused by their husbands when they returned from the war (Fokus Women, 2016). Also, some of the women had miscarriages and/or a large number of children and some were evicted from their houses with their children if the husband or in-laws were unsatisfied with them. According to anecdotal evidence, such dissatisfactions occurred for many reasons including, but not limited to, the (lack of) dowry. Such incidents occurred mostly in the Sinhala and Tamil communities, because they experienced the brunt of the war. These women also faced issues arising from lack of economic resources: As many do not have a claim to land and have not been educated enough to work, they are economically dependent on their husbands and extended family. Another concern is the Muslim law, where a child can be married at the age of 14 (Sri Lanka Brief, 2020). Contested to this day, the law applies to Muslims of the country. The argument for child marriage is based on religious beliefs.

The girls who married in these conditions may face some barriers that other women do not experience. Self-reporting could be low because of a combination of these reasons. Those who marry young do not feel as if they have recourse to the legal system. In fact, most do not go to the police (Demographic and Health Survey Sri Lanka, 2016, p. 202). Given their early marriages/elopement, they may not always have a legal marriage certificate. This reduces their agency and ability to gain redress. In addition to those mentioned in the previous section, the girls may not feel comfortable reaching out to others, especially male officers, about being beaten or sexually assaulted by their husbands. Even in the instances where they do, they do not receive the legal or emotional support they need and, thus, legal avenues act as a deterrent to the victim rather than the perpetrator, as was evidenced in the newspaper articles scanned in the desk research. In the Muslim community, it is even harder to come forward due to their culture and lack of mobility for women.

Overall, women stay silent in abusive relationships for many reasons, even though they face much hardship with their partners. The reasons arise from fears of being ostracized, fear of ridicule, and fear for the safety of self and family. To address this, the Sri Lankan government and civil society have attempted to create some safety and stability for women who have faced abuse: The Ministry of Health has attempted to take a survivor-centered approach while the Ministry of Women’s Affairs proposed a national plan to address the incidence of domestic

violence (Demographic and Health Survey Sri Lanka, 2016, p. 198). In addition, the Family Health Bureau operates several domestic violence care centers at hospitals around the country called “Mithuru Piyasa” (Demographic and Health Survey Sri Lanka, 2016, p. 198). Thus, for women who have faced physical and emotional violence and social shame, one option is to visit the care centers like Mithuru Piyasa run by either the ministry or heavana. Such institutions can help her regain her life, educate herself in some cases, and attempt to make some headway in her economy.

Limitations

I limited this study to a desk research of newspapers from Sri Lanka because of the restrictions on mobility imposed by the COVID-19 pandemic. However, this limitation can be circumvented by other researchers as mentioned in the suggestions in the section on further research (below). Also, I limited to a study of physical abuse because the concept of emotional abuse has not yet been legally accepted. There are no laws addressing this aspect and thus, it has not yet come into the national discourse. This limitation needs to be circumvented in the future by investing in research and policy that demarcates and addresses emotional abuse.

Conclusion and Recommendations

GBV and domestic violence has reached alarming numbers around the world, without a solution in sight. While many governments and organizations are working to provide needed services to battered women and needed investments in data collection and policy preparation, much more needs to be done. I argue that what is needed may not always require more funding, but might require a more focused approach. It is imperative to understand a minimum of six factors. These are: why women are abused more than men, the types of people who abuse these women, the reasons for abuse within intimate partnerships, why women stay silent, why women stay with their abusers, and what can be done (what services are needed) to bring these women out of silence and danger into safe society. These factors are common to both emergency and non-emergency situations, addresses the core causes for the prevalence of abuse, and attempts to understand the people and the reasons behind abuse. Such data can then be extended to include myriad other situations. To understand these factors, some financial commitment is needed from the government and relevant organizations, but once done, the implementation would become much more nuanced so that the benefits would far outstrip the costs. I do not contend that the factors have not been looked into by these parties, but I believe that there are more ways in which the parties can propose better solutions with up-to-date information and a conscious approach. However, more needs to be done by the authorities and society in general.

Recommendations and Suggestions

While it is not possible to eradicate the phenomenon, at least not in the foreseeable future, it is possible to increase our efforts towards them. Firstly, we can engage in society-wide education that will raise awareness by targeting school students, conducting awareness campaigns at the village level, and also having healthcare workers visit families as a routine practice so that speaking about GBV becomes easier between the worker and the abused partner.

As a second and more focused line of action, governments can engage in increased policy and practical action. It can design messages within an “inform, educate, and communicate” campaign that can be displayed at all healthcare premises, education institutes, and private homes, as well as shared with private individuals through private interactions. It can also increase the financial benefits to women who have faced domestic violence so that women who walk into a center or who have been identified as having been abused can receive a stipend. Also, the center gains more resources to better serve the abused women. In particular, Sri Lanka can tighten its PDVA, making it easier for women to go to courts under the PDVA, and also increase other complementary laws that criminalize and punish perpetrators. In addition, these laws could also take into consideration

emotional trauma and abuse in such a way that women can successfully argue and win a court case based on that law. It is not enough to have a law. It must be practical and easy to use to safeguard the citizens that deserve such protection.

A third line of action could be providing psychosocial support. The government and other development sector organizations would need to work hand-in-hand to provide psychotherapy and psychosocial support to these women. To do so, they would need to set up centers where sessions could take place, raise awareness on the availability and the need for such services (so that the women understand why they should avail themselves of this service), and ensure that the women receive this service as needed. The parties would need to utilize a large number of psychologists and psychotherapists to ensure that each woman in need receives the support and service she needs.

The fourth line of action is the increased use of technologies. The government could invest in and extend the use of online technologies to find, educate, and rescue women. In times of emergency, such technologies could also be used to survey and record statistics. It can use mobile technology to have healthcare and mental health workers stay connected to those who need the support. This will allow speedy resolutions, and will help make the women feel safe enough to reach out and ask for help, knowing they will receive the help. Connected to this is the need for ensuring that the women feel such safety. The mechanism from top to bottom, to the most-junior officer who might come into contact with an abused woman, must make her feel safe. To do so, the officers and workers must know the protocols and purpose of each law related to dealing with an abused woman. If they are able to treat the women with respect and help them escape from a dangerous situation (and do not vilify the women or ridicule them), the women too will feel safe and have some hope that the officers and the law is on their side. This will drastically increase the numbers of women reporting but will also bring out into the open a comprehensive picture and provide an opportunity to deal with it.

A fifth line of action joins the private and public sector with the non-governmental sector. All sectors could work to create better economic conditions for these women through employment. For example, the non-governmental sector organizations could create a database of women who have faced abuse and bring them to the legal system as well as to the private companies or the government, who can then provide them with some employment. This would give them a sense of self-sufficiency which is imperative if they are to survive because they are used to feeling dependent on their abusers.

A supplementary line of action is needed for emergency situations. This ensures that crucial resources and services remain available for abused women even in situations where resources could get diverted to emergency relief. While the load may increase on particular resources, ensuring that each abused woman gets the services she is used to is crucial at all times. To do this, the individual country must conduct country-specific analyses and comprehensive data collection.

All of this is complemented by having access to correct information, data, and education material, which remains the responsibility of the government to be disseminated through government officers and other parties. In addition, all parties must have a plan for dealing with global or local emergencies, where the plan is immediately deployed if the country faces a crisis. This is essential in providing continuous and consistent service to women.

Suggestions for Further Research

The research focus can be extended in multiple ways: For a psychology-related study, a qualitative analysis based on conversations with those who have faced (or continue to face) physical or mental abuse can lead to a greater understanding of the emotions and lived experiences of the women. Such a focus would build on the third recommendation I have provided above for psychosocial support. For a sociological research focusing on

GBV, a quantitative analysis of the numbers in Sri Lanka can provide a true understanding of the extent. This is crucial for both the first and second recommendations: the government can use these numbers to understand ways to address the situation and how many personnel to use in health services and to understand the financial commitment it needs to make. It will also help them train police officers and other related personnel on how to work with the abused. The recommendation on how to use technology is important given the increased dependence on technology, and I and another researcher have attempted to address this aspect in a separate paper. Also, more research can be carried out on how best to work with the private sector to create more employment as mentioned in the fifth recommendation. Interdisciplinary research could be carried out to supply the numbers and analyze issues relevant to the supplementary recommendations provided above.

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