THE CHALLENGES IN TRACING AND MINIMIZING THE DOMESTIC VIOLENCE CASES DURING COVID-19: A COMPARATIVE STUDY OF THE MALDIVES, MALAYSIA AND PAKISTAN

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ABSTRACT

Family violence is a worldwide endemic since long even before the Coronavirus epidemic and the greatest human rights violation as per the United Nations. The vulnerability with worldwide pandemic has worsened the issue when States implemented lockdown policies caused a significant increase in domestic violence cases. The exceptional increase in domestic violence cases during Covid-19 mark an urgent call of action from the States. This study aims to examine the reasons for the increasing number of cases and the methods taken by the stakeholder in handling this issue through tracing and minimize the impact and thereafter to resolve the issue in South Asian and Fareast countries i.e. the Maldives, Pakistan and Malaysia. This paper adopts the qualitative research method in collecting data. The available data evidently specify an alarming flow in family violence cases during Covid-19. This study confirmed that the state interventions to deal with the social problem are inadequate. Growing unemployment and financial stress, increased anxiety and poor state resources have set a provoking family violence emergency. Furthermore, States faces serious challenges to tackle such issue due to lack of coordination among public departments and stakeholders. This study will recommend that strong policy initiatives are essential to address such issue when victims of violence are in quarantine.

Keywords: *Domestic Violence, COVID-19, Malaysia, Pakistan, Maldives, Government Efforts*

RESEARCH HIGHLIGHTS

Domestic violence has impacted so many lives during the worldwide pandemic. The report of United Nation confirms the disproportionate impact of COVID-19 on women and girls (UN WOMEN, n.d.). The lockdowns and isolations actions employed by states triggered millions of women confined with their victimizers, with limited choices of in quest of help and support. The literature review confirmed that during the coronavirus contagion, the number of domestic and family violence victims heightened worldwide. Malaysia has observed an increase in the domestic and family violence cases resulting from the Movement Control Order (MCO) as per statistics by the Women and Family Development Ministry and NGOs (Arumugam, 2020). Prolonged coexistence in the private space, combined with the uncertainty and anxiety caused by the outbreak of COVID-19, increased the number of cases of domestic and family violence as well as other forms of gender violence against women (United Nation Maldives, 2020). Studies from United Nations confirmed that incidents of domestic violence are increasing in the wake of the coronavirus pandemic lockdowns in Pakistan though no adequate profile of domestic violence (UNDOC, 2020). The government effort is not sufficient and strong policy is needed in handling this issue in future.

Research Objectives

During the coronavirus pandemic, States all around the world attempt to provide the best in handling this matter. However, in certain countries, the effort taken by the governments are lacking and insufficient to assist the citizens. The pandemic is perceived as violation of human rights and not a health issue *per se* (Tariq & Bibler, 2020). This paper focused on increased cases of domestic violence during the Covid-19 pandemic in three selected

jurisdictions i.e. Malaysia, Maldives and Pakistan. Through this study, the authors aim to identify the challenges facing in tracing and minimizing domestic violence, raised concerns about the experiences and needs of the family violence victims, draw attention to the side-effects of social distancing and isolation measures i.e. lockdowns. Subsequently, this paper suggests some recommendation to overcome the challenges.

Methodology

For the purpose of collecting and analyzing data, this research has adopted a qualitative research method. Secondary data is used to examine the literature and publically available data. This paper also used surveys to collect data in the form of short interviews. In the case of Pakistan, 89 respondents have participated in the survey. As for the Maldives, 90 participants have participated in the survey. As far as Malaysia is concerned, there were 60 potential respondents approached but only 11 respondents responded from different parts of Malaysia. Demographic information was also collected while conducting short interviews. It includes gender, marital status, education, profession, age group, religious identification, and urban-rural living. The authors would like to find the role of both public and private partnerships in solving this issue. Participants were serving in government, private sector, volunteers from Non-Governmental Organisations (NGOs), lawyers, doing business and professionals.

Results

All the respondents from selected jurisdictions unanimously agreed that the Covid-19 pandemic directly or indirectly affected domestic violence cases caused by MCOs, lockdowns and shutdowns. It could be argued that victims may not be able to access support or care while social distancing and quarantine restrictions are in place. Laws on domestic violence must not be too rigid procedure and bureaucracy. Continuous monitoring is needed to find and eliminate the real cause of the violence. The respondents are of the view that the law must give more protection to the victim and stricter towards the perpetrators. A significant number of participants found dissatisfaction with state responses for supporting victims of domestic violence. On the other hand, in Maldives and Pakistan, the majority of participants were of the view that the government has failed to resolve domestic violence cases during the world pandemic. Female-headed households are particularly vulnerable. It was found that the economic situation due to the Covid-19 pandemic impacted and caused increased domestic violence cases. Participants emphasised that the government needs to put more effort to prevent domestic violence. Government has to make society aware of the dimensions of the problem through campaigns, seminars and conferences.

Recommendation

This paper suggested that the governments in all selected jurisdictions must have strong policies to ensure the victim and survivors' rights are taken care of. There must be a sufficient awareness campaign launch. The citizens must have knowledge about their

rights and the existing assistance created by the government for them. Better coordination among the institution and stakeholders is needed to ensure the laws enacted in favour of the women, shall be well functional and to guarantee well-managed health care during the pandemic, with establishing domestic violence helpline, shelter home and financial support for victims. For some commentators, domestic violence is closely related with the socio-economic stability of individuals and their families, the governments need to focus on socio-economic status which will in turn, minimize domestic violence cases.

References

- Arumugam, T. (2020, April 4). MCO Linked Domestic Violence Rises. *Ne Straits Times*. <https://www.nst.com.my/news/exclusive/2020/04/581233/mco-linked-domestic-violence-rises><https://www.nst.com.my/news/exclusive/2020/04/581233/mco-linked-domestic-violence-rises>
- Tariq, F., & Bibler, S. (2020). *Gender Impact of COVID-19 in Pakistan: Contextual Analysis and the Way Forward*. https://www.ifes.org/sites/default/files/gender_impact_of_covid-19_in_pakistan_contextual_analysis_and_the_way_forward_may_2020.pdf
- UN WOMEN. (n.d.). *COVID-19 and Ending Violence Against Women and Girls*. <https://www.unwomen.org/en/digital-library/publications/2020/04/issue-brief-covid-19-and-ending-violence-against-women-and-girls>
- UNDOC. (2020). *Gender and Pandemic, Urgent call for Action*. https://www.unodc.org/documents/pakistan/Advocacy_Brief_4_Gender_-COVID-19-Punjab.pdf
- United Nation Maldives. (2020). *Addressing the Socio-Economic Impact of COVID-19 on the Maldives*. <https://www.google.com/search?q=Socio-Economic+Impact+of+COVID-19+on+the+Maldives%2C+Reducing+the+impact+of+the+health+crisis+on+the+most+vulnerable+and+sustaining+progress+towards+the+2030+Agenda&aq=Socio-Economic+Impact+of+COVID-19+on+the+Maldives%2C+Re>

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