

# Your Sexual Rights & Responsibilities



## To Comply

You have a responsibility not to touch or kiss another person or initiate sexual activity without his/her consent.

You have a responsibility to accept that **NO means NO!**

And to comply.

- It does not matter how far you have gone.
- It does not matter that the other person has said, “yes” in the past.
- It does not matter that you want to go further.
- It does not matter that the other person dresses in a way that you find exciting.

## ARE YOU AWARE?

According to Sri Lankan law consent for heterosexual intercourse can only be given by a woman:

- ◆ who is mentally competent,
- ◆ who is over 16 years of age,
- ◆ who is not under the influence of alcohol or other drugs that have similar effects,
- ◆ who has not been intimidated, forced, or threatened with detention or made to fear death or injury.



Though homosexuality is a crime under the Sri Lankan penal code, the relevant provision is not always enforced, thereby complying with Sri Lanka’s commitment to the United Nations International Covenant on Civil and Political Rights (ICCPR).

## Respect

You have the right to be accepted and respected for your sexual orientation and for your sexual preferences. You may be heterosexual, homosexual, lesbian, bisexual, pansexual, asexual, cisgender, transgender, multigendered, transexual, intersexual, androgynous, bi-gender, etc.. It is part of who you are.

Thus not everyone is the same. And you have a responsibility to treat everyone with respect.

## Safety

You have the right to be safe from violence.

You have the right to be safe from unwanted pregnancies.

You have the right to be safe from being infected with an STD/AIDS.

### SEXUAL HARM

Sexuality-related harm includes both violence and abuse of a physical, verbal, psychological, economic and sexual nature as well as violence against individuals because of their sex; age; gender; gender identity; sexual orientation; marital status; sexual history or behavior (real or imputed); sexual practices or how they manifest their sexuality.

You have a responsibility not to use violence or violate others.

You have a responsibility to ensure that your sexuality does not lead to unwanted pregnancies.

You have a responsibility to protect others from being infected with an STD/AIDS.

### PROTECTION FROM EXPLOITATION

Under the law, all children and adolescents are entitled to enjoy the right to special protection from sexual exploitation, child prostitution and all forms of sexual abuse, violence and harassment, including coercion of a child to engage in any sexual activity or sexual practice and the use of children in pornographic performances and materials. Incest is a crime under Sri Lankan law.

Based on resources of the World Health Organization (WHO) the International Planned Parenthood Federation (IPPF) and the University of Minnesota - Trans Awareness Project.

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# Preamble

Sexuality and the pleasure derived from one's sexual relations and activities are central aspects of being human, whether or not a person chooses to reproduce.

Sexuality then, is not merely a vehicle for individuals to satisfy their reproductive interests. Individuals are entitled to experience and enjoy their sexuality independent of reproduction. Equally, they are entitled to enjoy their roles in reproduction independent of their sexuality.

Sexual health spans a lifetime. Sexual violence, abusive sexual experiences in childhood, and sexual conditioning based on unequal and negative images of human sexuality (for instance, found in some pornographic material) can permanently damage marital and love relationships. They can also lead to mental stress, ill health, the perpetuation of physical, psychological and sexual violence, and on occasion, suicide and murder.

Each country has laws to counter rape, sexual and gender based violence, sexual harassment and other unacceptable activities. Sexual activities between adults and children are illegal; and merit severe penalties. The age of consent for sexual intercourse varies from country to country.

In Sri Lanka, the freedom to access accurate information about sexuality and discussions on sexuality are impaired by shame, stigma and cultural taboos. When it comes to sexual violence, often, victim-survivors are blamed and perpetrators are allowed to go free. The lack of knowledge and misinformation with regard to sexuality, sexual rights and responsibilities can lead to unequal, unhealthy, violent, sexual relations and problems with the law.

A positive and considerate approach to sexuality and sexual relationships will lead to loving, healthy and mutually satisfactory interactions. Moreover, an understanding of the basic concepts of sexual rights, sexual responsibilities and sexual consent is needed if we are to function as responsible individuals in our society.

# What Are Sexual Rights?

- The right to sexual health
- The right to sexual and reproductive health care services
- The right to sexuality education and information on sexuality
- The right to sexual privacy
- The right to decide to be sexually active or not
- The right to bodily integrity and respect
- The right to choose a sexual partner
- The right to consensual sexual relations
- The right to a consensual marriage
- The right to decide whether or not, and when, to have children
- The right to a satisfying, safe and pleasurable sexual life

**SEXUAL RIGHTS**

Sexual rights are human rights related to sexuality, and are already recognized in national laws, international human rights documents and other consensus statements. Sexual rights are recognized by Sri Lanka's constitution and laws.

## For sexual rights and responsibilities to be realized, you need...

### Accurate Information

You have the **right** to accurate information about sex and sexuality; normal sexual growth and development; decision-making; sexual orientation; contraception; risks and options regarding pregnancy, reproduction and sexually transmitted diseases (STDs) such as AIDS; and safe sex practices.

You have the **responsibility** to educate yourself on the above and use this information to make appropriate and responsible decisions about your sexual life.

### KNOWLEDGE MATTERS

A person giving consent to sexual activity should know exactly what he or she is consenting to and the consequences of such sexual acts.

## To Give or Not Give Consent

You have the right to say **YES!**

You have a right to say **NO!**

It does not matter how far you have gone.

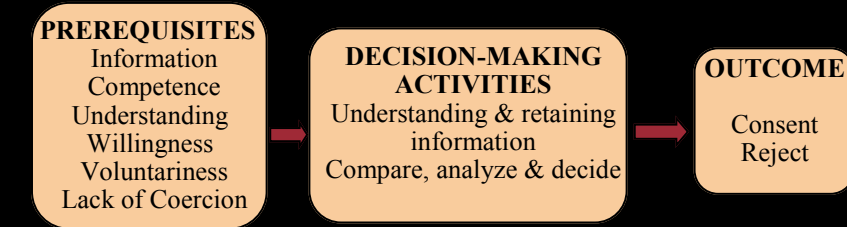
It does not matter that you have said, "yes" in the past.

It does not matter that the other person wants to go further.

It does not matter that the other person finds you exciting.

## THE PROCESS OF CONSENT

Consent for sexual activity is an active process not merely the submission to another party.



## DO YOU KNOW?

- Consent is needed for sexual activity of any kind.
- Consent for sexual activity is needed even if you are married or in a love relationship.
- Consent for sexual activity can be withdrawn even after initial consent has been given.
- Having sexual intercourse with an underage boy/girl (with or without consent) or a woman without her consent is a criminal act; and you can be charged in a court of law with attempted rape and / or other crimes.
- Flirting/ provocative behavior/ revealing clothing are NOT signs of consent.
- Accepting money or gifts in a relationship CANNOT be considered consent for sexual activity.
- Parents/guardians/next of kin CANNOT give consent for sexual intercourse on behalf of someone.
- Consent for sexual activity obtained after threatening a person's life is NOT valid.
- Gestures or body language alone CANNOT be taken as valid consent for sexual activity.