

In 2016, Sri Lanka made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government raised the compulsory age for education from 14 to 16. For the first time, the Department of Labor targeted for inspection establishments with a high risk of hazardous child labor. The Government also collected data for the Child Activity Survey during the reporting period. Children in Sri Lanka perform dangerous tasks in domestic work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. There are no laws regulating employment in third-party households, which leaves children ages 14 to 18 employed as domestic workers vulnerable to exploitation. Children also face barriers to education, including lack of transportation and inadequate number of teachers.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sri Lanka perform dangerous tasks in domestic work. Children in Sri Lanka also engage in the worst forms of child labor, including in commercial sexual exploitation.(1, 2) Table 1 provides key indicators on children's work and education in Sri Lanka.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	9.2 (302,865)
Attending School (%)	5 to 14	97.8
Combining Work and School (%)	7 to 14	10.4
Primary Completion Rate (%)		98.0

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Child Activity Survey, 2008–2009.(4)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1, 2, 5)
	Fishing (2, 5)
Industry	Manufacturing, activities unknown (1, 2)
	Mining,† including gem mining† (2, 6)
	Construction, activities unknown (2)
Services	Domestic work (2, 7)
	Transportation, activities unknown (2)
	Street vending and begging (2)

Figure 1. Working Children by Sector, Ages 5-14

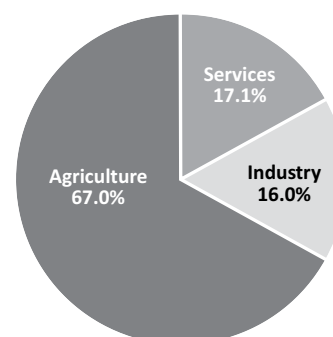


Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 2, 8, 9)
	Forced labor in domestic work, sometimes as a result of human trafficking (2, 9)
	Forced labor in farming, fish-drying, and begging (10)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

There are reports of children from tea estates being trafficked internally to perform domestic work in Colombo; their payments are withheld and their movements are restricted.(2, 9) Children, predominantly boys, are also forced into commercial sexual exploitation in coastal areas as part of the sex tourism industry.(2, 9)




In addition, some children in rural areas face barriers to accessing education, including difficulties traveling to school in some regions, lack of sanitation and clean water in schools, and an inadequate number of teachers.(11, 12)

In 2016, the Department of Census and Statistics collected data for the Child Activity Survey, which includes data on child labor and hazardous child labor. The results of the survey will be published in 2017.(12, 13)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Sri Lanka has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, a gap exists in Sri Lanka’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Section 13 of the Employment of Women, Young Persons, and Children Act (14)
Minimum Age for Hazardous Work	Yes	18	Section 20A of the Employment of Women, Young Persons, and Children Act (14)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 20A and 31 of the Employment of Women, Young Persons, and Children Act; Hazardous Occupations Regulation No. 47 (14, 15)
Prohibition of Forced Labor	Yes		Sections 358A, 360C, 360A(2), and 360A(4) of the Penal Code (16)
Prohibition of Child Trafficking	Yes		Sections 360C, 360A(2), and 360A(4) of the Penal Code (16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 286A, 360B, 360A(2), and 360A(4) of the Penal Code (16)
Prohibition of Using Children in Illicit Activities	Yes		Sections 288, 288A, 288B, and 360C of the Penal Code (16)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Sections 20A and 31 of the Employment of Women, Young Persons, and Children Act; Section 2(xviii) of the Hazardous Occupations Regulation No. 47 (14, 15)
Non-state Compulsory	Yes	18	358(1)(d) of the Penal Code; Sections 20A and 31 of the Employment of Women, Young Persons, and Children Act; Section 2(xviii) of the Hazardous Occupations Regulation No. 47 (14-16)
Compulsory Education Age	Yes	16	Section 43 of the Education Ordinance; Compulsory Attendance of Children at Schools Regulation (17, 18)
Free Public Education	Yes		Section 47 of the Education Ordinance (17)

*No conscription (19)

In 2016, Sri Lanka raised the compulsory age of education from 14 to 16 years.(17, 18)

There are no laws regulating employment in third-party households, leaving children ages 14 to 18 who are employed as domestic workers vulnerable to exploitation.(7)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor, Ministry of Labor and Trade Union Relations (MOLTUR)	Enforce child labor laws and receive public complaints of child labor filed in national and district-level offices. Refer cases involving the worst forms of child labor to the police and National Child Protection Authority (NCPA).(12) Conduct special investigations in relation to child labor through the Women and Children's Affairs Division.(20)
Children and Women's Bureau of the Sri Lankan Police (CWBSLP)	Enforce laws on child labor, child trafficking, commercial sexual exploitation of children, and the use of children in illicit activities.(12)
NCPA Special Police Investigation Unit	Inspect premises, interrogate people, and seize property suspected to be involved with child abuse, including unlawful child labor.(21, 22)
Department of Probation and Child Care Services	Coordinate services for child victims of forced labor, human trafficking, and commercial sexual exploitation who have been referred to the Department of Probation and Child Care Services by the police and the court. Refer children to centers that provide shelter, medical and legal services, psychological counseling, and life and vocational skills training.(12, 23, 24)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Sri Lanka took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	389 (20)	391 (12)
Inspectorate Authorized to Assess Penalties	No (14)	No (12)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (20)	Unknown
Number of Labor Inspections	57,265 (20)	24,778+ (12)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	129 (20)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	2 (20)	Unknown
Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (25)	Yes (25)
Routine Inspections Targeted	Yes (25)	Yes (25)
Unannounced Inspections Permitted	Yes (14)	Yes (14)
Unannounced Inspections Conducted	Yes (26)	Yes (12)
Complaint Mechanism Exists	Yes (27)	Yes (27)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (27)	Yes (27)

† Data are from January 2016 to September 2016.

The number of labor inspectors is insufficient for the size of Sri Lanka's workforce, which includes over 9 million workers. According to the ILO's recommendation of 1 inspector for every 20,000 workers in transitioning economies, Sri Lanka should employ roughly 453 inspectors.(28-30)

In 2016, for the first time, the Department of Labor targeted establishments with a high risk of hazardous child labor by conducting 380 inspections at 450 establishments.(12)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Sri Lanka took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	Unknown	147 (12)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	3 (12)
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (31)	Yes (31)

The Children and Women's Bureau of the Sri Lankan Police (CWBSLP) is staffed by 45 officers in 36 of the country's 460 police stations. In police stations without CWBSLP representation, the officer in charge oversees all the functions of the CWBSLP.(22) In addition, the National Child Protection Authority (NCPA) Special Police Investigating Unit has approximately 40 police officers who investigate complaints involving children, including child labor. The agency also has approximately 300 child protection officers based in the districts who are tasked with preventing child exploitation and victim protection.(12) However, both the CWBSLP and the NCPA face a shortage of funds that affects their ability to carry out their mandates.(22)

Research has found no evidence that the Government of Sri Lanka has investigated, prosecuted, or convicted individuals from non-state armed groups who recruited children in the past for use in armed conflict.(32-35)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Coordinate the implementation of the Roadmap to End the Worst Forms of Child Labor, the Government's key policy document for the elimination of the worst forms of child labor. Chaired by the Secretary of MOLTUR, includes representatives from key government agencies, employer and workers' organizations, ILO, UNICEF, and NGOs.(36).
NCPA	Coordinate and monitor activities related to the protection of children, including activities to combat the worst forms of child labor. Consult with the relevant government ministries, local governments, employers, and NGOs, and recommend policies and actions to prevent and protect children from abuse and exploitation.(37)
National Anti-Trafficking Task Force	Coordinate interagency efforts to address all human trafficking issues, including commercial sexual exploitation and forced labor. Led by the Ministry of Justice and includes representatives from a range of government agencies, including the Ministry of Social Services, Ministry of Women and Child Affairs, Labor Secretariat, NCPA, Department of Probation and Child Care, Police Criminal Division, and Bureau for the Prevention of Abuse to Women and Children.(38, 39)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
Sri Lanka's Roadmap 2016 on the Worst Forms of Child Labor (2011–2016)	Specifies time-bound goals to develop or strengthen the management, coordination, implementation, resource mobilization, and reporting of programs that will lead to the elimination of the worst forms of child labor by 2016.(40) Provide district-level mainstreaming strategies to address specific sectors of child labor, including armed conflict, plantations, fisheries, and tourism. Outlines strategies to include child labor issues in social protection and education goals.(40)
National Strategic Plan to Monitor and Combat Human Trafficking (2015–2019)	Aims to combat human trafficking by raising stakeholder awareness, improving victim protection services, increasing prosecution of human trafficking cases, and conducting research and data collection. Seeks also to improve coordination among the Anti-Trafficking Task Force members.(39, 41)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(31, 42, 43)

Although the Government is drafting a new Child Labor Policy, Sri Lanka does not currently have a national policy to address child labor.(12, 44). The National Education Sector Development Framework and Program (2013-2017), which seeks to improve children's access to the school system, does not explicitly include child labor elimination and prevention strategies. (12, 45)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Free Zone by 2016 [†]	Local government initiatives that seek to eliminate child labor through the identification of children engaged in child labor, a rehabilitation program, assistance to families of children at risk of engaging in child labor, and an awareness-raising campaign. Operated by the district secretariats, with assistance from MOLTUR, and with technical and financial support from the ILO.(46) During 2016, the program was extended to the remaining 19 districts in Sri Lanka.(12)
'1929' Childline Sri Lanka [†]	NCPA-funded and operated 24-hour toll-free emergency telephone service for vulnerable and abused children. Connects children in need of help to direct assistance and rehabilitation services.(47)
Shelter for Victims of Human Trafficking	Ministry of Women and Child Affairs shelter provides female victims of human trafficking and children with safe shelter and access to medical, psychological, and legal assistance.(31, 38)
<u>Country Level Engagement and Assistance to Reduce Child Labor (CLEAR)</u>	USDOL-funded capacity-building project implemented by the ILO in at least 10 countries to build local and national capacity of the government to address child labor.(44) In 2016, worked with MOLTUR to finalize the National Child Labor Policy and implemented the Rapid Assessment of Commercial Sexual Exploitation of Children.(44) For additional information, please see our Web site .

Table 10. Key Social Programs to Address Child Labor (cont)

Program	Description
Supporting the Roadmap to 2016 Through Expanding the Evidence Base and Reinforcing Policy Research for Scaling-up and Accelerating Action Against Child Labor	USDOL-funded research project implemented by the ILO in seven countries, including Sri Lanka, to accelerate country level actions to address child labor by collecting new data, analyzing existing data, building capacity of governments to conduct research in this area, and supporting governments, social partners, and other stakeholders to identify areas of policy intervention against child labor. In 2016, data were collected and analyzed for Sri Lanka's Child Activity Survey.(13) For additional information, please see our Web site .
Decent Work Country Program (2013–2017)	ILO technical assistance project detailing the policies, strategies, and results required to make progress toward the goal of decent work for all. Includes four strategies to reduce the worst forms of child labor: (1) capacity-building for mainstreaming worst forms of child labor into sectorial plans and programs, (2) area-based integrated approach within districts, (3) strengthening institutional mechanisms for improved coordination and monitoring, and (4) development of a knowledge base for tracking progress.(48)

† Program is funded by the Government of Sri Lanka.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Sri Lanka (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the legal framework includes protections for children engaged in domestic work.	2010 – 2016
Enforcement	Publish information on labor law enforcement, including funding for the labor inspectorate and number of child labor violations, penalties imposed, and penalties collected. Publish information on criminal law enforcement actions, including the number of violations and convictions related to the worst forms of child labor.	2014 – 2016
	Authorize the labor inspectorate to assess penalties for labor law violations.	2015 – 2016
	Hire a sufficient number of labor inspectors for the size of Sri Lanka's workforce.	2016
	Provide additional funding for the CWBSLP and the NCPA to adequately investigate forced labor, child trafficking, and the commercial sexual exploitation of children.	2011 – 2016
	Prosecute individuals who have violated laws related to children's exploitation in armed conflict.	2009 – 2016
Government Policies	Adopt a national child labor policy.	2016
	Ensure that child labor elimination and prevention strategies are explicitly integrated into existing education policies.	2014 – 2016
Social Programs	Eliminate barriers to education, including difficulties with transportation to schools, lack of sanitation and clean water in rural schools, and an inadequate number of teachers.	2012 – 2016

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