

In 2014, Sri Lanka made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government expanded the Child Labor Free District by 2016 program to two new districts. The Government also implemented the fully automated Labor Inspection System Application (LISA) that supports onsite inspection processes in five of nine provinces. However, children in Sri Lanka are engaged in child labor, including in agriculture and in domestic work. The Government's enforcement efforts continued to be weak, particularly with regards to hazardous child labor.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sri Lanka are engaged in child labor, including in agriculture and in domestic work. (1-4) 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) | 5-14 yrs. | 9.2 (302,865) |
| Attending School (%) | 5-14 yrs. | 97.8 |
| Combining Work and School (%) | 7-14 yrs. | 10.4 |
| Primary Completion Rate (%) | | 96.9 |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Child Activity Survey, 2008–2009.(6)

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 (2-4, 7) |
| | Fishing* (1, 3, 7) |
| Industry | Manufacturing,* activities unknown (3, 4) |
| | Mining,† including gem mining* (1, 3, 8, 9) |
| | Construction,* activities unknown (1, 10) |
| | Production of fireworks*† (1) |
| Services | Domestic work (2, 3) |
| | Transportation,* activities unknown (3, 10) |
| | Street vending and begging (1, 3, 10) |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation sometimes as a result of human trafficking (1-4, 11) |
| | Forced labor in domestic work* and begging* each sometimes as a result of human trafficking (1, 2, 12) |
| | Forced labor in farming,* fish-drying,* and fireworks* production (2, 11) |

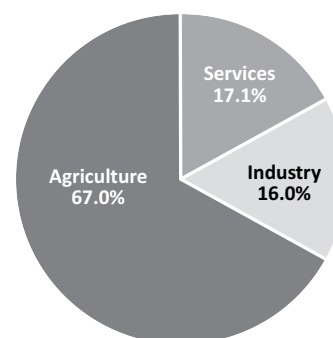
* Evidence of this activity is limited and/or the extent of the problem is unknown.

† 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.



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



Sri Lanka

MODERATE ADVANCEMENT

Children, particularly from former conflict zones and from the northern and southeastern plantations and tea estates, are employed as domestic workers in third-party households in Colombo and in other urban areas.(1, 13) There are reports of children being employed as domestic workers due to debt bondage, and of children from tea estates being trafficked internally to perform domestic work in Colombo, for which their payments are withheld and movements are restricted.(2, 3, 11) Some child domestic workers are subject to physical, sexual, and emotional abuse.(3)

There are reports that children are subjected to bonded and forced labor in farming.(11) Children, predominantly boys, are trafficked internally for commercial sexual exploitation in coastal areas as part of the sex tourism industry.(2, 3, 11) Sri Lankan children who move abroad for employment, primarily to Middle Eastern countries, are vulnerable to forced labor and commercial sexual exploitation.(11)




There is a lack of current data on child labor, particularly in the agricultural sector and in manufacturing; there is also a lack of data on child labor in the Northern Province, which was excluded from the Government's 2008/2009 Child Activity Survey because of civil conflict in the region.(14)

Most children in Sri Lanka have access to basic education.(5) However, barriers to accessing education include difficulties traveling to school in some regions, lack of sanitation and clean water, and an inadequate supply of teachers. This is particularly true in the Northern and Eastern Provinces, which have been affected by the civil conflict that ended in 2009.(15)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Sri Lanka has ratified most key international conventions concerning child labor, including its worst forms (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).

Table 4. Laws and Regulations Related to Child Labor

| Standard | Yes/No | Age | Related Legislation |
|-----------------------------------------------------------------|--------|-----|-------------------------------------------------------------------------------------|
| Minimum Age for Work | Yes | 14 | Sections 13 and 34 of the Employment of Women, Young Persons, and Children Act (16) |
| Minimum Age for Hazardous Work | Yes | 18 | Section 20A of the Employment of Women, Young Persons, and Children Act (16) |
| Prohibition of Hazardous Occupations or Activities for Children | Yes | | Part III, Employment of Women, Young Persons, and Children Act (17) |
| Prohibition of Forced Labor | Yes | | Section 358A of the Penal Code (18) |
| Prohibition of Child Trafficking | Yes | | Section 360 of the Penal Code (18, 19) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Sections 286 of the Penal Code; Section 360 of the Penal Code (19, 20) |
| Prohibition of Using Children in Illicit Activities | Yes | | Section 360C of the Penal Code; Section 288B of the Penal Code (18, 20) |
| Minimum Age for Compulsory Military Recruitment | N/A* | | |

Table 4. Laws and Regulations Related to Child Labor (cont)

| Standard | Yes/No | Age | Related Legislation |
|--------------------------------------------|--------|-----|--------------------------------------------------------------------------------------------------------|
| Minimum Age for Voluntary Military Service | Yes | 18 | Section 2 of the Hazardous Occupations Regulation (17) |
| Compulsory Education Age | Yes | 14 | Section 43 of the Education Ordinance; Compulsory Attendance of Children at Schools Regulation (21-23) |
| Free Public Education | Yes | | Section 47 of the Education Ordinance (22) |

* No conscription (24)

There are no laws regulating employment in third-party households; thereby children ages 14 to 18 who are employed as domestic workers are vulnerable to exploitation.(13)

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).

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|--------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Department of Labor (DOL), Ministry of Labor and Labor Relations (MOLLR) | 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).(25) |
| 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.(10) |
| NCPA Police Unit | Inspect any premises, interrogate any person, and seize any property suspected to be involved with child abuse, including unlawful child labor.(10, 26) |
| Department of Probation and Child Care Services (DPCCS) | Coordinate services for child victims of forced labor, trafficking, and commercial sexual exploitation who have been referred to DPCCS 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.(27-29) |

Law enforcement agencies in Sri Lanka took actions to combat child labor, including its worst forms.

Labor Law Enforcement

The Department of Labor (DOL)'s inspectorate employed 428 officers to enforce all labor laws, including those related to child labor. DOL provided training on legal procedures applying to child labor and hazardous child labor to government officials in districts; it also conducted awareness-raising programs for stakeholders helping to eradicate child labor.(30) More than 400 labor officers received training on the collection of evidence during labor inspections, and training manuals for labor inspectors were translated into the local languages of Sinhala and Tamil.(31)

In 2014, DOL conducted 8,300 labor inspections, which included 200 child labor inspections. No child labor law violations were found during these inspections.(32) During the reporting period, DOL received 133 complaints of child labor, leading to the prosecution of 9 cases. Eight of these cases are pending in court, while one case was finalized with a fine of \$750.(32)

During the reporting period, the Ministry of Labor and Labor Relations (MOLLR) implemented the Labor Inspection System Application (LISA) in five of nine provinces. LISA is an automated system in which trained labor inspectors use handheld tablets to input data and record findings during onsite inspections.(31) In thirty district offices, 140 DOL staff members have been trained in operationalizing LISA.(31) Inspectors can use the application to monitor and track specific children and to ensure that they do not return to child labor once they have been identified and removed.(33, 34)

Criminal Law Enforcement

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 bureau.(10) The National Child Protection Authority Police Unit (NCPA) has approximately 40 police officers who investigate complaints involving

Sri Lanka

MODERATE ADVANCEMENT

children, including child labor. The agency also has approximately 250 child protection officers based in the districts who are tasked with preventing child exploitation and victim protection.(10, 34) In 2014, the Government conducted training programs on combatting trafficking in persons. The Government also approved standard operating procedures for identifying, protecting, and referring human trafficking victims.(12)

In 2014, there were six reported cases and five settled cases involving forced child labor as a result of human trafficking.(32) Information on the number of investigations, prosecutions, and convictions of crimes involving the worst forms of child labor is not available for the reporting period. Both the CWBSLP and the NCPA face a shortage of funds that affects their ability to carry out their mandate.(10)

The Government of Sri Lanka has committed to investigating allegations of previous recruitment and use of children in armed conflict by non-state armed forces. While some recruiters of child soldiers were killed during the conflict, research has found no evidence of prosecutions and convictions of living survivors who had violated the law on children and armed conflict.(35-37)

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 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

| Coordinating Body | Role & Description |
|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The 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.(1, 25, 38) Chaired by the Secretary of MOLLR and includes representatives from key government agencies, employer and workers' organizations, ILO, UNICEF, and NGOs.(25) |
| NCPA | Coordinate and monitor activities related to the protection of children, including activities to combat the worst forms of child labor.(39) 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.(40) |
| National Anti-Trafficking Task Force (NTF) | Coordinate government anti-trafficking interventions among ministries, departments, law enforcement agencies, and civil society groups. Led by the Ministry of Justice and includes representatives from NCPA, the Sri Lanka Police, Immigration, Foreign Employment Bureau, and civil society groups.(10, 41) |

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Sri Lanka has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

| Policy | Description |
|----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sri Lanka's Roadmap 2016 on the Worst Forms of Child Labor (2011–2016) | Specifies timebound goals, including developing and/or strengthening 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.(1) Provides 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 within social protection and education goals.(1) |
| The National Human Resources and Employment Policy for Sri Lanka | Provides an overarching umbrella framework to several existing national policies related to employment and human resources formulated by different ministries. Sets eliminating child labor in hazardous activities as a priority and a goal of zero tolerance for the worst forms of child labor by 2016.(42) |
| National Education Sector Development Framework and Program II (ESDFP-II) (2012–2016)* | Aims to increase the equitable access, quality, and delivery of education. Supports accelerated learning and nonformal education for dropouts from the formal education system.(43) |
| National Plan of Action on Anti-Human Trafficking | Plans the implementation of anti-trafficking activities for each member of NTF on an annual basis.(41) |

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

The Government has not yet approved the draft National Child Protection Policy. The Policy is intended to ensure effective coordination among all organizations and actors working for the protection and development of children in Sri Lanka; it also outlines key policy recommendations including strengthening and expanding nonformal education opportunities for vulnerable children (including child laborers) in geographic locations with the highest concentrations of vulnerable households. It recommends measures to prevent and eliminate the trafficking of children including through improved detection and identification of traffickers and victims, and to provide greater protections to child victims.(44)

The Government anticipates that the new national child labor policy, drafted by the National Steering Committee on Child Labor with technical assistance from the ILO, will be finalized in 2015.(32) The draft policy aims to end the worst forms of child labor by 2016 through a variety of activities, including effective enforcement of relevant laws and mainstreaming child labor into key development policies and programs.(10)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Sri Lanka funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

Table 8. 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 the MOLLR and with technical and financial support from the ILO.(45) The program was piloted in Ratnapura in 2013, and expanded to Kegalle and Ampara districts in 2014.(45-47) |
| Shelter for Victims of Human Trafficking | IOM-funded Ministry of Child Development and Women's Affairs (MOCDWA) shelter that provides victims, including children, with safe shelter and access to medical, psychological, and legal assistance. In 2014, MOCDWA and IOM provided training to shelter staff on victim identification, first aid, counseling skills, and security.(12, 48) |
| 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.(49) |
| UN Development Assistance Framework (UNDAF) (2013–2017) | Agreement pegging UN assistance to Sri Lanka's long-term development priorities with the goal of sustainable and inclusive economic growth with equitable access to quality social services, strengthened human capabilities, and reconciliation for lasting peace. Stipulates that UN agencies will support national efforts to strengthen justice for children and achieve the goal of zero tolerance of the worst forms of child labor, including the trafficking of children for exploitative employment.(50) |
| Transforming School Education* | A \$100 million WB-financed, 5-year education project to support the ESDFP. Objectives include promoting access to primary and secondary education, improving the quality of education, and strengthening governance and delivery of education services.(51) Appoints school attendance committees to promote school enrollment and attendance; runs school nutrition and health programs.(25) |
| New Beginnings for Children Affected by Conflict and Violence* | USAID-funded project implemented by Save the Children and DPCCS. Objectives include improving care and protection for children, and strengthening child protection mechanisms.(52) |

* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ 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 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

| Area | Suggested Action | Year(s) Suggested |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Legal Framework | Ratify the Palermo Protocol on Trafficking in Persons. | 2013 – 2014 |
| | Ensure that the legal framework includes protections for children engaged in domestic work. | 2010 – 2014 |
| Enforcement | Publish information on the number of investigations, prosecutions, and convictions of crimes involving the worst forms of child labor. | 2014 |
| | Provide additional funding for the police and the NCPA to adequately investigate forced labor, child trafficking, and the commercial sexual exploitation of children. | 2011 – 2014 |
| | Prosecute individuals who have violated laws related to children's exploitation in the armed conflict. | 2009 – 2014 |
| Government Policies | Integrate child labor elimination and prevention strategies into existing education policies. | 2014 |
| Social Programs | Conduct research on child labor in the Northern Province and on the specific activities carried out by children working in farming, manufacturing, construction, and transportation sectors. | 2011 – 2014 |
| | Eliminate barriers to education, including uneven distribution of schools, inadequate facilities, and problems with teacher deployment and training. | 2012 – 2014 |
| | Assess the impact that existing programs may have on child labor. | 2014 |

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