

Sri Lanka

During the reporting period, the Government of Sri Lanka took a major step by adopting a comprehensive child labor policy to eliminate the worst forms of child labor. In addition, the Government adopted the child labor hazardous occupations list. Despite these significant gains, research found limited evidence that the Government prosecuted those responsible for violating laws to protect children from the worst forms of child labor, including armed conflict and trafficking. Children in Sri Lanka also continue to engage in the worst forms of child labor in agriculture.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Sri Lanka are engaged in the worst forms of child labor,⁵³⁶³ including agriculture.⁵³⁶⁴ Children's work in agriculture commonly involves exploitative activities, such as using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides. Children are also employed in domestic service, a largely unregulated and undocumented sector.⁵³⁶⁵ Some child domestics are subject to physical, sexual and emotional abuse.⁵³⁶⁶ Children also work as street vendors.⁵³⁶⁷ Children working on the street are exposed to a variety of risks, including severe weather, accidents caused by proximity to automobiles and vulnerability to criminal elements. Children reportedly work in the mining, fishing, construction and manufacturing—including fireworks, tiles and coir—sectors.⁵³⁶⁸ Coir is a natural fiber extracted from the husk of a coconut, which is used in products such as floor mats, door mats, brushes and mattresses.

Children, mostly males, are exploited in prostitution in coastal areas as part of sex tourism.⁵³⁶⁹ There is limited evidence that some children working in agriculture are subject to debt bondage and some children, including those younger than age 12, have been kidnapped and forced to work in the fireworks and fishing industries.⁵³⁷⁰

Children are trafficked internally for the purposes of commercial sexual exploitation, forced labor and domestic service.⁵³⁷¹ Children are also trafficked abroad to work as domestic servants, primarily in Middle Eastern countries, where they are vulnerable to labor and sexual exploitation.⁵³⁷²

Since the end of Sri Lanka's conflict in 2009, children are reportedly no longer newly recruited by non-State armed forces as child soldiers.⁵³⁷³

Children in Sri Lanka are able to access school. Reports indicate that almost all children complete nine years of the required basic education.⁵³⁷⁴

However, both the 2-decade long civil conflict and the 2004 tsunami devastated specific parts of the country, creating major educational disparities in the affected areas.⁵³⁷⁵

Laws and Regulations on the Worst Forms of Child Labor

The Employment of Women, Young Persons and Children Act sets the minimum age for employment at 14 and the minimum age for employment in hazardous work at 18.⁵³⁷⁶ In 2011, the Government adopted a list of 51 hazardous occupations and/or working conditions prohibited for children. The list contains all of the major occupations and/or working conditions most prevalent in the worst forms of child labor, with the exception of domestic service.⁵³⁷⁷

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	14
	Free Public Education	Yes

Children between ages 14 to 17 may engage in light work in family-run farms or as a part of their technical education as long as their employment does not prevent them from attending school.⁵³⁷⁸ Children age 15 and older may be employed at sea.⁵³⁷⁹

The minimum age for voluntary recruitment in the armed forces is 18.⁵³⁸⁰ The Penal Code, Amendment Act No. 16 of 2006, criminalizes and prescribes penalties for individuals who engage children younger than age 18 in debt bondage, forced labor, slavery, armed conflict or trafficking.⁵³⁸¹ The Penal Code, Amendment Acts No. 22 of 1995 and No. 29 of 1998, criminalizes and prescribes penalties for individuals who engage children younger than age 18 in pornography and prostitution.⁵³⁸²

Children in Sri Lanka are provided free and compulsory education until age 14.⁵³⁸³

Institutional Mechanisms for Coordination and Enforcement

The National Steering Committee on Child Labor is chaired by the Secretary of the Ministry of Labor and Labor Relations (MOLRR).⁵³⁸⁴ The National Steering Committee is tasked with the implementation of the Roadmap for the Elimination of the Worst Forms of Child Labor by 2016, the Government’s principal policy on child labor. The National Steering Committee includes representatives from key government agencies, employer and workers’ organizations, ILO, UNICEF and other NGOs.⁵³⁸⁵

The National Child Protection Authority (NCPA) is an independent agency under the Ministry of Child Development and Women’s Affairs (MCDWA). It shares responsibility with the National Steering Committee for coordinating action to protect children.⁵³⁸⁶ This body’s mandate includes formulating policies on child abuse and exploitation, coordinating groups that combat child abuse and exploitation, conducting research and mobilizing resources.⁵³⁸⁷ The NCPA is mandated to assist children who are victims of physical and sexual abuse, sexual exploitation and armed conflict.⁵³⁸⁸ The NCPA and the Women and Children’s Bureau of the Sri Lankan Police (WCBSLP) are the key agencies responsible for coordinating efforts to combat child trafficking,

forced child labor, commercial sexual exploitation of children and the use of children in illicit activities.⁵³⁸⁹

The Department of Labor (DOL) within MOLRR and the NCPA are responsible for enforcing child labor laws.⁵³⁹⁰ DOL works closely with the NCPA's Police Unit and the WCBSLP to enforce child labor laws.⁵³⁹¹ The NCPA and the WCBSLP are the key agencies responsible for enforcing laws against child trafficking, forced child labor, commercial sexual exploitation of children and the use of children working in illicit activities.⁵³⁹²

DOL's labor inspectorate employs 462 labor officers to enforce all labor laws, including those related to child labor. The NCPA's Police Unit has 22 officers, and the NCPA has 50 child protection officers in the districts.⁵³⁹³ The WCBSLP has 66 police officers. In addition, the WCBSLP has branches in 41 police stations throughout the country. In police stations without a WCBSLP, police officers in charge oversee functions of the division.⁵³⁹⁴

In 2010, DOL conducted child labor training for labor officers, including 300 newly recruited labor officers, police officers and probation officers.⁵³⁹⁵ The NCPA conducted several child trafficking trainings for their officers, but research found no evidence of child trafficking training for the WCBSLP.⁵³⁹⁶

Complaints of violations for child labor, child trafficking, forced child labor, commercial sexual exploitation of children and the use of children working in illicit activities can be made via two hotlines, operated by either the NCPA or the WCBSLP.⁵³⁹⁷ DOL conducted inspections and directly received 150 child labor complaints from January to October 2010; the NCPA received 154 child labor complaints from January to December 2010 via the hotline; and the WCBSLP received 211 child labor complaints from January to June 2010 via the hotline.⁵³⁹⁸ Of these complaints, DOL identified 11 cases of child labor violations.⁵³⁹⁹

NCPA officers received 85 child trafficking complaints between January and December 2010, and the WCBSLP received nine child trafficking complaints between January and June 2010.⁵⁴⁰⁰ Research found no evidence of convictions and penalties of any child labor and trafficking cases.

While the Government acknowledges the previous recruitment and use of children in armed conflict by non-State armed forces, the Government has taken minimal steps towards prosecuting and convicting violators of the law.⁵⁴⁰¹

Government Policies on the Worst Forms of Child Labor

The Government's child labor policy is the Roadmap 2016 to End the Worst Forms of Child Labor 2011-2016. Issued by MOLRR and published during the reporting period, the Roadmap specifies timebound goals, including developing and/or strengthening the management, coordination, implementation, resource mobilization and reporting on the elimination of the worst forms of child labor.⁵⁴⁰² The Roadmap also provides mainstreaming strategies for specific sectors of child labor, including armed conflict, plantations, fisheries and tourism. In addition, the Roadmap outlines strategies to mainstream child labor issues with social protection and education goals.⁵⁴⁰³ The Government is anticipated to allocate funding for the implementation of the first year of the policy.⁵⁴⁰⁴

The Government also has a National Plan of Action to Combat Trafficking of Children for Exploitative Employment 2001-2011, which prioritizes four main areas—legal reform and law enforcement; institutional strengthening and research; prevention; and rescue, rehabilitation and reintegration of child trafficking victims.⁵⁴⁰⁵

The Government has presented several policies and plans for rehabilitating former child soldiers but none have received cabinet approval.⁵⁴⁰⁶

The Government's main national development plan, *Mahinda Chintana*—A Vision for New Sri Lanka 2006-2016, includes policies on combating child labor.⁵⁴⁰⁷ Among a number of strategies, the *Mahinda Chintana* addresses poverty through social safety nets, encourages parents to send their children to school instead of work and enforces legislation on the minimum age for work.⁵⁴⁰⁸

Social Programs to Eliminate or Prevent Child Labor

In 2011, the Government's Roadmap is expected to begin withdrawal and prevention programs for 100,000 children engaged in or at risk of engaging in exploitative child labor, as well as economic support for 600 households of children engaged in or at risk of engaging in exploitative child labor.⁵⁴⁰⁹

The Ministry of Education has programs for vulnerable children working on plantations. These children receive educational services

beyond typical government schooling, including additional classes for secondary students. Teachers in these areas are also provided supplementary teacher training.⁵⁴¹⁰

The Government has reported the provision of rehabilitation and reintegration programs for all former child soldiers from non-State armed groups heavily involved in the recent conflict.⁵⁴¹¹ Specifically, the Government provided three residential educational and vocational training facilities for child ex-combatants. These facilities offer catch-up education classes and facilitate family visits to reintegrate the children into their communities.⁵⁴¹²

Between 2008 and 2009, the Department of Census and Statistics conducted a Child Labor Survey with technical support from ILO and funding from USDOL. The survey results have yet to be released.⁵⁴¹³

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Sri Lanka:

IN THE AREAS OF LAWS AND REGULATIONS:

- Create protections for children engaged in domestic service.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Support implementation of the Roadmap to End the Worst Forms of Child Labor.
- Provide child trafficking training for WCBSLP officers.
- Create and publish data on monitoring systems of the investigations, convictions and penalties for child labor and trafficking.
- Prosecute individuals violating laws related to children and armed conflict.

IN THE AREA OF SOCIAL PROGRAMS:

- Publish the National Child Labor Survey and its results.

⁵³⁶³ Data provided in the chart at the beginning of this country report are not available from the data sources that are used in this report. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

⁵³⁶⁴ ILO-IPEC, *Child Labour and Responses in South Asia*, [online] September 11, 2009 [cited April 26, 2010]; available from <http://www.ilo.org/legacy/english/regions/asro/newdelhi/ipecc/responses/srilanka/index.htm>. See also International Trade Union Confederation, *Internationally Recognised Core Labour Standards in Sri Lanka: Report for the WTO General Council Review of the Trade Policies of Sri Lanka*, November 3 and 5, 2010. See also U.S. Department of State, “Sri Lanka,” in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011; available from <http://www.state.gov/documents/organization/160476.pdf>. See also U.S. Embassy- Colombo, *reporting, January 19, 2011*. See also University of Colombo, *Situation Report on Child Labour: Plantation, Fireworks Industry, Tile Industry, Coir Industry & Fishery*, Social Policy Analysis & Research Center, Colombo, March 2008.

⁵³⁶⁵ ILO-IPEC, *Child Labour and Responses in South Asia*. See also International Trade Union Confederation, *Internationally Recognised Core Labour Standards*. See also U.S. Department of State, “Country Reports- 2010: Sri Lanka.” See also U.S. Embassy- Colombo, *reporting, January 19, 2011*.

⁵³⁶⁶ U.S. Department of State, “Country Reports- 2010: Sri Lanka.”

⁵³⁶⁷ Ibid. See also U.S. Embassy- Colombo, *reporting, January 19, 2011*.

⁵³⁶⁸ U.S. Department of State, “Country Reports- 2010: Sri Lanka.” See also U.S. Embassy- Colombo, *reporting, January 19, 2011*. See also University of Colombo, *Situation Report on Child Labour*.

⁵³⁶⁹ U.S. Department of State, “Sri Lanka,” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/142761.htm>. See also ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Sri Lanka (ratification: 2001) Published: 2010*, February 23, 2011; available from [http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=11927&chapter=6&query=\(Sri+Lanka\)%40ref&highlight=&querytype=bool&context=0](http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=11927&chapter=6&query=(Sri+Lanka)%40ref&highlight=&querytype=bool&context=0). See also ECPAT, *Sri Lanka: Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation*

of Children, 2006; available from http://www.ecpat.net/A4A_2005/PDF/South_Asia/Global_Monitoring_Report-SRI_LANKA.pdf.

⁵³⁷⁰ U.S. Department of State, “Trafficking in Persons Report- 2010: Sri Lanka.” See also U.S. Embassy- Colombo, *reporting, February 17, 2010*.

⁵³⁷¹ International Trade Union Confederation, *Internationally Recognised Core Labour Standards*. See also U.S. Department of State, “Trafficking in Persons Report- 2010: Sri Lanka.” See also ILO Committee of Experts, *Individual Observation C182: Sri Lanka (2010)*. See also ILO-IPEC, *Child Labour and Responses in South Asia*. See also U.S. Embassy- Colombo, *reporting, February 17, 2010*.

⁵³⁷² U.S. Embassy- Colombo, *reporting, February 17, 2010*.

⁵³⁷³ U.S. Embassy- Colombo, *reporting, January 19, 2011*.

⁵³⁷⁴ Ibid.

⁵³⁷⁵ Sarah Crowe and Mervyn Fletcher, “New Child-Friendly Schools Bring New Hope to Communities in Sri Lanka,” UNICEF, [online], July 15, 2010 [cited February 23, 2011]; available from http://www.unicef.org/emerg/sri_lanka_54316.html. See also Rob McBride, “Education Revitalizes Displaced Communities in Sri Lanka,” UNICEF, [online], May 4, 2010 [cited February 23, 2011]; available from http://www.unicef.org/education/sri_lanka_53536.html.

⁵³⁷⁶ Government of Sri Lanka, *Employment of Women, Young Persons and Children Act No.24 of 2006*, (August 21, 2006). See also ILO-IPEC, *National Legislation and Policies Against Child Labour in Sri Lanka*, [online] September 11, 2009 [cited April 27, 2010]; available from <http://www.ilo.org/legacy/english/regions/asro/newdelhi/ipecc/responses/srilanka/national.htm>.

⁵³⁷⁷ Government of Sri Lanka, *Government Notification of Employment of Women, Young Persons and Children Act No.47 of 1956*, (August 17, 2010). See also U.S. Embassy- Colombo, *reporting, January 19, 2011*. See also Government of Sri Lanka, *Final Government Notification of Employment of Women, Young Persons and Children Act No.47 of 1956*, (March 4, 2011).

⁵³⁷⁸ U.S. Embassy- Colombo, *reporting, January 20, 2009*. See also U.S. Embassy- Colombo, *reporting, February 8, 2010*. See also U.S. Embassy- Colombo, *reporting, January 19, 2011*. See also Government of Sri Lanka, *Employment of Women, Young Persons and Children Act of 2006*.

⁵³⁷⁹ U.S. Embassy- Colombo, *reporting, February 8, 2010*. See also U.S. Embassy- Colombo, *reporting, January 19, 2011*. See also Government of Sri Lanka, *Employment of Women, Young Persons and Children Act of 2006*.

⁵³⁸⁰ Coalition to Stop the Use of Child Soldiers, “Sri Lanka,” in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.childsoldiersglobalreport.org/content/sri-lanka>. See also UN Committee on the Rights of the Child,

Consideration of Reports Submitted by States Parties Under Article 8 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict: Sri Lanka, 1, Geneva, October 1, 2010.

⁵³⁸¹ Government of Sri Lanka, *Penal Code, Amended 2006*, No. 16, (April 24, 2006).

⁵³⁸² Government of Sri Lanka, *Penal Code, Amended 1995*, No. 22, (October 31, 1995). See also Government of Sri Lanka, *Penal Code, Amended 1998*, No. 29, (June 4, 1998). See also Government of Sri Lanka, “Sri Lanka,” in *Legislation of Interpol Member States on Sexual Offences against Children*, 2006; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaSriLanka.asp>.

⁵³⁸³ Gamini Lokuge, “Eliminating all Forms of Child Labour,” *Daily News*, [online], June 25, 2010 [cited February 23, 2011]; available from <http://www.dailynews.lk/2010/06/25/fea03.asp>.

⁵³⁸⁴ U.S. Embassy- Colombo, *reporting, January 19, 2011*.

⁵³⁸⁵ *Ibid.*

⁵³⁸⁶ U.S. Department of State, “Country Reports- 2010: Sri Lanka.” See also U.S. Embassy- Colombo, *reporting, February 8, 2010*.

⁵³⁸⁷ National Child Protection Authority, *Functions of the NCPA*, [online] 2010 [cited July 16, 2010]; available from <http://www.childprotection.gov/lk/functions.html>.

⁵³⁸⁸ *Ibid.*].

⁵³⁸⁹ U.S. Embassy- Colombo, *reporting, February 8, 2010*.

⁵³⁹⁰ *Ibid.* See also U.S. Department of State, “Country Reports- 2010: Sri Lanka.”

⁵³⁹¹ U.S. Embassy- Colombo, *reporting, January 19, 2011*.

⁵³⁹² U.S. Embassy- Colombo, *reporting, February 8, 2010*.

⁵³⁹³ U.S. Embassy- Colombo, *reporting, January 19, 2011*.

⁵³⁹⁴ *Ibid.*

⁵³⁹⁵ *Ibid.*

⁵³⁹⁶ *Ibid.*

⁵³⁹⁷ U.S. Embassy- Colombo, *reporting, February 8, 2010*.

⁵³⁹⁸ U.S. Embassy- Colombo, *reporting, January 19, 2011*.

⁵³⁹⁹ *Ibid.*

⁵⁴⁰⁰ *Ibid.*

⁵⁴⁰¹ Coalition to Stop the Use of Child Soldiers, *Report to the Committee on the Rights of the Child on the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*, April 2010. See also Coalition to Stop the Use of Child Soldiers and Watch List on Children and Armed Conflict, *Children Affected by Armed Conflict in Sri Lanka: Recommendations to the Security Council Working Group*, February 2010.

⁵⁴⁰² Government of Sri Lanka, *Sri Lanka’s Roadmap 2016 on the Worst Forms of Child Labour*, Ministry of Labour Relations and Productivity Promotion, 2010.

⁵⁴⁰³ *Ibid.*

⁵⁴⁰⁴ U.S. Embassy- Colombo official, E-mail communication to USDOL official, May 3, 2011.

⁵⁴⁰⁵ Government of Sri Lanka (National Child Protection Authority) and ILO-IPEC, “Formulation of Public Policy and a National Plan of Action to Combat the Trafficking of Children for Exploitative Employment” (paper presented at the National Consultative Workshop, Kalutara, October 3-4, 2001).

⁵⁴⁰⁶ U.S. Embassy- Colombo official, E-mail communication to USDOL official, March 17, 2011.

⁵⁴⁰⁷ U.S. Embassy- Colombo, *reporting, February 8, 2010*.

⁵⁴⁰⁸ Government of Sri Lanka, *Mahinda Chintana: Vision for a New Sri Lanka*, Department of National Planning, Ministry of Finance and Planning, 2010; available from www.treasury.gov.lk/docs/MahindaChintanaTenYearDevelopmentPlan.pdf.

⁵⁴⁰⁹ Government of Sri Lanka, *Roadmap*.

⁵⁴¹⁰ U.S. Embassy- Colombo, *reporting, February 8, 2010*. See also U.S. Embassy- Colombo, *reporting, January 19, 2011*.

⁵⁴¹¹ U.S. Embassy- Colombo, *reporting, January 19, 2011*.

⁵⁴¹² ILO Committee of Experts, *Individual Observation C182: Sri Lanka (2010)*.

⁵⁴¹³ U.S. Embassy- Colombo, *reporting, January 19, 2011*. See also ILO-IPEC, *Child Labour and Responses in South Asia*.