

In 2017, Sri Lanka made a moderate advancement in efforts to eliminate the worst forms of child labor. The government published the 2016 Child Activity Survey, launched the National Policy on Elimination of Child Labor in Sri Lanka, and drafted a revised list of hazardous work prohibited for children. In addition, the number of labor inspectors in Sri Lanka is now sufficient for the size of the workforce. Although the government made meaningful efforts in all relevant areas during the reporting period, the law related to the minimum age for work does not meet international standards. However, children in Sri Lanka engage in the worst forms of child labor, including in commercial sexual exploitation. Children also perform dangerous tasks in domestic work. The hazardous work list is not comprehensive because it does not include domestic work. Children also face barriers to education, including lack of transportation and inadequate number of teachers.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children engage in the worst forms of child labor, including in commercial sexual exploitation. Children also perform dangerous tasks in domestic work. (1; 2; 3; 4) In 2017, the government published the 2016 Child Activity Survey. (5) However, the definition of child labor used in the survey does not align with international standards. For example, 5-11 year olds working less than 15 hours per week and 12-14 year olds working less than 25 hours per week in agriculture are not counted as child laborers. In addition, terms such as “contributing family worker” and “related person” are unclear. These issues may have led to an underestimation of the population of children in child labor in the Child Activity Survey. 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	0.8 (28,515)
Attending School (%)	5 to 14	98.0
Combining Work and School (%)	7 to 14	0.9
Primary Completion Rate (%)		100.6

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2018. (6)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Child Activity Survey, 2016. (7)

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 (5; 8)
	Fishing, including deep sea fishing, processing fish, and selling fish (5; 8; 9; 10)
	Forestry, activities unknown (4)
	Animal husbandry (4; 5; 10)
Industry	Manufacturing, textiles and garments (1; 4; 5)
	Mining,† including gem mining (4; 5; 11)
	Construction, activities unknown (4; 5; 12)
	Food processing, sorting, drying, and packaging food (10)

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

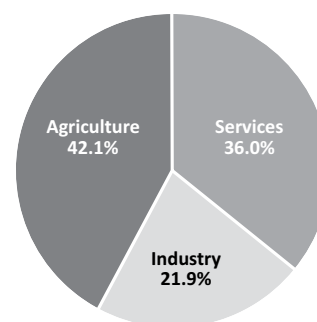


Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Domestic work (5; 13)
	Transportation, carrying and handling goods (5)
	Vending, in stores and on the streets, and begging (5; 9)
	Work in hotels, restaurants, and offices (4; 5; 12)
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (1; 2; 14; 15)
	Forced labor in domestic work, sometimes as a result of human trafficking (2)
	Use in illicit activities, including drug trafficking (4)

[†] 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) Children, predominantly boys, are also forced into commercial sexual exploitation in coastal areas as part of the sex tourism industry. (2; 15)

Though the government provides free education to all school children, 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. (4; 16; 17)

II. LEGAL FRAMEWORK FOR 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 (Table 4). However, gaps exist in Sri Lanka’s legal framework to adequately protect children from child labor, including with protections for children engaged in domestic work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Sections 7, 9, 13 and 34 of the Employment of Women, Young Persons, and Children Act (18)
Minimum Age for Hazardous Work	Yes	18	Section 20A of the Employment of Women, Young Persons, and Children Act (18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations Regulation No. 47 (18; 19)
Prohibition of Forced Labor	Yes		Sections 358A, 360C, 360A(2), and 360A(4) of the Penal Code (20)
Prohibition of Child Trafficking	Yes		Sections 360C, 360A(2), and 360A(4) of the Penal Code (20)

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

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 286A, 360B, 360A(2), and 360A(4) of the Penal Code (20)
Prohibition of Using Children in Illicit Activities	Yes		Sections 288, 288A, 288B, and 360C of the Penal Code (20)
Prohibition of 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 (18; 19)
Non-state	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 (18; 19; 20)
Compulsory Education Age	Yes	16	Section 43 of the Education Ordinance; Compulsory Attendance of Children at Schools Regulation (21; 22)
Free Public Education	Yes		Section 47 of the Education Ordinance (21)

* No conscription (23)

The hazardous work list is not comprehensive because it does not include domestic work, for which there is evidence that children are subject to abuse. (2) However, the government is considering including domestic work in a revised hazardous work list. (4) This revised list of hazardous work prohibited for children was drafted in 2017, but the government has not yet finalized the regulation. (24) In November 2017, at the IV Global Conference on the Sustained Eradication of Child Labor, the government pledged to raise the minimum age for employment to 16 before the end of 2018 and eradicate the worst forms of child labor by 2022. (4)

III. ENFORCEMENT OF LAWS ON 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 exist within the Department of Labor of the Ministry of Labor, Trade Union Relations and Sabaragamuwa Development (MLTRS) that may hinder adequate child labor enforcement.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor, Ministry of Labor, Trade Union Relations and Sabaragamuwa Development (MLTRS)	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). (17) Conduct special investigations in relation to child labor through the Women and Children's Affairs Division. (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. (17)
NCPA Special Police Investigation Unit	Inspect premises, interrogate people, and seize property suspected to be involved with child abuse, including unlawful child labor. (26; 27)
Department of Probation and Child Care Services	Coordinate services for child victims of forced labor, human trafficking, and commercial sexual exploitation who have been 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. (17; 28)

Labor Law Enforcement

In 2017, labor law enforcement agencies in Sri Lanka took actions to combat child labor, including its worst forms (Table 6). However, gaps exist within the Department of Labor's MLTRS that may hinder adequate child labor enforcement, including the Inspectorate's authority to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	391 (17)	524 (4)
Inspectorate Authorized to Assess Penalties	No (17)	No (4)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (4)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Yes (4)
Number of Labor Inspections Conducted	24,778 [†] (17)	49,907 (4)
Number Conducted at Worksites	Unknown	Unknown (4)
Number of Child Labor Violations Found	Unknown	7 (10)
Number of Child Labor Violations for Which Penalties were Imposed	Unknown	3 (10)
Number of Child Labor Penalties Imposed That were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (29)	Yes (4)
Routine Inspections Targeted	Yes (29)	Yes (4)
Unannounced Inspections Permitted	Yes (18)	Yes (4)
Unannounced Inspections Conducted	Yes (17)	Yes (4)
Complaint Mechanism Exists	Yes (4)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (4)

[†] Data are from January 2016 to September 2016.

In 2017, the government of Sri Lanka recruited 179 new labor inspectors who are trained on all aspects of labor laws, including those on child labor. The government completed 250 inspections in sectors vulnerable to hazardous child labor but did not find children working in the selected establishments. (4)

Criminal Law Enforcement

In 2017, 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 Child Labor

Overview of Criminal Law Enforcement	2016	2017
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	147 (17)	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	3 (17)	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (30)	Yes (30)

The Children and Women's Bureau of the Sri Lankan Police (CWBSLP) monitors and works closely with Children and Women's Bureau desks operated in each of the 488 police stations in the country. (27) In addition, the CWBSLP supervises the National Child Protection Authority (NCPA) Special Police Investigating Unit, which has approximately 40 police officers who investigate complaints involving children, including child labor. (10) The agency also has approximately 300 child protection officers based in the districts who are tasked with preventing child exploitation and victim protection. (4; 17)

In 2017, a former member of the non-state armed group Liberation Tigers of Tamil Eelam was sentenced to life imprisonment for recruiting a child into the group during the past armed conflict. (31)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role and Description
National Steering Committee on Child Labor	Coordinate efforts to eliminate child labor, including the National Policy on Elimination of Child Labor in Sri Lanka, the government's key policy document for the elimination of the worst forms of child labor. Chaired by the Secretary of the MLTRS, includes representatives from key government agencies, employer and workers' organizations, ILO, UNICEF, and NGOs. (4; 32)
National Child Protection Authority (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. (33) Research was unable to determine whether this coordinating body was active during the reporting period.
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. (34; 35) Research was unable to determine whether this coordinating body was active during the reporting period.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that may hinder efforts to address child labor, including explicitly integrating child labor elimination and prevention strategies into existing education policies.

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

Policy	Description
National Policy on Elimination of Child Labor in Sri Lanka	Aims to mainstream child labor issues into national development policies, increase the minimum age for employment, promote the implementation of hazardous work regulations, strengthen capacity to enforce child labor laws, and maintain a complaint procedure. The MLTRS is responsible for the implementation, monitoring, and reporting of the policy. (32) Policy was approved in 2016 but officially launched in 2017. (4; 24)
Let's Protect Children [†]	Presidential Secretariat program that seeks to monitor child protection policies implemented by the Ministries of Education, Health, and Labor. Aims to ensure child safety and physical and psycho-social development. (10)
National Strategic Plan to Monitor and Combat Human Trafficking (2015–2019)	Seeks 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. (35; 36) During the reporting period, established new anti-trafficking units and created a special police division for the protection of witnesses and victims of all crimes. (37)

[†] Policy was approved during the reporting period.

[‡] The government had other policies that may have addressed child labor issues or had an impact on child labor. (4; 30; 38; 39; 10)

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. (17; 40)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including with adequately removing barriers to education for children in rural areas.

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 the MLTRS, and with technical and financial support from the ILO. Initiative continued in 2017. (4; 41)
'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. (42) From January to July 2017, the Childline received 102 child labor complaints. (43)
Shelter for Victims of Human Trafficking	Ministry of Women and Child Affairs shelter provides children and female victims of human trafficking with safe shelter and access to medical, psychological, and legal assistance. (30; 34) The Ministry continued to operate the shelter during the reporting period. (37)
Country Level Engagement and Assistance to Reduce Child Labor (CLEAR)	USDOL-funded capacity-building project implemented by the ILO in 11 countries to build local and national capacity of governments to address child labor. In 2017, conducted a legal review of laws pertaining to child labor in domestic work and provided analysis to the MLTRS. Also, worked with the ILO to finalize the Rapid Assessment of Commercial Sexual Exploitation of Children. (24) Additional information is available at the USDOL website.
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: (a) build capacity to mainstream worst forms of child labor into sectorial plans and programs, (b) adopt an integrated area-based approach, (c) strengthen institutional mechanisms for coordination and monitoring, and (d) develop knowledge base to track progress. (44)

† Program is funded by the Government of Sri Lanka.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the hazardous occupations and activities prohibited to children are comprehensive, including domestic work.	2017
Enforcement	Publish information on labor law enforcement, including on inspectorate funding.	2014 – 2017
	Collect and publish information on criminal law enforcement actions, including on training for investigators, the number of investigations, violations found, prosecutions initiated, and convictions related to the worst forms of child labor.	2014 – 2017
	Authorize the Labor Inspectorate to assess penalties for labor law violations.	2015 – 2017
	Determine whether the number of inspections per labor inspector is appropriate to ensure the quality and scope of inspections.	2017
	Provide additional funding for the CWBSLP and the NCPA to adequately investigate forced labor, child trafficking, and the commercial sexual exploitation of children.	2011 – 2017
Coordination	Publish information about activities undertaken by coordinating bodies.	2017
Government Policies	Ensure that child labor elimination and prevention strategies are explicitly integrated into existing education policies.	2014 – 2017
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 – 2017
	Ensure that the definition of child labor used in the NCLS report clearly aligns with international standards.	2017

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