

Sri Lanka

MODERATE ADVANCEMENT

In 2013, Sri Lanka made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government reactivated its National Steering Committee (NSC) on child labor; launched a project to create a child labor free district by 2016 which will serve as a model to be replicated in all 25 districts; and assisted in the formation of 755 Child Protection Committees in schools across the country in part to prevent trafficking of children. It also implemented an innovative, fully automated Labor Inspection System Application that supports on-site inspection processes. However, children in Sri Lanka continue to engage in child labor in agriculture and manufacturing. 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 in agriculture and manufacturing. (1-4) Table 1 provides key indicators on children's work and education in Sri Lanka.

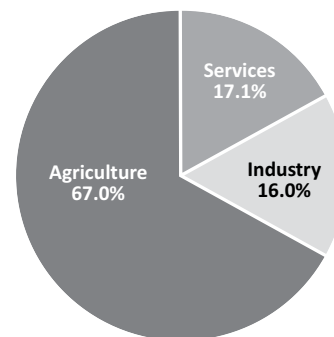
Table 1. Statistics on Children's Work and Education

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)

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



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)
	Fishing,* including deep-water fishing*† (1, 3)
	Manufacturing, activities unknown (3, 4)
Industry	Mining,† including gem mining* (1, 3, 7, 8)
	Construction, activities unknown (1, 8)
	Production of fireworks*† (1)
Services	Domestic work (2, 3)
	Transportation, activities unknown (3, 8)
	Street vending and begging (1, 3, 8)

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 (1-4, 9)
	Domestic service and begging as a result of human trafficking (1, 2)
	Forced labor in domestic service, agriculture, fish-drying,* and fireworks* industries (2, 9)

* 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.

There are reports that children are subjected to bonded and forced labor in domestic service and in agriculture on dry zone farming areas (tea estates). Although information is limited, there are reports that children are also subjected to bonded and forced labor in the fireworks and fish-drying industries.(2, 9)

The Government reports that the employment of children, particularly young girls, as domestic workers in Colombo has decreased over the last few years due to better implementation of child protection laws.(10) However, children, particularly from former conflict zones and rural and estate areas, continue to be employed as domestic workers by households in Colombo and other urban areas.(1, 10) Domestic service is a largely unregulated and undocumented sector. Some child domestics are subject to physical, sexual, and emotional abuse; there are also reports of rural child domestic workers in debt bondage living in third-party households.(2, 3, 9)

Children, predominantly boys, are trafficked internally for commercial sexual exploitation in coastal areas as part of the sex tourism industry.(2, 3, 9) Children are also trafficked internally and abroad to work as domestic servants, primarily in Middle Eastern countries, which can leave them vulnerable to labor and sexual exploitation.(9, 11) Some child domestic workers trafficked to Colombo households are subjected to nonpayment of wages, and restrictions on their movement, along with the hazards discussed above.(2, 9, 12)




The Government’s 2008/2009 Child Activity Survey excluded the inaccessible Northern Province due to civil conflict occurring at the time of research.(13) The Government has reported that a child activity survey in Northern Province is planned for 2014.(14)

Most children in Sri Lanka have access to basic education.(5) However, barriers to education access include uneven distribution of schools, inadequate school infrastructure facilities, and problems with teacher deployment and training. 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 ON THE WORST FORMS OF CHILD LABOR

Sri Lanka has ratified most 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 relevant 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, 34 of The Employment of Women, Young Persons, and Children Act No. 47 of 1956 (16)
Minimum Age for Hazardous Work	Yes	18	Section 20A of The Employment of Women, Young Persons, and Children Act No. 47 of 1956 (16)
List of Hazardous Occupations Prohibited for Children	Yes		Hazardous Employment Amendment to the Employment of Women, Young Persons, and Children Act No. 47 of 1956 (17)
Prohibition of Forced Labor	Yes		Section 358A of the Penal Code (Amendment) Act No. 16 of 2006 (18)
Prohibition of Child Trafficking	Yes		Section 360 of the Penal Code (Amendment) Act No. 16 of 2006; Section 360 of the Penal Code (Amendment) Act No. 22 of 1995 (18, 19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 286 of the Penal Code (Amendment) Act No. 29 of 1998; Section 360 of the Penal Code (Amendment) Act No. 22 of 1995 (19, 20)
Prohibition of Using Children in Illicit Activities	Yes		Section 360C of the Penal Code (Amendment) Act No 16 of 2006; Section 288B of the Penal code (Amendment) Act No. 29 of 1998 (18, 20)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Hazardous Occupation Regulation of 2010 (17, 21)
Compulsory Education Age	Yes	14	Education Ordinance; Compulsory Attendance of Children at Schools Regulation No 1 of 1997 (22-24)
Free Public Education	Yes		Section 47 of the Education Ordinance (23)

* No conscription or no standing military.

In 2013, the Ministry of Justice prepared two bills which, if passed, will contribute to combating child labor, including its worst forms. The Children Judicial Protection Bill requires increased collaboration between the court, police, and Department of Probation and Child Care Services (DPCCS).(14) The Obscene Publication Bill updates legislation outlawing child pornography and is under consideration by the Attorney General. Additionally, the Ministry of Education (MOE) has drafted an amendment to increase the compulsory education age to 16 years.(14)

The legal framework does not cover domestic workers in third-party homes.(3)

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
Ministry of Labor and Labor Relations' (MOLLR) Department of Labor (DOL)	Enforce child labor laws. Has existing mechanisms in place at the national and district level offices for the public to use when filing complaints on child labor.(25)
Women and Children's Bureau of the Sri Lankan Police (WCBSLP)	Enforce laws on child labor, child trafficking, and commercial sexual exploitation of children.(8)
National Child Protection Authority (NCPA) Police Unit	Investigate complaints and tasked with prevention and victim protection.(8)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Department of Probation and Child Care Services (DPCCS)	Coordinate services for children found during inspections. Children are referred by the court to DPCCS which is part of the Ministry of Child Development and Women's Affairs (MCDWA).(8) Under the direction of DPCCS, case workers refer child laborers and children involved in commercial sexual exploitation and trafficking to psychosocial and protection services, including four shelters and two national training and counseling centers. Centers provide victims with medical, legal, psychosocial, life skills, and vocational skills training.(9, 26, 27)

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

Labor Law Enforcement

In 2013, DOL's labor inspectorate employed 428 labor officers to enforce all labor laws, including those related to child labor.(8) DOL conducted an enforcement training program and training-of-trainer programs on child labor and hazardous child labor for police, probation and child labor officers, and a workshop at the police training college.(8) DOL also introduced a new labor inspection form, which has an increased number of questions on child labor, and prepared training manuals on the worst forms of child labor, including hazardous child labor regulations.(8, 14) However, government officials maintain that DOL's capacity to enforce hazardous occupation regulations is weak and not all enforcement officers have received training.(8)

During the reporting period, DOL conducted 54,213 labor inspections, including 231 special child labor inspections.(8, 14) Ten children were removed or assisted as a result of the inspections, and two penalties for child labor violations were issued and fines were collected.(8)

MOLLR launched the Labor Inspection System Application (LISA), which is the first of its kind in South Asia. The fully automated system supports on-site inspection processes where authorized personnel can use a hand-held tablet to enter data on inspections as they occur, and track and monitor their status and disposition. The system was developed with funding support from USDOL and technical support from the ILO.(28) Labor officers will be provided with the tablet computers with the customized application to record inspection findings. Inspectors can use the application to monitor and track specific children and ensure that they do not return to child labor once they have been identified and removed.(29) As of February 2014, 400 tablet computers were purchased, the system had been successfully piloted and implemented regionally, and labor inspectors were trained in anticipation of nationwide implementation.(29, 30)

Criminal Law Enforcement

In 2013, the Women and Children's Bureau of the Sri Lankan Police (WCBSLP) had 45 officers and 36 branch operations throughout the country.(8) In the remaining police stations without WCBSLP representation, the officers in charge oversee functions of the division.(8) The WCBSLP received three cases on human trafficking, however it is not known if these cases involved children.(31)

The National Child Protection Authority (NCPA) Police Unit has approximately 40 police officers who investigate complaints involving children including child labor. NCPA also has approximately 250 child protection officers based in the districts who are tasked with prevention and victim protection.(8, 32) During the reporting period, it initiated one investigation on a suspected child trafficking case.(31)

Complaints on child labor, child commercial sexual exploitation, and child trafficking violations can be made via a hotline to the WCBSLP and the NCPA. Both the WCBSLP and the NCPA face a shortage of funds that affects their ability to carry out their mandate.(8)

The Government of Sri Lanka acknowledges and is committed to investigating allegations of previous recruitment and the 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 violated the law on children and armed conflict.(33-36)

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 (NSC)	Coordinate the implementation of the Roadmap to End the Worst Forms of Child Labor (2011–2016), the Government’s key mechanism for the elimination of the worst forms of child labor.(1, 25, 37) Chaired by the Secretary of MOLLR and includes representatives from key government agencies, employer and workers’ organizations, ILO, UNICEF, and other NGOs.(25)
NCPA	Coordinate actions along with the NSC to protect children, including against the worst forms of child labor.(12, 25) Assist children who are victims of physical and sexual abuse, sexual exploitation, and armed conflict through formulating policies and enforcing laws, coordinating groups, and conducting research and mobilizing resources. Independent agency under MCDWA.(38, 39)
National Anti-Trafficking Task Force (NTF)	Coordinate government anti-trafficking interventions among ministries, departments, law enforcement agencies, and civil society groups. Review related legislation and recommend legal and policy reforms on the country’s response to trafficking in persons.(8) Led by the Ministry of Justice and includes representatives from NCPA, Sri Lanka Police, Immigration, Foreign Employment Bureau, and other private, nongovernmental, and civil society groups.(8, 31)
WCBSLP	Coordinate government efforts to combat child trafficking, forced child labor, the commercial sexual exploitation of children, and the involvement of children in illicit activities in coordination with the NCPA.(8, 39)

In 2013, the NSC held two meetings after a year of inactivity. As a result of these meetings, the NSC developed a draft child labor policy and identified three sectors where child labor surveys should be conducted: plantations, fisheries, and fireworks sectors.(8)

During the reporting period, the National Anti-Trafficking Task Force (NTF) produced an update to its National Plan of Action and created a subcommittee to address confusion among government officials and the public over trafficking terminology. Under its oversight, a Ministry of Child Development and Women’s Affairs (MCDWA) subcommittee developed guidelines for operation of the trafficking victims shelter opened in December 2012.(31)

During the reporting period, the NCPA began a review of why laws on human trafficking have not been implemented effectively with regards to children.(31) It also conducted 74 public awareness programs among estate sector employees, and created 755 Child Protection Committees in schools across the country in part to prevent trafficking of children.(31) The DPCCS conducted 25 public awareness programs on protection of children from child sex trafficking.(31)

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
Roadmap to End the Worst Forms of Child Labor (2011–2016)	Specifies time-bound 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) Implemented by NSC.(8) In 2013, NSC began implementing a limited number of Roadmap activities due to limited funds.(8) MOLLR and District Secretariat of Ratnapura, with assistance from the ILO, began a project to make Ratnapura District a child labor free zone by 2016. Will serve as a pilot project to raise awareness and train government officials so that it can be expanded to other districts in the future.(8)

Table 7. Policies Related to Child Labor (cont)

Policy	Description
The National Human Resources and Employment Policy for Sri Lanka (NHREP) (2012)	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.(40)
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 non-formal education for dropouts from the formal education system. Implemented by the Ministry of Education (MOE).(41)
National Plan of Action on Anti-Human Trafficking	Developed by NTF.(25) In 2013, NTF updated the plan and the majority of activities completed were related to awareness raising and training.(31)

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

In 2013, the Government drafted a 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, and outlines key policy recommendations including strengthening and expanding non-formal 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.(42) The Government reported that Ministry of Labor and Labor Relations (MOLLR) is finalizing the draft policy.(14)

During the reporting period, the NSC drafted a new national child labor policy with technical assistance from the ILO. 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.(8)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Sri Lanka funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Ratnapura District Child Labor Free Zone by 2016†	Ratnapura District's project includes 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 campaign. Operated by the District Secretariat of Ratnapura with assistance from the MOLLR and technical and financial support from the ILO. Will serve as a model to be replicated in all 25 districts in Sri Lanka.(43)
Shelter for Victims of Human Trafficking‡	MCDWA shelter provides victims with safe shelter and access to medical, psychological, and legal assistance. Opened in December 2012 with a grant from USDOS, and is the first shelter for trafficking victims including child trafficking victims.(8, 44)
Transforming School Education	\$100 million World Bank 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.(45) Appoints school attendance committees to promote school enrollment and attendance, and 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.(46)
Decent Work Country Program (DWCP)†	ILO technical assistance project detailing the policies, strategies, and results required to realize progress toward the goal of decent work for all. Program has four strategies to reduce the worst forms of child labor (WFCL): capacity building for mainstreaming WFCL into sectorial plans and programs, area-based integrated approach within districts, strengthening institutional mechanisms for improved coordination and monitoring, and development of a knowledge-base for tracking progress.(47) DWCP outcomes are linked to UNDAF and NHREP outcomes. MOLLR has committed to the budget and to prioritize this program's agenda to combat the worst forms of child labor.(47)

Table 8. Social Programs to Address Child Labor (cont)

Program	Description
United Nations Development Assistance Framework (UNDAF)†	An 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.(48)

† Program was launched during the reporting period.

‡ Program is funded by the Government of Sri Lanka.

In early 2013, the ILO, in partnership with the Sri Lanka Press Institute and the Sri Lanka Press Complaints Commission, and with support from the NTF, released a Media Guide on Reporting on Human Trafficking and Forced Labor. It was developed for all electronic and print media to encourage accurate reporting of cases on human trafficking and forced labor. It also aims to ensure protection of victims and increase public awareness of the phenomenon.(49)

Also during the reporting period, DOL conducted awareness programs on hazardous child labor. Programs targeted school children and social partners including principals, teachers, parents, family health officers, taxi drivers, fishing villages, and tourist resorts. The programs included printing and distributing new training guides and pamphlets on child labor for social partners.(8) In addition, DOL aired television programs including a cartoon and interviews to publicize the hazardous labor laws. DOL reported an increase in the number of inquiries requesting clarification on the application of the law after the programs aired.(8)

The MOE continued its effort to improve education for the children of plantation workers who are vulnerable to dangerous forms of child labor, such as domestic work in third-party homes outside the plantations. The MOE also conducted teacher training for plantation teachers; held supplementary classes for secondary school-aged children; and took steps to improve math, science, and English skills of plantation school children.(8)

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
Laws	Amend laws to protect children engaged in domestic service.	2010 – 2013
	Ratify the Palermo Protocol on Trafficking in Persons.	2013
Enforcement	Provide adequate resources for the enforcement of child labor and child trafficking laws.	2012 – 2013
	Provide labor officers with training on approaches to identify children engaged in hazardous occupations.	2012 – 2013
	Provide additional funding for the police and NCPA to adequately carry out investigations on child trafficking and the commercial sexual exploitation of children.	2011 – 2013
	Prosecute individuals who have violated laws related to children's exploitation in the armed conflict.	2009 – 2013
Government Policies	Assess the impact that existing policies may have on addressing child labor.	2013
Social Programs	Conduct a child labor assessment in the Northern Province and incorporate findings into policies and programs.	2011 – 2013
	Conduct research to determine specific activities carried out by children working in farming, manufacturing, construction, and transportation to inform policies and programs.	2013
	Eliminate barriers to education, including uneven distribution of schools, inadequate facilities, and problems with teacher deployment and training.	2012 – 2013

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