

Sri Lanka

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working in 1998:	15% ³⁸⁸⁶
Minimum age for admission to work:	14 ³⁸⁸⁷
Age to which education is compulsory:	14 ³⁸⁸⁸
Free public education:	Yes ³⁸⁸⁹
Gross primary enrollment rate in 2004:	98% ³⁸⁹⁰
Net primary enrollment rate in 2004:	97% ³⁸⁹¹
Percent of children 5-14 attending school in 1998:	97.1% ³⁸⁹²
Percent of primary school entrants likely to reach grade 5:	Unavailable
Ratified Convention 138:	2/11/00 ³⁸⁹³
Ratified Convention 182:	3/1/01 ³⁸⁹⁴
ILO-IPEC participating country:	Yes ³⁸⁹⁵

Incidence and Nature of Child Labor

In 1998, approximately 17.9 percent of boys and 11.9 percent of girls ages 5 to 14 were working in Sri Lanka. The majority of working children were found in the agricultural sector (71.5 percent), followed by services (14.8 percent), manufacturing (13.1 percent) and other sectors (0.7 percent).³⁸⁹⁶ Children work in both plantation and non-plantation agriculture, as well as in seasonal agriculture for families.³⁸⁹⁷ Children also work in the informal sector, which includes family enterprises, small restaurants, stores, and repair shops, in small-scale manufacturing and crafts.³⁸⁹⁸ Children also work as domestic servants.³⁸⁹⁹ Some children from rural areas are reportedly victimized in debt bondage as domestic servants in urban households.³⁹⁰⁰

³⁸⁸⁶ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007.

³⁸⁸⁷ Government of Sri Lanka, *Employment of Women, Young Persons, and Children Act of 1956* No. 47 (November 7, 1956), Articles 13, 34(1).

³⁸⁸⁸ U.S. Department of State, "Sri Lanka," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78875.htm>. See also Government of Sri Lanka, *Compulsory Attendance of Children at Schools Regulation No. 1 of 1997*, (November 18, 1997).

³⁸⁸⁹ U.S. Department of State, "Country Reports- 2006: Sri Lanka," Section 5.

³⁸⁹⁰ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

³⁸⁹¹ Ibid.

³⁸⁹² Ibid.

³⁸⁹³ APPLIS, *List of Ratifications of International Labour Standards: Sri Lanka*, March 30, 2007; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byCtry.cfm?lang=EN&CTYCHOICE=1750&hdroff=1>.

³⁸⁹⁴ Ibid.

³⁸⁹⁵ ILO, *IPEC Action Against Child Labour: Highlights 2006*, Geneva, February 2007, 29; available from http://www.ilo.org/iloroot/docstore/ipcc/prod/eng/20070228_Implementationreport_en_Web.pdf.

³⁸⁹⁶ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

³⁸⁹⁷ ILO-IPEC, *Child Labour and Responses: Overview Note Sri Lanka*, November 2004, 1; available from <http://www.ilo.org/public/english/region/asro/newdelhi/ipcc/download/srilanka.pdf>. See also ILO-IPEC, *Emergency Response to Child Labour in Selected Tsunami Affected Areas in Sri Lanka*, project document, Geneva, February 25, 2005, 10. See also U.S. Department of State, "Country Reports- 2006: Sri Lanka," Section 6d.

³⁸⁹⁸ U.S. Embassy-Colombo, *reporting*, September 7, 2005. See also U.S. Department of State, "Country Reports- 2006: Sri Lanka," Section 6d.

The prostitution of children is widespread in the country. The majority of children in prostitution are exploited by local citizens, though there are reports of sex tourism as well.³⁹⁰¹ Children are reportedly trafficked internally and internationally for sexual exploitation and domestic labor.³⁹⁰² Some internally trafficked children, mostly boys, are lured from the conflict-ridden northern and eastern provinces to southern beach and mountain resorts to work in the sex industry, sometimes at their parents' request.³⁹⁰³

Conflict intensified in Sri Lanka during 2006 and the use of children in armed conflict remained a pressing concern.³⁹⁰⁴ Reports indicate that the Liberation Tigers of Tamil Eelam (LTTE), an armed terrorist group fighting for a separate ethnic Tamil state, continue to heavily recruit, often forcibly, thousands of children as soldiers. The LTTE recruit and abduct children as young as 8 to serve in combat and in various battlefield support functions. Many of those recruited by the LTTE are girls.³⁹⁰⁵ Additionally, forcible recruitment of child soldiers by Karuna, a break-off LTTE faction, increased markedly in 2006. Reports from UNICEF indicate that as of October 2006, 1,598 recruited children remained with the LTTE, and 164 were recruited by Karuna.³⁹⁰⁶ There are no indications that the government is using child soldiers.³⁹⁰⁷

Children continue to be affected by the Indian Ocean tsunami that struck Sri Lanka on December 26, 2004.³⁹⁰⁸ Thousands of children were orphaned or separated from their families, increasing

³⁸⁹⁹ Nayomi Kannangara, Harendra de Silva, and Nilaksi Parndigamage, *Sri Lanka Child Domestic Labour: A Rapid Assessment*, ILO-IPEC, Geneva, September 2003, 12; available from

<http://www.ilo.org/public/english/standards/ipec/simpoc/srilanka/ra/domestic.pdf>. See also Bharati Pflug, *An Overview of Child Domestic Workers in Asia*, 2003, 5, 13; available from

http://www.ilo.org/public/english/standards/ipec/publ/childdomestic/overview_child.pdf.

³⁹⁰⁰ U.S. Department of State, "Country Reports- 2006: Sri Lanka," Section 6c, 6d.

³⁹⁰¹ *Ibid.*, Section 5. See also ECPAT International CSEC Database, *Sri Lanka* accessed September 22, 2006; available from <http://www.ecpat.net>.

³⁹⁰² U.S. Department of State, "Sri Lanka (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65990.htm>.

³⁹⁰³ U.S. Department of State, "Country Reports- 2006: Sri Lanka," Section 5. See also Sarath W. Amarasinghe, *Sri Lanka: The Commercial Sexual Exploitation of Children: A Rapid Assessment*, ILO-IPEC, Geneva, February 2002, xvii; available from <http://www-ilo-mirror.cornell.edu/public/english/standards/ipec/simpoc/srilanka/ra/cse.pdf>.

³⁹⁰⁴ U.S. Embassy - Colombo, *reporting*, December 14, 2006, 9. See also United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict in Sri Lanka*, December 20, 2006, 2-5; available from http://www.crin.org/docs/UNSG_Report_CAC_SriLanka_E.pdf. See also U.S. Department of State, "Country Reports- 2006: Sri Lanka," Introduction.

³⁹⁰⁵ U.S. Embassy - Colombo, *reporting, December 14, 2006*, 9. See also Save the Children- UK, *Girls and Conflict - Forgotten Casualties of War*, London, April 27, 2005, I; available from <http://www.rb.se/NR/rdonlyres/C0A44378-E6CE-4C74-9EF5-535E673B8FD1/0/GirlsandConflictForgottencasualtiesofwar.pdf>.

³⁹⁰⁶ U.S. Embassy - Colombo, *reporting, December 14, 2006*, 9. See also United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict in Sri Lanka*, 5, 8.

³⁹⁰⁷ Human Rights Watch, *World Report 2006*, New York, January, 2006, 308-309; available from <http://www.hrw.org/wr2k6/>. See also Coalition to Stop the Use of Child Soldiers, "Sri Lanka," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=878.

³⁹⁰⁸ ADB, *Sri Lanka: Tsunami Summary*, [online] December 8, 2005 [cited October 10, 2006]; available from http://www.adb.org/media/Articles/2005/6619_tsunami_impact_Sri_Lanka/default.asp?RegistrationID=guest. See also Education Guardian, *Sri Lankan Children 'Missing Out' on Education*, [online] December 22, 2005 [cited January 20, 2006]; available from

<http://education.guardian.co.uk/schoolsworldwide/story/0,14062,1672987,00.html?gusrc=rss>.

their vulnerability to trafficking and other worst forms of child labor.³⁹⁰⁹ The government, NGOs and international organizations have provided a number of services to assist affected children, but there continues to be a shortage of schools and economic opportunities for families.³⁹¹⁰

Child Labor Laws and Enforcement

The law sets the minimum age for employment in most occupations at 14 years. The minimum age for employment at sea is 15 years.³⁹¹¹ The law prohibits all children under 18 to be employed in any hazardous occupation.³⁹¹² Children under 14 may be employed in family-run agricultural enterprises or as part of technical training activities. However children under 14 may not be employed during school hours; for more than 2 hours on a school day or Sunday; between the hours 8 p.m. and 6 a.m.; or in any activities that jeopardize health or education. The law limits the work hours of children 14 to 15 years to 9 per day, and the work hours of children 16 to 17 years to 10 per day.³⁹¹³ The law prohibits young people under 18 from working in industrial facilities after 11 p.m., except in certain training or apprenticeship situations.³⁹¹⁴ The law also requires medical certification of children less than 16 years prior to employment in industries.³⁹¹⁵ The maximum penalty for child labor violations is 12 months of imprisonment.³⁹¹⁶

The law prohibits forced labor, debt bondage, and all forms of slavery by persons of any age. The maximum fine for violating the law pertaining children is 30 years of imprisonment.³⁹¹⁷ The 2006 Penal Code Amendment Act strengthened provisions against trafficking.³⁹¹⁸ The law also prohibits sexual violations against children, defined as persons under 18 years, particularly with

³⁹⁰⁹ ILO-IPEC, *Emergency Response to Child Labour in Selected Tsunami Affected Areas, project document*, 5, 6, 36. See also UNICEF, *Caring for children growing up alone after the tsunami*, [online] March 1, 2005 [cited March 30, 2007]; available from http://www.unicef.org/infobycountry/24615_25298.html.

³⁹¹⁰ UNICEF, *Children and the Tsunami, A Year On*, November 2005; available from <http://www.unicef.org/emerg/disasterinasia/files/WhatWorked.pdf#search=%22children%20and%20the%20tsunami%20a%20year%20on%22>. See also ILO-IPEC, *Emergency Response to Child Labour in Selected Tsunami Affected Areas in Sri Lanka*, Geneva, March 30, 2006, 5.

³⁹¹¹ Government of Sri Lanka, *Employment of Women, Young Persons, and Children Act of 1956*, Part III, Articles 13 and 34 (1). See also Government of Sri Lanka, *Shop and Office Employees Act of 1954*, No. 19 Article 10 (1). See also U.S. Embassy- Colombo, *reporting*, August 18, 2003.

³⁹¹² Government of Sri Lanka, *Employment of Women, Young Persons, and Children (Amendment), 2006 Act*. No. 24, (August 21, 2006).

³⁹¹³ *Employment of Women, Young Persons, and Children Act Nos. 47 of 1956 and 43 of 1964*, (November 7.), Section 13, 14. See also U.S. Embassy- Colombo, *reporting*, August 18, 2003.

³⁹¹⁴ Government of Sri Lanka, *Employment of Women, Young Persons, and Children Act of 1956*, Section 2, 3(3), 4(1).

³⁹¹⁵ U.S. Embassy- Colombo, *reporting*, August 18, 2003.

³⁹¹⁶ U.S. Department of State, "Country Reports- 2006: Sri Lanka," Section 6d.

³⁹¹⁷ Government of Sri Lanka, *Penal Code (Amendment), 2006*, Act No. 16, 358(a). See also ILO-IPEC, *Combating Child Trafficking for Labor and Sexual Exploitation (TICSA Phase II)*, March 30, 2006, 4. See also Government of Sri Lanka, *Report of the Democratic Socialist Republic of Sri Lanka on Efforts by GSP Beneficiary Countries to Eliminate Worst Forms of Child Labour*, submitted in response to U.S. Department of Labor Federal Register Notice (July 25, 2005) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Colombo, August 19, 2005, 1.

³⁹¹⁸ Government of Sri Lanka, *Penal Code (Amendment), 2006*, Section 360. See also Government of Sri Lanka, *Report of Sri Lanka on Efforts to Eliminate Worst Forms of Child Labour*, 1.

regard to child pornography, child prostitution, and the trafficking of children. Penalties for violations related pornography and prostitution range from 2 to 5 years of imprisonment.³⁹¹⁹ Trafficking of children is punishable by imprisonment of 3 to 20 years.³⁹²⁰

The 2006 Penal Code Amendment Act criminalizes the act of engaging or recruiting a child for use in armed conflict.³⁹²¹ The minimum age for recruitment into the armed forces is 18 years.³⁹²² The law also protects children affected by tsunami.³⁹²³

In August 2006, parliament passed legislation empowering the Minister of Labor Relations and Foreign Employment to publish regulations prohibiting the employment of children under 18 in hazardous occupations. Forty-nine hazardous occupations have been identified.³⁹²⁴

The Department of Labor and the Department of Probation and Child Care Services enforce child labor laws, often in collaboration with the police.³⁹²⁵ In the first half of 2006, the Department of Labor received 60 complaints of child labor violations.³⁹²⁶ Most child labor offenses are prosecuted by the police, under the Penal Code.³⁹²⁷ In 2006, the Government created the new Ministry of Child Development. The National Child Protection Authority (NCPA), which was previously an independent authority, is now under the new ministry.³⁹²⁸ NCPA is the primary oversight agency for the protection of children, and its anti-trafficking unit coordinates governmental anti-trafficking activities. NCPA works with 450 social welfare officers at the community level and has established 11 district child protection committees to further raise awareness of child abuse issues, including child labor.³⁹²⁹ The NCPA's Cyber Watch unit monitors the Internet for advertisements soliciting children for child pornography and pedophilia in Sri Lanka.³⁹³⁰

³⁹¹⁹ Government of Sri Lanka, *Penal Code (Amendment), 1995*, Act No. 22, Articles 286A (1) and (2), 360A, and 360B. See also Government of Sri Lanka, *Penal Code (Amendment), 1998*, Act No. 29, Articles 288A(1) and (2), and 360A (1) and (2). See also Government of Sri Lanka, *Penal Code (Amendment), 2006*, Articles 268, 358, 360.

³⁹²⁰ Government of Sri Lanka, *Penal Code (Amendment), 2006*, 360(2).

³⁹²¹ *Ibid.* See also ILO-IPEC, *Combating Child Trafficking for Labor and Sexual Exploitation (TICSA Phase II), technical progress report March 2006*, 4.

³⁹²² Coalition to Stop the Use of Child Soldiers, "Child Soldiers Global Report 2004."

³⁹²³ ILO- IPEC, *Combating Child Trafficking for Labor and Sexual Exploitation (TICSA Phase II)*, technical progress report, Geneva, September 12, 2005, 3.

³⁹²⁴ U.S. Embassy - Colombo, *reporting, December 14, 2006*, 2. See also ILO- IPEC, *Emergency Response to Child Labour in Selected Tsunami Affected Areas in Sri Lanka*, technical progress report, Geneva, September 30, 2006, 2. See also ILO Committee of Experts, *Direct Request, Worst Forms of Child Labour Convention, 1999 (No. 182), Sri Lanka (ratification: 2001)*, 2004; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/index.cfm?lang=EN>.

³⁹²⁵ U.S. Department of State, "Country Reports- 2006: Sri Lanka," Section 6d. See also Government of Sri Lanka, *Report of Sri Lanka on Efforts to Eliminate Worst Forms of Child Labour*, 6.

³⁹²⁶ U.S. Embassy - Colombo, *reporting, December 14, 2006*, 4.

³⁹²⁷ Government of Sri Lanka, *Report of Sri Lanka on Efforts to Eliminate Worst Forms of Child Labour*, 6.

³⁹²⁸ U.S. Embassy - Colombo, *reporting, December 14, 2006*, 6.

³⁹²⁹ Government of Sri Lanka, *National Child Protection Authority Act of 1998*, No. 50. See also ILO, *National Legislation and Policies Against Child Labour in Sri Lanka*, [online] March 21, 2005 [cited October 10, 2006]; available from <http://www.ilo.org/public/english/region/asro/newdelhi/ipecc/responses/srilanka/national.htm>. See also U.S. Embassy- Colombo, *reporting*, August 23, 2004.

³⁹³⁰ U.S. Department of State, "Country Reports- 2006: Sri Lanka," Section 5.

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The government has integrated its Policy and Plan of Action to Eliminate the Worst Forms of Child Labor into the National Plan of Action for Children (NPCA) 2004-2008. The Ministry of Labor Relations and Foreign Employment has committed a budget to implement the child labor components of the plan, which included strengthening child labor laws and enforcement; improving the availability of child labor data; increasing vocational training programs for out-of-school youth; sensitizing the public to child labor issues; and reducing domestic child labor by 30 percent each year.³⁹³¹ The 2006 Plan of Action for Decent Work also commits the government to eliminating child labor.³⁹³²

The government and the LTTE have agreed to a 3-year Joint Plan for Children Affected by War to end child recruitment and to demobilize and rehabilitate ex-child soldiers. The plan was initiated in 2003 and is scheduled to go through 2007.³⁹³³ However, there are reports that the Action Plan is stalled as the LTTE continued to recruit child soldiers.³⁹³⁴

The government is implementing a National Plan of Action to combat trafficking of children for sexual and labor exploitation, under the purview of the NPCA.³⁹³⁵ The NPCA and other government agencies, with support from international organizations, have various mechanisms in place to care for child trafficking victims, such as rehabilitation camps and other shelters that provide medical care, and counseling services. The government has also committed funding for its anti-Human Smuggling and Investigation Bureau to combat trafficking. The government assists Sri Lankan trafficking victims abroad through its diplomatic missions.³⁹³⁶ The Ministry of Labor Relations and Foreign Employment trains labor inspectors, probation officers and police officers on child labor issues. Training includes trauma and psychosocial counseling, surveillance, legal awareness, as well as training of trainers on these issues.³⁹³⁷ With support from UNICEF, the Sri Lanka Tourist Board is implementing a 2-year campaign to stop the commercial exploitation of children.³⁹³⁸

³⁹³¹ B. Abeygunawardana, Director General, and National Planning Department, *National Plan of Action for the Children of Sri Lanka, 2004-2008*, Government of Sri Lanka Ministry of Finance and Planning, Colombo, 2004, 122-123; available from http://www.humanitarianinfo.org/srilanka/docs/National_Plan.pdf. See also ILO-IPEC, *Combating Child Trafficking for Labor and Sexual Exploitation (TICSA Phase II)*, technical progress report, Geneva, September 12, 2005, 3.

³⁹³² ILO - IPEC, *Emergency response to child labour in selected Tsunami affected areas in Sri Lanka*, Geneva, September 30, 2006.

³⁹³³ U.S. Embassy- Colombo, *reporting, August 23, 2004*. See also UNICEF Press Center, *Call to Increased Action for Sri Lanka's War Affected Children*, press release, January 22, 2004; available from http://www.unicef.org/media/media_19036.html.

³⁹³⁴ U.S. Department of State, "Country Reports- 2006: Sri Lanka," Section 5.

³⁹³⁵ Ibid. See also ILO-IPEC, *Child Labour and Responses*, 3.

³⁹³⁶ U.S. Department of State, "Trafficking in Persons Report- 2006: Sri Lanka." See also U.S. Department of State, "Country Reports- 2006: Sri Lanka," Section 5.

³⁹³⁷ U.S. Embassy- Colombo, *reporting, September 7, 2005*. See also U.S. Embassy- Colombo, *reporting, August 23, 2004*.

³⁹³⁸ UNICEF, *Zero Tolerance for Child Sex Tourism in Sri Lanka*, [online] June 18, 2006 [cited September 26, 2006]; available from http://www.unicef.org/media/media_34596.html. See also UNICEF, *Sri Lanka Campaign Promotes "Zero Tolerance" for Child Sex Tourism*, [online] July 13, 2006 [cited September 26, 2006]; available from http://www.unicef.org/infobycountry/sri_lanka_34933.html.

The government has participated, and is currently participating in, several ILO-IPEC projects to combat child labor in Sri Lanka. These include a USD 3 million project funded by USDOL to combat child trafficking in Asia that ended in March 2006. The project withdrew 367 children and prevented 10,378 children from trafficking throughout the region.³⁹³⁹ It also includes a global USD 7 million child soldier project funded by USDOL that targets 5,264 children for withdrawal and 4,250 for prevention from serving in armed groups in seven countries, including Sri Lanka.³⁹⁴⁰ The Netherlands and NORAD supported child labor projects, which ended in 2006, and UNICEF is supporting two projects to assist children affected by war, which end in June and December 2007.³⁹⁴¹ In addition, with USDOL funding, ILO-IPEC and the Sri Lankan government initiated a USD 562,000 project after the tsunami that will continue through 2008. The project aims to strengthen the capacity of government, media, and international organizations to integrate child labor issues into post-tsunami reconstruction policies; monitor the child labor situation in the post-tsunami environment; and provide educational and psychosocial services to tsunami-affected families in Galle and Trincomalee. The project targets 300 children for withdrawal and 2,100 children for prevention from exploitive work.³⁹⁴²

The Ministry of Education initiated a program to improve education for the children of plantation workers, who are considered especially vulnerable to child labor. The program has strengthened formal schools in plantation areas; recruited teachers to work on plantations; provided special education classes to children with learning disabilities; and provided vocational training to dropouts.³⁹⁴³

³⁹³⁹ ILO-IPEC, *Combating Child Trafficking for Labor and Sexual Exploitation (TICSA Phase II)*, project document, Geneva, September 30, 2002, 1.

³⁹⁴⁰ U.S. Department of Labor, *Prevention and Reintegration of Children Involved in Armed Conflict: An Inter-Regional Program*, ILAB Technical Cooperation Summary, Washington, DC, 2003.

³⁹⁴¹ ILO-IPEC official, E-mail communication USDOL official, March 1, 2007.

³⁹⁴² ILO-IPEC, *Emergency Response to Child Labour in Selected Tsunami Affected Areas*, project document, 15, 38.

³⁹⁴³ U.S. Embassy- Colombo, *reporting, September 7, 2005*. See also ILO - IPEC, *Emergency response to child labour, technical progress report September 2006*, 2.