US Department of Labor's Findings of Child Labor and Forced labor Information on Sri Lanka

The Government of Sri Lanka (GOSL) is pleased to submit information on the subject of Child Labor. In this context, the GOSL reiterates that Sri Lanka pays utmost attention to this important subject and continues to implement progressive measures to minimize and eradicate any known instance of Child Labor in the country. Sri Lanka has always been recognized for maintaining internationally accepted standards of labor.

Prevalence and sectoral distribution of the Worst Forms of Child Labor.

The GOSL is committed to arrest and eliminate child labor. Existing domestic laws to prohibit the worst Forms of Child Labor are comprehensive enough to give effect to the ILO Conventions No. 138 and No. 182. These Laws are adequate for the implementation and enforcement to meet International Standards.

Furthermore, the Constitution of the Democratic Socialist Republic of Sri Lanka and its Laws are in full compliance with the ILO Conventions No. 138 and No. 182 . The specific Acts governing the above arrangements are listed below:

1. (a) Minimum Age for admission to employment in Sri Lanka is 14 years. In keeping with ILO Convention 138 (Employment of Women, Young Persons and Children's Act No. 47 of 1956, Section 34 (Interpretation of the term Child).

   (b) 18 years in line with the ILO Convention 182. (Employment of Women, Young Persons and (Children's Act No. 47 of 1956, Section 20A).

   (c) Minimum Age to which education is compulsory is 14 years in line with the ILO Convention 138.

   (d) Sri Lanka ratified the ILO Convention 182 on 1st March 2001.

   (e) Prohibition :-

   Hazardous Employment amendment to Employment of Women, Young Persons and Children's Act No. 47 of 1956, Section 20A. (Regulations made to give effect to this Provision by Gazette No. 1667/41 of 20th August 2010, under which 51 items were identified as hazardous occupations).

   Obscene, publication, exhibition etc. relating to children:-
   Penal Code (Amendment) Act No. 22 of 1995
   Of Kidnapping and abduction:-
   Section 360A -Penal Code (Amendment) Act No. 22 of 1995.

3. Institutional Mechanisms for Coordination and Enforcement:-

The country has established formal institutional mechanisms to investigate and address issues relating to all al allegations of worst forms of child labor.

This includes

Ministry of Labor and Labor Relations,
Ministry of Child Development and Women's Affairs,
Ministry of Justice,
Department of Labor,
National Child Protection Authority,
Department of Probation and Childcare and
Department of Police.

The following additional measures adopted by the GOSL are noteworthy:

1. The National Steering Committee on Child Labor is functioning under the Ministry of Labor and Labor Relations and the Committee is chaired by the Secretary of Labor. The funding for the activities of the Committee has increased by 16% in 2012 compared to year 2011.

2. No of Inspections on child labor have increased in the recent past.

3. Funding for the enforcement of child labor has been increased. The allocated funding for the elimination of child labor in year 2012 has increased compared to year 2011. The increased allocation will support additional programmes on child labor matters. As an example, in year 2011 there were 226 complaints received whereas in year 2012, it was 209 complaints.

4. There has been remarkable increase in training offered to Child Labor Inspectors in year 2012. The increase was around 140% compared to 2011.

5. The mechanism for filing Child Labor Complaints is prevailing in the Head Office as well as District Offices of the Department of Labor, ensuring a wide scope as possible.
6. These complaints are probed expeditiously by the Department of Labor. The Women & Children Affairs Division of the Department Of Labor, the National Child Protection

Authority, Department of Police, Department of Probation & Childcare collect necessary information and evidence in order to file action against alleged violators..

7. There was a increase of child labor inspection in year 2012, compared to the previous year. Considering the paucity of child labor issue in the formal sector, more attention was focused to the informal sector. A significant number of awareness program were conducted targeting the vulnerable community.

Moreover, the numbers of media publications, posters, banners, street drama, tele drama, leaflets were used as instruments in order to create awareness in the community. Further, the training manual on young workers including Child Labor & hazardous work was prepared and distributed among the Labor inspectors, other enforcement officers and social partners. It is important to note that two Training of Trainer's programmes for all law enforcement officers including Labor Inspectors were conducted based on the training manual.

7. The National Steering Committee comprising the relevant institutions chaired by the Secretary, Ministry of Labor and Labor Relations, has been further strengthened in order to improve the enforcement mechanism against child labor through sharing of information and expertise.
8. The efforts taken by the responsible agencies have helped to streamline the process of prosecution related to Child Labor.
9. There were no such aspects of the country's enforcement practices which were likely to increase children's vulnerability to the worst Forms of child Labor.

4. Government Policies on the Worst Forms of Child Labour

The policies to prevent child labour are inbuilt to the prevailing laws in the country. The Road Map has been formulated to ensure to avoidance Child Labor.

1. In Year 2012 the Department of Labor prepared an Action Plan based on the Road Map on "Worst Forms of Child Labor" in order to address the issue. Since it has been identified that incidents on child labor are reported from the informal sector, the awareness was focused among all stake holders including the general public and school children.

2. There are a **number** of programs such as Samurdhi, Divinaguma (Livelihood development Programmes) which address poverty alleviation in the country. Apart from that, free education and free health for all are provided.

All these initiatives have helped to reduce the magnitude of poverty in the country. It is event evident that Sri Lanka in on track to achieve the Millennium Development Goals, which a50% of reduction of poverty by 2015. The programmes adopted by the GOSL have been immensely instrumental in significantly reducing child labor in the country.

3 The social protection programs in the context of horizontal dimension covering entire population in the country. Free health and free education for all are the classic examples. The "samurdhi" programme is the main poverty alleviation programs in the country which provide financial support for those most in need. There are special progarammes to address the concerns of the people with disability and the elders

School children from Grade 1-13 are provided free text books, free meals and free uniforms (three uniforms per year). Moreover a food package is given to pregnant mothers in low income families. Apart from that, subsidized fertilizer, seeds and other livelihood support is provided to farmers and for self-employment. These clearly defined programs will ensure minimizing of children being employed.

5. Social Programs to eliminate or prevent the Worst Forms of Child Labor

The Ministry of Child Development and Women's Affairs, Ministry of Social Services, Ministry of Economic Development and the Ministry of Labor and Labor Relations conduct empowerment programs and financial supportive programs which prevent the engagement of children as Child Labors.

Key examples are follows:

1). The Department of Labor conducted the following programs in Year 2012.

i. Awareness programs for social partners focusing the risk areas,

i. Public awareness through street dramas were conducted in Ampara, Batticaloa , Trincomalee and Polonnaruwa districts

ii. Two Training of Trainers programs for enforcement officers.

iii. Teledrama produced by the Department of Labor to address the Worst Forms of Child Labor issue was telecast in three prime TV Channels.

iv. 19 Awareness programs in the estate Sector

v. 15 Counseling programs in the Export Processing Zones.

vi. 70 Awareness programs in the industrial sector (Outside the EPZ)

2.) 23 Children's Clubs have been formed by the National Child Protection Authority in the Northern Province with a view to making awareness on child abuse.

3) Established Quality Counseling Service in the schools (counseling programs were conducted for the school teachers by the NCPA).

4.) Provision of free meals, free books and uniforms to all school children by the Ministry of education.

2. Although there is no specific research that has been conducted on the impact of child labor programs, the remarkable progress achieved in the recent past relating to poverty, reduction, reduction of unemployment, reduction of school drop-outs etc., are clear evidence that child labor have been reduced in the country.

3 . The programs mentioned above may have directly addressed the specific problems such as Hazardous Forms of child labor

4. The Number of programs such as awareness through street drama and providing meals, school books and uniforms , free health including all kinds of vaccination, have helped i=to increase welfare of all children.

5. The GOSL remains committed to further strengthen measures to eliminate use of child labor in Sri Lanka.

6. All programs mentioned above are funded by the GOSL at present. However, in order to achieve the Government's target of eliminating the worst forms of child labor by year 2016 through the implementation of Road Map (The Policy) requires further technical and financial assistance.

7. The reduction of complaints of child labor, and the reduction of school dropout rates would be considered as the impact of the successful programs conducted by the GOSL.

8. **The GOSL is resolved that** there will not be changes to the country's regulations that are likely to increase children's vulnerability to the worst forms of child labor.

Additional Information

- **Labor Inspection details 2012**

Total number of inspections carried out (from January to 30th September 2012)

Routine	54,009
Other	9,195
Total	63,204

Labor Inspections in EPZs (As at 31 December 2012)

District	Routine	Other	Total
Galle	2,227	66	2,293
Pandura	2,213	410	2,623
Gampaha	1,595	360	1,955
Kandy-North	1,568	60	1,628
Negambo	1,180	266	1,446
Colombo Central	2,491	425	2,916
Total	11,274	1,587	12,861

Total number of inspections carried out (from January to 31st December 2011) was 83198

- Total Number of Inspectors - 435 (Labor Officers)
- Legal action taken against child labor – 8 cases have been filed with the Magistrate Courts in year 2012 and case are pending

- Progress has been made in relation to the recommendation made on the treatment of ex- combatants. As of 22 October 2012, 11,012 persons which included 594 L.T.T.E. Child Soldiers have been rehabilitated and integrated in to society.

(Source: Sri Lanka initial Report to Human Rights Council at Sri Lanka's UPR)

Additions to the Sri Lanka profile of the 2011 Report

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	1.19
Attending School	5-14 yrs.	97.6
Combining Work and School	5-14 yrs.	0.21
Primary Completion Rate	-	100.8

In page no 582, Para 4, the statement i.e "The Ministry of Women and Children's Affairs….." should be changed as The Women and Children's Affairs Division of the Department of Labor collaborated……

Information on the Progress of the programs conducted on Prevention of Trafficking in persons with the ILO Assistance.

Key Project Partners & Stakeholders*:*

Ministry of Justice (Chair)

Ministry of Labor and Labor Relations

Attorney General's Department

Sri Lanka Bureau of Foreign Employment (SLBFE)

Department of Immigration & Emigration

National Child Protection Authority (NCPA)

Sri Lanka Police

National Workers' Congress (NWC)

Employers' Federation Ceylon (EFC)

- ✓ The programme trained 80 Judges of the Magistrate's Courts, 35 State Prosecutors of the Attorney General's Department, 75 trainers of the island wide pre-departure training centres of the Sri Lanka Bureau of Foreign Employment (SLBFE), 100 officers of the Department of Immigration & Emigration, and 40 electronic and print media representatives on the prosecution of offenders, identification of victims, investigations, and protection of victims throughout the law enforcement process, child trafficking, international and national provisions on human trafficking & forced labor, mutual legal assistance in criminal matters, and the role of the media in reporting cases of human trafficking.

- ✓ A survey of returned and refused migrants is conducted at the Bandaranaike International Airport in partnership with the Department of Immigration & Emigration to identify victims, potential victims and offenders of trafficking and channel the information to the relevant authorities.

- ✓ A 30 minute Docudrama on Prevention of Trafficking & Forced Labour (including prevention of child trafficking & child labor) and safe migration was developed in Sinhala & Tamil in partnership with the SLBFE and NCPA and is currently being aired twice daily at the Department of Immigration & Emigration outreaching over 10,000 persons daily. It is also aired at all pre-departure training centers of the SLBFE, Island wide Mass awareness raising campaigns organized by the Government as well as at all training programmes.

- ✓ 16 Community Monitoring/Vigilance Groups were established island-wide in partnership with the National Workers' Congress, a trade union with a strong field presence. Following a series of Training of Trainers programmes on identification of trafficked victims, several cases as well as those on child abuse, child labor were identified and channeled to the relevant authorities for further action, including the Sri Lanka Police (Criminal Investigation Department), and the NCPA.

- ✓ 34,000 Information flyers on prevention of human trafficking (Police and National Child Protection Authority Hotlines included to encourage increased reporting of cases) were developed in Sinhala & Tamil and distributed island-wide at the week-long Mass awareness raising exhibition, "Deyata Kirula", organised by the Sri Lankan Government, in partnership with the Ministries of Justice, Labor, and the SLBFE.

- ✓ The Project developed a comprehensive training module on trafficking which was incorporated into the labor law syllabus at the Faculty of Law, University of Colombo. It aims at introducing the relevant national and international legal provisions to law student's i.e would-be practitioners. A Teaching Guide and a Resource Guide was also been developed to assist lecturers at both graduate and undergraduate levels of teaching.

- ✓ The Project conducted a comprehensive 3-month Study adopting a two-pronged approach in selected districts. a) along the coastal districts of Puttalam, Galle, Trincomalee and b) in the post conflict districts of Ampara, Batticaloa, Trincomalee. The rationale for the study was to assess the magnitude of the problem in these selected districts with a view to sharing the findings with all stakeholders so as to ensure an effective positioning of interventions. The study was presented to all stakeholders on 6 December 2010.

- ✓ 3 Training Workshops were held in Negombo and Colombo for 350 airport taxi drivers, three wheeler drivers and Taxi Drivers on prevention of human trafficking & the need for increased reporting of cases. The Workshop included sessions on Safe Migration for foreign employment, Child Trafficking, National law on Trafficking and the role of the participants in assisting law enforcement authorities to identify and investigate cases of trafficking

- ✓ 5000 cartoon books on safe migration & prevention of trafficking was developed and distributed among the general public to raise awareness. The books were developed with the assistance of the NCPA and the SLBFE

- ✓ 500 Quick Reference Wallet Cards were developed and distributed widely to encourage the general public to report cases of trafficking to the law enforcement authorities. The Wallet card contains useful contact numbers and also highlights the penalty associated with the offence of 'trafficking in persons'.

- ✓ A training programme was conducted for 100 labour recruitment agents on the subject of prevention of trafficking in persons including prevention of child trafficking & forced labour. The programme was conducted in collaboration with the SLBFE and the Association of Licensed Foreign Employment Agencies (ALFEA).

- ✓ A 6-month Diploma on Migration & Prevention of Trafficking introduced in partnership with the Department of Immigration & Emigration and the Bandaranaike Centre for International Studies (BCIS), for key Governmental Ministry officials as well as Governmental departments including the armed forces and the Police. The initial course was completed in August 2012.
- ✓ A Resource Guide for Journalists & Media on 'Reporting on Human Trafficking & Forced Labour' was developed in English & Sinhala for all electronic and print media in partnership with the Sri Lanka Press Institute.