



The National Policy on Elimination of Child Labour in Sri Lanka

September 2017



Ministry of Labour, Trade Union Relations and
Sabaragamuwa Development

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“When compared to South Asian countries, we are ahead of them in eliminating child labour. However, to achieve child labour free working environment, we need to have one step further with a firm determination and zero tolerance on child labour. This policy will lead us to there and help to sustain the results.”



Message from His Excellency the President The Democratic Socialist Republic of Sri Lanka

As a nation, we are bound to provide proper environment to the children in every area including education, healthcare and safety. "The National Policy on Elimination of Child Labour in Sri Lanka" will contribute to ending child labour in the country including its worst forms and in turn will create safe environment to the children. The policy aligns with our compulsory education policy and will help to ensure that no child is left behind without education.

Even though, the Ministry of Labour, Trade Union Relations and Sabaragamuwa Development has prepared this policy, the responsibility in addressing issues related to child falls within many different institutions. I, therefore urge all the stakeholders to internalize this policy into their programmes and ensure successful implementation. It rests on the mainstreaming strategy at the National and Provincial levels.

When compared to South Asian countries, we are ahead of them in eliminating child labour. However, to achieve child labour free working environment, we need to have one step further with a firm determination and zero tolerance on child labour. This policy will lead us to there and help to sustain the results.

It gives me great pleasure to launch "The National Policy on Elimination of Child Labour in Sri Lanka" at the national event on "Let's Protect Children" and I wish to thank all those involved in the formulation of this policy.

Maithripala Sirisena

The President

The Democratic Socialist Republic of Sri Lanka

“Sri Lanka has significant potential to achieve zero tolerance of worst forms of child labour and thus placing it in the forefront in the region.”



Message from Hon. W. D. J. Seneviratne Minister of Labour, Trade Union Relations and Sabaragamuwa Development

It is with great pride that the Ministry of Labour, Trade Union Relations and Sabaragamuwa Development launches "The National Policy on Elimination of Child Labour in Sri Lanka". It is our objective to further expand the steps taken by our government during the last two years under the leadership of His Excellency the President Maithripala Sirisena and Prime Minister Hon. Ranil Wickremesinghe and to completely eliminate child labour on its worst forms. We have a common obligation and should work together as a team to safeguard and protect our children against child labour.

I take this opportunity to reflect on progress that, as a country, we have made in child labour. According to the Child Activity Survey conducted in 2015/2016, number of child labour has reduced by 60% in Sri Lanka compared to the previous Child Activity Survey conducted in 2008/2009. Children in hazardous forms have also been significantly reduced. Sri Lanka has significant potential to achieve zero tolerance of worst forms of child labour and thus placing it in the forefront in the region.

This policy will help us to contribute to ending child labour and sustaining results, with priority on its worst forms, through collective action across various government institutions. The National Steering Committee within the Ministry of Labour will be strengthened to coordinate and review the implementation of policy. We look forward to work with Trade Unions and Employers' organizations for effective implementation of the policy.

I am confident that the development of this new policy would be of great assistance in guiding government and private organizations in issues related to child labour. I commend the Secretary, the entire staff of the Ministry and the International Labour Organization who made relentless effort to prepare this policy.

W. D. J. Seneviratne
Minister of Labour, Trade Union Relations and Sabaragamuwa Development

“The implementation of the policy will be an ongoing process until achieving our objects comprehensively.”

“Let us once again reiterate our commitment towards eliminating child labour in Sri Lanka.”



Message from Hon. Ravindra Samaraweera State Minister of Labour and Trade Union Relations

It is great pleasure for me to have this opportunity to issue a congratulatory message on the publication of the National Policy on Elimination of Child Labour in Sri Lanka.

The government remains undaunted in its mission to eliminate child labour and sustaining results under the leadership of His Excellency the President Maithripala Sirisena and Prime Minister Hon. Ranil Wickremesinghe. We recognize the significance of focusing on child labour as it has both economic and social cost. There is an increased attention on the social cost to the family when mothers migrating to the Middle East countries for work, leaving small children behind. These children are vulnerable to dropping out of school and engaging in child labour. The National Policy on Elimination of Child Labour in Sri Lanka draws special attention to those who do not live with their own families and unprotected children.

The implementation of the policy will be an ongoing process until achieving our objectives comprehensively. This policy will directly benefit approximately 50,000 children below 18 years of age involved in child labour including those said to have engaged in hazardous work.

I would like to place on record my appreciation for the efforts of Hon. W. D. J. Senivaratne, Minister of Labour, Trade Union Relations and Sabaragamuwa Development and the Secretary to the Ministry, their staff and the International Labour Organization to formulate this policy.

Let us once again reiterate our commitment towards eliminating child labour in Sri Lanka.

Ravindra Samaraweera
State Minister of Labour and Trade Union Relations

“The effort taken in this regard is a valuable investment for development of the country which supports to remove the barriers of access to education for children. In fact, a well-functioning policy on elimination of child labour is important to ensure the protection of children’s rights.”



Preface and Acknowledgement

The best practices in eliminating child labour in world of work, contribute in the creation of a better environment for children. The dialogue on 'zero tolerance of child labour' continues to be a concern at present as a result of strong voices, arisen through the different social partners. The effort taken in this regard is a valuable investment for development of the country which supports to remove the barriers of access to education for children. In fact, a well-functioning policy on elimination of child labour is important to ensure the protection of children's rights. Thus, the Ministry of Labour, Trade Union Relations and Sabaragamuwa Development has formulated the National Policy on Elimination of Child Labour in Sri Lanka to streamline the proactive and preventive measures for eradication of child labour.

This national policy has been formulated through a tripartite consultative process involving the responsible government organizations, workers' and employers' organizations and all the members of the National Steering Committee on Child Labour. For the success of this policy, a strong coordination among all the key stakeholders is very much significant. An effective implementation mechanism will be established with the consultation of the members of the National Steering Committee to achieve the outcomes of the policy.

I would like to acknowledge the leadership and guidance given by Hon. W. D. J. Seneviratne, Minister of Labour, Trade Union Relations and Sabaragamuwa Development and Hon. Ravindra Samaraweera, State Minister of Labour and Trade Union Relations throughout the process of the formulation of the policy.

I, gratefully acknowledge the contribution made by the members of the National Steering Committee and I wish to extend my special thanks for the technical and financial assistance of the International Labour Organization (ILO) and the Department of Labour of the United States (USDOL).

I also wish to convey my gratitude to Senior Legal Advisor of the Ministry, Mr. R. P. Wimalasena and all concerned officers of the Ministry and the Department of Labour who were involved throughout this exercise.

S. A. Nimal Saranatissa

Secretary

Ministry of Labour, Trade Union Relations and Sabaragamuwa Development

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Executive Summary

Sri Lanka's cross-sectoral commitments in regard to children and young persons, call for a coherent and practical policy that will provide a framework for pursuing with full vigor the implementation of these commitments, including actions leading to the prevention and elimination of child labour.

Sri Lanka has various inter-related National Plans of Action on children, including Road map 2016 on the Worst Forms of Child Labour (its indicative programme of action to zero tolerance of Child Labour), the National Plan of Action for Children (2010-2014), the (draft) National Plan of Action for Elimination of the Worst Forms of Child Labour - 2004, the National Plan of Action to combat trafficking of children for exploitative employment in Sri Lanka - 2001 and other sector plans. Elements from the draft National Plan of Action for Elimination of the Worst Forms of Child Labour - 2004 were integrated in the National Plan of Action for Children (2004-2008 and 2010-2014).

A National Policy on Elimination of Child Labour in Sri Lanka provides a framework for coherent, collaborative and responsible action as well as principles to guide such action and a shared vision and responsibility. The policy will therefore serve as a basis for responsible practices by the government and private sector especially to the informal sector. A well-articulated policy provides a thoughtful basis for resource allocation for programmes to prevent and end child labour, clarifies where key responsibilities rest, defines parameters for action, and provides a basis for evaluating progress and assessing accountability.

Sri Lanka has ratified ILO Convention on Minimum Age to Employment, 1973 (No.138) and Convention on Worst Forms of Child Labour, 1999 (No.182). In 2010, the Parliament approved the Hazardous Occupations Regulations, which had been developed in consultation with employers' and workers' organizations. It was notified under the Employment of Women, Young Persons and Children Act, No. 47 of 1956 and identifies 51 hazardous forms of child labour. The minimum age for employment has been increased in certain sectors and the new education policy increases the age of compulsory education to 16 years. The change was supported by the Ministry of Labour, Trade Union Relations and Sabaragamuwa Development.

While the child labour problem in Sri Lanka is not as prevalent as it occurs in its neighbouring countries in South Asia, a number of which are home to significant numbers of working children, the urgency and need to end the worst forms of child labour is heightened by the recognition that the country's fast-track and ambitious development agenda may contribute to increasing the vulnerability of children. The education policy addresses the issue of child labour, taking into consideration which factors, such the delivery of effective education and poverty, which push children into exploitative employment.

The government recognizes the significance of focusing on achieving quality, relevance and sustainability in key public services, such as quality education and health. Improving the female labour force participation rate, as well as youth employment (particularly high for females) are challenges. There is an increased recognition of the social cost to the family when mothers migrating to the Middle East for work leave small children behind. These children are vulnerable to dropping out of school and engaging in child labour. It is clear that no single institution can eliminate child labour on its own.

The objective of the National Policy on Elimination of Child Labour in Sri Lanka is to contribute to ending child labour and sustaining the results, with a priority on its worst forms, through collaborative action and shared responsibility involving (but not limited to) effective enforcement, mainstreaming child labor issues in key development policies and programs, collaborative action with key stakeholders

at the national and sub national levels, and promoting and facilitating a sustainable life-cycle approach to decent work, particularly for Sri Lanka's youth.

In view of **the core scope** of the policy, which is aligned with the mandate of the Ministry of Labour, the key overall strategy for implementing the policy is the mainstreaming strategy at the national and regional levels. Reinforced by the necessary partnerships and advocacy initiatives, this strategy seeks action that integrates child labour issues and concerns in key policies, programmes and budgets across the relevant public and private sector agencies.

The direct beneficiaries of the policy will be around 100,000 children below 18 years of age as estimated in the survey involved with child labour including those said to have engaged in hazardous work as well as children who have been victims of trafficking, forced or compulsory labour, including forced or compulsory recruitment; children who are victims of prostitution or pornographic productions or performances; and children who are engaged in illicit activities, in particular for the production and trafficking of drugs, alcohol and other illicit substances.

The indirect beneficiaries also will be young persons and businesses with an educated, skilled and competitive workforce and effective governance systems that ensure the sustained impact of being "child labour free" once the policy objectives are achieved.

Implementation

Institutional Structure, Mechanism and Coordination:

Primary responsibility for the implementation, monitoring and reporting of the National Policy on Elimination of Child Labour rests with the Ministry of Labour and the Department of Labour.

For the policy to be successful, it must be internalized by the wide-ranging partners and stakeholders, which can lead to effective implementation in local contexts. Coordination amongst institutions and actors, horizontally and vertically: National, Provincial, District, Divisional and Grama Niladhari (village) levels will be ensured.

While the national institutions take the lead role in policy development, mainstreaming into all relevant policies, and policy coherence, the District, Divisional and Grama Niladhari (village) take the lead in enforcement and implementation of the policy. The Ministry of Labour will therefore, strengthen mechanisms for coordination and collaboration with the relevant Provincial and District authorities.

National Steering Committee (NSC) on Child Labour will be strengthened within the Ministry and it will serve as the secretariat for the implementation of the policy. It will work closely with the Provincial and District structures as well as with other collaborating partners and will be responsible for monitoring of the child labour situation in all 25 Districts and assessing the situation.

At the Provincial level, the Provincial Secretariat will ensure coordinated action against child labour integrating child labour concerns and responses in their Provincial Plans.

At the District level, the District Child Development Committee (DCDC) performs the coordinating role for action related to children. The DCDCs have the potential to support coordinating action against child labour as well. The DCDC chaired by the District Secretary will ensure that elimination of child labour is mainstreamed into the District Development Plans and provide adequate fiscal facilities to reach District level targets.

As each District reaches child labour elimination status, the situation will be assessed and a systems verification done by this Unit. Thereafter, the Unit will certify each District as "child labour free."

There shall be focal points established at the Provincial and District levels. Such Child Labour Focal Points will be appointed by the Provincial and District administrations in their Provinces and Districts. They will engage and collaborate with the Child Development Committees to facilitate institutional coordination for mainstreaming of the issues across the programmes and for implementation of action.

Each Province and District, in consultation with the Ministry of Labour, will organize itself as is most feasible and cost-effective and best plac to support the implementation of the policy.

Partnering with Employers' and Workers' Organizations:

Employers and workers' organizations have a responsibility and a vital role to play, themselves and through their networks from central to grassroot levels, in ending and preventing child labour and ensuring the protection of young workers of legal working age.

Mainstreaming child labour issues and concerns in the policies, mandates and work of employers' and workers' organizations is critical. The Ministry of Labour and the employers' and workers' representatives of the National Steering Committee on Child Labour will identify specific action, including training, and targets in this regard and facilitate its implementation.

Partnering with the Private Sector:

The private sector has the responsibility to put in place policies and measures within their respective sectors to ensure compliance with national laws and codes of conduct or treatise they are committed to and to contribute to building an educated and qualified workforce without underage children in the formal and informal supply chains, increasing Sri Lanka's competitiveness.

The Ministry of Labour in consultation with the employers' and workers' representatives of the National Steering Committee on Child Labour will identify the types of specific action, including training, and targets in this regard and facilitate its implementation.

Resources:

The Ministry of Labour and members of the National Steering Committee on Child Labour will advocate for funding of action under existing programmes and budgets of the concerned agencies as well as for additional budgetary allocations for eliminating child labour and the long-term rehabilitation of such children and families. These allocations will be made in the budgets of the key line agencies, which are the Ministries of Labour, Agriculture, Plantations, Education, Tourism and Fisheries and such other Ministries as decided and requested by the National Steering Committee.

Key Strategies for Policy Implementation

Mainstreaming in the Broader Policy and Action Context

The key and overarching strategy to achieve the intended outcomes of the policy is the mainstreaming strategy. Through it, the needs and aspirations of children and young persons will be taken into the planning and implementation of national development policies and programmes and their respective budgets so that an integrated and comprehensive response is provided to the multiple issues of the child labour phenomenon.

Of particular significance in this regard are: Decent work for adults as specified in the National Human Resources and Employment Policy-2012 and the Youth Employment National Action Plan of August, 2006; the progressive extension of social welfare measures, such as the "Samurdhi" appropriate and adequate facilities for education and vocational orientation; and appropriate and adequate facilities for the protection and welfare of children and young persons, including employed young persons, and for the promotion of their development.

The key strategies for policy implementation would encompass on -

- Achieving consistency between age for completion of education and minimum age for employment;
- Strengthening of implementation of the Hazardous Occupations Regulation and reinforcing its awareness and prosecution procedure;
- Enforcing conditions of employment and increasing through practice, policy measures and financial commitment the outreach of the labour inspectorate to reach informal work places as well;
- Training of young persons, geared to eradication of child labour.
- Promoting the enforcement of wages and benefits provisions in the Employment of Women, Young Persons and Children Act No. 47 of 1956;
- Enhancing inter-agency and intra-agency collaboration mechanisms;
- Strengthening the enforcement system, particularly through effective application of the Employment of Women, Young Persons and Children Act No. 47 of 1956 and the Hazardous Occupations Regulations and other relevant legislation, particularly through training; age-verification; an integrated approach to labour inspection; effective prosecution and penalties; and maintaining complaints procedures, among other measures.
- Development of communication network

The National Policy on Elimination of Child Labour draws special attention to the situation of girls, the very young, the migrant or children, subject to trafficking and those who do not live with their own families and unprotected children.

Communication - Reaching out and Feedback:

An effective communications strategy on child labour will be developed and implemented. Special attention will be given to feedback loops to ensure that the actions and policy remain relevant and effective.

Review and Evaluation:

An internal review of policy implementation will be undertaken by the Ministry of Labour on a yearly basis to review action and results and provide feedback through communication loops with Provincial Secretaries and District Child Development Committees in the Provinces and Districts. Findings and recommendations, including for any changes to the policy directions, will be presented to the National Steering Committee at a minimum.

The internal review will benefit from findings of the Child Activity Surveys and other surveys that provide estimates and information on the child labour situation.

Risks and Challenges:

The success of the policy rests on understanding and managing the risks and challenges. Certain groups and institutions in particular will face risk and challenges in the initial stages of Policy implementation. These include, but are not restricted to risks to line Departments and agencies, employers, families, schools, teachers and administrators, workplaces, communities, skills training providers, policy makers, service providers, etc.

Duration:

The implementation of the National Policy on Elimination of Child Labour will be an ongoing process until achieving its objects comprehensively. It will be amended, modified or updated as deemed necessary by the National Steering Committee and as approved by the government.



Background to the Policy

The problem of child labour in Sri Lanka is not extensive as it experienced in other countries in the South Asia region. However, the current socio-political climate and the country's ambitious development targets can only be achieved if child labour, particularly its worst forms (Box 1), is addressed collectively with enabling policies and sustained action by all duty bearers and stakeholders.

Box 1: Worst Forms of Child Labour as per ILO Convention No. 182

ILO Convention on **Worst Forms of Child Labour**, 1999 (No. 182), ratified by Sri Lanka, in categories the worst forms in Article 3 as:

- a) (All forms of) slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- b) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- c) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs;
- d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

The Constitution of the Democratic Socialist Republic of Sri Lanka of 1978 in Article 27 (13) Directive Principles of State Policy identifies the duty of the State to promote with special care the interests of children and youth, so as to ensure their full development, physical, mental, moral, religious and social and also to protect them from exploitation and discrimination.

The Employment of Women, Young Persons and Children Act No. 47 of 1956 regulates the work, working hours and conditions of children and young persons and prohibits work in specified occupations and processes through its Hazardous Occupations Regulations of 2010. Other Acts such as the Factories Ordinance No. 45 of 1942, Wages Boards Ordinance No. 27 of 1941, Shop and Office Employees Act No. 19 of 1954, Indian Immigrant Labour Ordinance, No. 1 of 1923 too prohibit employment of children below the age of 14 years. Additionally, a number of other laws have direct or indirect bearing on the child labour situation in the country.

Box 2: Definition of Child and Young Person as per Act No. 47, 1956

The Employment of Women, Young Persons and Children Act No. 47 of 1956, defines a child as a person under the age of 14 years and a young person as a person who has attained the age of 14 but is under 18 years.

While laws contribute to the enabling environment for action on child labour, enforcement is constrained and poses challenges particularly in regard to prosecution, securing admissible evidence, witness protection, and ensuring efficient and child-friendly juvenile justice procedures.

In 2010, the government, members of the National Steering Committee on Child Labour¹ along with employer organizations and trade unions and key stakeholders in Sri Lanka renewed their commitment to end the worst forms urgently, while working toward the elimination and prevention of all forms of child labour.² The policy context was reinforced and streamlined as a result of the Regulations of 2010,

¹ National Steering Committee on Child Labour is convened and chaired by Secretary, Ministry of Labour, and composed of representatives of key line Departments, Employers' and Workers' organizations, and civil society.

² Action was initiated to test district models, such as the Ratnapura Child Labour Free Zone through the District Mainstreaming Strategy for eliminating the worst forms of child labour by creating child labour free zones. The target is expected to be met in selected areas.

the development of the Road map, including an Indicative Programme of Action, and identification of the overall strategy of mainstreaming to help achieve the objectives. Selected national and sectoral policies and programmes impacting child labour were analyzed and recommendations provided guidance for initial mainstreaming efforts. Furthermore, an institutional structure was outlined to implement action.

Sri Lanka's efforts to end child labour in the country contribute to the efforts, including ratification and implementation of international treaties, global thematic campaigns and discussions on strategies, lessons and good practices.³ In 2010, Sri Lanka joined the global community to pledge its support to the elimination of the worst forms of child labour. Its national efforts have contributed to global know-how and to progress in ending child labour, with a priority on the worst forms, in the country. The National Policy on Elimination of Child Labour in Sri Lanka (NPECL) and its implementation will re-energize the momentum through partnerships, collaborative planning and action, and shared responsibility.

02



The Child Labour Situation

The Child Activity Survey (CAS) Report provides estimates on children's work, both legal and prohibited. Information from the current report as well as the trends from one period to another will be used to help prioritize geographical areas and the types of problems that need urgent response interventions, for instance to address hazardous child labour and to protect young people who are economically active at the legal age for employment.⁴

The Child Activity Surveys capture data on the hazardous child labour category. Child labour exists in other categories and efforts are needed to capture all forms of child labour and consolidate the information for planning and implementation.

Some economic sectors attract concentration of child labour. Among these in Sri Lanka are fisheries, tourism, the small private estates, and domestic labour. *Fishing or fisheries*, is included in the agriculture sector and the list of Hazardous Forms of Child Labour (2010) identifies a range of activities related to fishing/fisheries that put children at risk of engaging in the worst forms of child labour and these are therefore prohibited. The worst forms of child labour are a problem in *tourism*, particularly sexual exploitation of children among young boys (commonly referred to as the beach boys' phenomenon). The concern is extremely urgent because of the rapid increase in tourism and the policies and measures put in place to expand it further. The National Policy on Elimination of Child Labour will ensure that linkages to the key agencies and stakeholders lead to coordinated response for the children.

While the Regional Plantation Companies adopt a zero tolerance policy on child labour and many have increased the minimum age of employment to 16 or 18 years, child labour is a problem in the *small, private estates*. The implementation of the National Policy on Elimination of Child Labour will form collaborative partnerships to link information and resources to address issues on the small private estates that lead to child labour. Among the problems noted are high poverty rates, alcoholism amongst adult workers and domestic violence. These factors contribute to high school dropout rates, trafficking and

³ Sri Lanka participated in the 2010 Third Global Conference on Child Labour (The Hague) and the 2013 Fourth Global Conference (Brasilia, 2013).

⁴ Child Activity Survey (CAS), Department of Census and Statistics (DCS), 2008-09, statistics and information from the Report reiterates the need for urgent action to address child labour, particularly hazardous child labour (one of the worst forms) estimated around 64,000 and as well as around 100,000 children and young persons of 5 to 17 years (i.e. 2.5 per cent of the over 4.3 million total) who are estimated to be in child labour. (Important-CAS frame work exceeds the limitation of legal interpretation of child in employment. As such the estimated figures are somewhat distorted.)

child domestic child mainly in the urban areas or to caring for siblings while both parents go out to work.⁵ The Child Activity Survey reports that primary reasons for non-attendance have been weak performance in education, financial difficulties, disability and engagement in economic activities, in that order. Sector-wise, the highest number of children leaving school for financial reasons was found amongst the estate sector whilst the engagement in economic activities was highest amongst children in the rural sector.⁶ Overall, school non-attendance was highest amongst the estate children⁷. Addressing the factors that contribute to this situation on the private estates requires integrated and well-targeted policies and interventions as put forth in the National Policy on Elimination of Child Labour.



03

Legal and Policy Framework

Sri Lanka's State capabilities in terms of the national development context, laws, policies and programmes; public and private institutions and civil society organizations and social structure created a context that by and large made it possible for children to attend school and stay out of child labour and for them and their families to benefit from social protection measures. In today's globalized economy that brings the benefits and constraints and challenge children become increasingly vulnerable to violence and exploitation, including child labour and its worst forms.

3.1 The Legal Framework

The Constitution of the Democratic Socialist Republic of Sri Lanka of 1978 guarantees the right to equality and non-discrimination of its people under Section 12 (1). It also identifies under Article 27 (13) of the Directive Principles of State Policy, the duty of the State, to promote the interests of children and young persons to ensure physical, mental, moral, religious and social development and also to protect them from exploitation and discrimination.

The Employment of Women, Young Persons and Children Act No. 47 of 1956, (EWYPCA) regulates the work, working hours and conditions of children and young persons. The Act defines a child as a person under the age of 14 years and a young person as a person who has attained the age of 14 but is under 18 years⁸. The EWYPCA, Regulation of 2010, per Gazette Notification No. 1695/32 of March 2011 determines a list of hazardous forms of child labour, to protect children above the minimum age of employment, in fulfilling the States obligation under Article 3 (d) of ILO Convention 182 ratified in March 2001. A number of other laws have direct or indirect bearing on the child labour situation in the country.

The Ministry of Labour draws its mandate to address the child labour issue most directly through enforcement of the Employment of Women, Young Persons and Children Act No. 47 of 1956, which directly address hazardous child labour, or,

"Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children."⁹

⁵ Data on labour and child labour conditions in the private estates is remote, particularly for non-tea smallholder estates, such as cinnamon, cashew and palmyrah plantations.

⁶ Department of Census and Statistics, CAS 2008/2009, (Sri Lanka) (pp.) 21- 24.

⁷ Supra CAS 2008/2009 (p.) 22.

⁸ Extra Ordinary Gazette No. 1116/5 of 26th January 2000

⁹ ILO Convention on Worst Forms of Child Labour, 1999 (No. 182)

The Factories Ordinance No. 45 of 1942 and Shop and Office Employees Act No. 19 of 1954 too, make reference to child work. The latter stipulates a minimum age of employment in congruence with the EWYPCA and the former regulates pay, overtime and holidays for child workers above the minimum age of employment.

Given that child labour takes place in the informal sector, other national legislation, such as the Adoption of Children Ordinance No. 24 of 1941, Prevention of Domestic Violence Act No. 34 of 2005, Youthful Offenders (Training School) Ordinance No. 28 of 1939 and National Child Protection Authority (NCPA) Act No. 50 of 1998, has sufficiently wide scope to bring within its ambit cases of worst forms of child labour and child labour in the informal sector¹⁰ supporting the work of the Department of Labour as does the Penal Code provisions that cover the worst form of child labour.¹¹

In terms of targeting the "worst forms of child labour" the other forms of child labour, the Ministry of Labour shares the responsibility for the prevention and elimination of child labour, with those Ministries that have specific mandates for categories of child labour that are specified as the worst forms in the ILO Convention on Worst Forms of Child Labour, 1999 (No. 182). These forms are;

"(All forms of) slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom are practically not experienced in Sri Lanka and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict", are also practically not experienced in Sri Lanka in the present context. "The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs;" are such worst forms of child labour, Sri Lanka need to have a fresh approach to the issues.

Other laws that require examination of direct or indirect impact on eradication of child labour situation are: Vagrants Ordinance No. 4 of 1841; Maintenance Ordinance No. 19 of 1889; Children and Young Persons Ordinance (CYPO) No. 48 of 1939; Shop and Office Employees (Regulation of Employment and Remuneration) Act No. 19 of 1954; Children and Young Persons (Harmful Publications) Act No. 48 of 1956. Other Acts, including: the Mines and Minerals Act, the Explosives Act, the Trade Unions Ordinance No. 14 of 1935, the Brothels Ordinance, and Obscene Publications Ordinance.

The Penal Code sections 360A, 360B and 288A (as amended), prohibit a wide range of activities associated with prostitution, including the prohibition of the use, procuring or offering of minors under 18 years for prostitution. The Penal Code, as amended by Act, No.22 of 1995 and Act No.29 of 1998; and the Criminal Procedure Code No.15 of 1979 and Amendment Acts, Nos. 20 of 1995 and Nos. 28 and 29 of 1998 also address child protection including situations and processes that lead to child labour including its worst forms.

The Compulsory Education Act No. 1 of 1998 (Chapter 185) well articulates the Education Policy of the country and has been strategic in sustaining the low rates of child labour in Sri Lanka. It reinforces the free education policy of the country that has been implemented since 1945 as a matter of right. Literacy rates in Sri Lanka are recorded to be 92 per cent. The government of Sri Lanka promulgated compulsory attendance of children at school Regulation No. 01 of 2015 under section 37 of the Education Ordinance (Chapter 185) by Gazette 1963/30 of 20/04/2016 making compulsory attendance to school raised from 14 years to 16 years. Accordingly, the law relating to employment is needed to be raised from 14 years to 16 years. Sustaining these social gains however, requires mutually close collaborative work with clear convergence of impact amongst those Ministries and the Departments responsible for addressing the various categories of the worst forms of child labour.

¹⁰ Under Section 33 of the NCPA Act, the Authority is empowered to 'enter and search' even without a police warrant but on a written instruction to an authorized officer or authority. This authority is sufficiently broad to cover child abuse or to cover children kept for 'any other lawful purpose' as well.

¹¹ Penal Code (Amendment) Act No. of 1995 Sections 358 and 360 (e).

3.2 The Policy Environment

There are many key policies and programmes that make a difference in the child labour situation and the lives of children. Among these policies, those are targeted specifically at children and child labour (such as child protection, education, child labour), but also those that are targeted at specific economic sectors (as policies on fishing/fisheries, plantations/estates, tourism, construction, among others, do), or those that target specific subsets of populations (as policies on social welfare and youth employment do) and those that target the general population (as policies on national development, employment and health do).

It is the culminating impact, positive and negative, that determines the socio-economic situation of the family and whether or not the child will end up in child labour.

As has been noted, a number of other critical elements of the integrated response do not fall under the direct responsibility of the Ministry of Labour, but the Ministry will use its good offices to leverage the support needed. To do so, the Ministry will rely primarily on the strategy of mainstreaming child labour issues and concerns in the key policies and programmes, thereby facilitating their convergence at the National, Provincial and District levels for an integrated response and sustained impact. On their part, all the concerned agencies and institutions at the National, Provincial and District levels, using the child labour lens, are to integrate, as relevant and appropriate, into their own policies and programmes the issues that impact child labour.

The table in Annex 1 provides an overview of the key national legislation, the main Ministries/Departments with the mandate for enforcement of the concerned legislation. It also attempts to correlate the national legislation links to the four worst forms of child labour categories as stipulated in Convention No. 182 on Worst Forms of Child Labour, ratified by Sri Lanka.

The government of Sri Lanka in June 2010, spearheaded a consultation process, guided by the members of the National Steering Committee on Child Labour and pledged at the 2010 Global Child Labour Conference to end the worst forms of child labour by 2016 and simultaneously work toward the elimination and prevention of all forms of child labour urgently. While the target has not yet been fully met, the development of the Road map, including an Indicative Programme of Action and the review of different policies and programmes to assess how child labour was being addressed through them and the recommendations that followed, resulted in the testing of the District Mainstreaming Strategy, which has provided sound foundation for the development of the National Policy on Elimination of Child Labour, which can help pull together the context for fast-track action towards the realization of the goal.

The achievement of the elimination of the worst forms of child labour is feasible in Sri Lanka for a number of reasons, provided the required support, including the technical, is provided. The political climate since the end of the conflict in 2009 has been conducive to peace and stability. It is recognized that the country's ambitious socio-economic development targets can be achieved if child labour is addressed collectively through sustained action and policies.

Laws and policies that are coherent, updated and in line with Sri Lanka's aspirations for its children and the country's development ambitions as well as its regional and international commitments on children are an important part of an integrated response to the problem of child labour as well as to a life-cycle approach to decent work for youth. The impact of these laws and policies lies in their effective enforcement and implementation.



Policy Objectives

The National Policy on Elimination of Child Labour will contribute to ending and preventing child labour, with a priority on its worst forms, through effective enforcement; mainstreaming child labor issues in key development policies and programmes; collaborative action with key stakeholders at the national and sub-national levels; promoting and facilitating a sustainable life-cycle approach to decent work, particularly for Sri Lanka's youth.



Scope of the Policy

The issues of child labour are surrounded by multi-faceted problems requiring multi-faceted solutions through multifaceted institutions. Household poverty, lack of social protection measures and shocks and inaccessible to schools push the children to the workplace, unprotected entry points, mainly in the rural and urban economies absorb these vulnerable children as cheap, low-skilled and uneducated labour, inadequate labour administration and inspection systems allow children to fall through and to carry on prohibited and harmful work, and an uninformed public pays little or no heed to the plight of these children engaged in or at-risk of, child labour.

In Sri Lanka, as in other countries, the issue of child labour falls within the mandate of different Ministries at the national level and their respective Departments and offices at the Provincial and District levels. *This Policy, applies directly and primarily through the Ministry of Labour*, as related to the implementation of the Act to Regulate the Employment of Women, Young Persons and Children Act No. 47 of 1956, particularly the Hazardous Work Regulations No. 1695/32 of March 2011 (related to Section 20A of the Act).

The National Policy on Elimination of Child Labour applies through partnerships related to other laws, public policies and programmes that impact child labour. Among these are the Factories Ordinance, the Shop and Office Employees Act, the Wages Boards Ordinance, the National Child Protection Authority Act, the Penal Code, the Compulsory School Attendance Regulations, and the Tertiary and Vocational Education Commission Act (TVEC). This requires collaboration with key factors, including but not limited to, the ministries and their institutions mandated on areas of justice, social welfare, police, probation and childcare, child development, child protection, education, employment, health, and youth affairs.

The National Policy on Elimination of Child Labour also applies through partnerships related to the policies and work of employers' and workers' organizations, sectoral governmental and non-governmental organizations and agencies, through collaborative and integrated efforts and measures, these actors mainstream.



Beneficiaries of the Policy

As a result of the action taken by the Ministry of Labour and its collaborators and partners to implement the National Policy on Elimination of Child Labour, it is estimated that over 100,000 children will benefit directly. It will also prevent large numbers from entering into child labour.¹²

- First, and foremost approximately 64,000 children and young persons said to have engaged in hazardous work, who will be withdrawn from hazardous work and through linked to appropriate education, training, rehabilitation and re-integrations services.
- Children who have been victims of trafficking, or are at-risk, such as the sale and trafficking of children and forced or compulsory labour.
- The children who are victims of prostitution, or pornographic productions or performances; and
- An unestimated number of children who are engaged in illicit activities, in particular for the production and trafficking of drugs, alcohol and other illicit substances.

The indirect beneficiaries also will be young people and businesses with an educated, skilled and competitive workforce and effective governance systems that ensure the sustained impact of being 'child labour free' once it is achieved.



Implementation

7.1 Institutional Structures and Mechanisms

Primary responsibility for the implementation, monitoring and reporting of the National Policy on Elimination of Child Labour rests with the Ministry of Labour.

At the national level, the National Steering Committee (NSC) on child labour, chaired by Secretary of Ministry of Labour, is the coordinating body on the issue of child labour and will serve as the advisory body for the implementation of the National Policy on Elimination of Child Labour. The National Steering Committee is composed of representatives of key government, employers' and workers' organizations, and non-governmental organizations (NGOs). Relevant UN/international agencies, namely the ILO and UNICEF and such other institution or agency as decided by the National Steering Committee may serve in advisory capacity and such other any agency as decided by the NSC. The NSC membership is to be reviewed in light of the need of the policy and reconstituted to assure that representatives from all relevant organizations and agencies are represented.

A special unit on child labour, supervised by the existing Division for Women and Children Affairs of the Department of Labour under the Ministry of Labour will be assigned within the Ministry. It will serve as the secretariat for the implementation of the policy. It will work closely with the Provincial and District

¹² The estimates for children in hazardous work and in employment are based on the Child Activity Survey 2008/2009. The Policy beneficiaries can be adjusted in view of new estimates should they become available during the course of implementation.

structures as well as with other collaborating partners and will be responsible for monitoring of the child labour situation in all 25 Districts and assessing the situation.

The Ministry, Provinces and Districts will establish linkages, coordination, reporting and other work mechanisms with the unit to enable it to carry out its function. As each District reaches child labour elimination status, the situation will be assessed and a systems verification done by this Unit. Thereafter, the Unit will certify each District as child labour free and continue to report on it until the situation is fully secured. Accordingly, the National Steering Committee will decide that Division or District as child labour free Division, or District as the case may be.

At the Provincial level, the Provincial Secretariat will ensure coordinated action against child labour integrating child labour concerns and responses in their Provincial Plans.

At the District level, the District Child Development Committee (DCDC) performs the coordinating role for action related to children. The DCDCs have the potential to support coordinating action against child labour as well. As Chair of the DCDC, the District Secretary can ensure that child labour issues and concerns are effectively mainstreamed into the District Development Plans and adequate financial allocation is provided to reach District level targets.

Each Province and District, in consultation with the Ministry of Labour, will organize itself as is most feasible and cost-effective and best placed to support the implementation of the policy.

7.2 Coordination in Provinces and Districts

For the policy to be successful, it must be internalized by the wide-ranging partners and stakeholders, which can lead to effective implementation in local contexts. Coordination amongst institutions and implementers, horizontally and vertically: National, Provincial, District, Divisional and Grama Niladhari (village) levels will be ensured. The Ministry of Labour will therefore strengthen mechanisms for coordination and collaboration with the relevant Provincial and District authorities.

Primary among the key implementing machinery to be engaged by the Ministry of Labour are: Department of Labour, National Child Protection Authority: Department of Probation and Child Care Services, Ministry Women and Child Affairs, Department of Police, Ministries of Justice, Education, Tourism, Fisheries, Agriculture, Youth Affairs, Skills Development, the Attorney General's Department, employers' and workers' organizations, the Plantation Human Development Trust, teachers and their organizations, the private sector and their associations, training colleges and vocational training service providers and media among others.

While the national institutions take the lead in policy development, mainstreaming into all relevant policies, and policy coherence, the District, Divisional and Grama Niladhari (village) take the lead in enforcement and implementation of the policy.

The Provincial and District authorities will organize existing or new teams/committees (as most feasible within their respective contexts) and assign to them the task of leading the implementation of the policy, in coordination with the Ministry, within the respective Province/District. These are likely to be the existing Child Development Committees or their sub-team. They must be multi-sectoral, comprised of officials from child and women development labour, health, and social protection, as well as police counselors and representatives of employers' and workers' organizations, and civil society organizations, among others.

Child Labour Focal Points will be appointed by the Provincial and District administrations in their Provinces and Districts. They will engage and collaborate with the Child Development Committees/teams to facilitate institutional coordination for mainstreaming of the issues across the programmes and for implementation of action.

7.3 Partnering with Employers' and Workers' Organizations

Employers' and workers' organizations have a responsibility and a vital role to play in ending and preventing child labour and ensuring the protection of young workers of legal working age.

Mainstreaming child labour issues and concerns in the policies, mandates and work of employers' and workers' organizations is critical. The Ministry of Labour and the employers' and workers' representatives of the National Steering Committee on Child Labour will identify specific action, including training, and targets in this regard and facilitate its implementation.

Effective enforcement and the prevention and withdrawal of children from child labour will be complemented with seamless transition to education, training and other development services that lead to the economic empowerment of families, social protection measures, and opportunities and qualifications for the older children as they enter the labour force at the legal working age.

7.4 Partnering with the Private Sector

In addition to responsibility of the public sector institutions, the private sector has the responsibility to put in place policies and measures within their respective sectors to deal with the child labour problem from its perspective. This will, on the one hand, ensure compliance with national laws and on the other hand, contribute to an educated and qualified workforce without underage children in the formal and informal supply chains, increasing Sri Lanka's competitiveness. Key sectors and subsectors in this regard are: tourism, fisheries, and the plantations. The informal economy, including child domestic labour, is an area of major concern.

The Ministry of Labour and the employers' and workers' representatives of the National Steering Committee on Child Labour will identify specific action, including training, and targets in this regard and facilitate its implementation.



Key Strategies for Policy Implementation

8.1 Mainstreaming in Broader Policy and Action Contexts

The National Policy on Elimination of Child Labour places high priority on mainstreaming the needs and aspirations of children and young persons in the planning and implementation of national development policies and programmes and in their respective budgets so that an integrated and comprehensive response is provided to the complexities of the child labour phenomenon.

Child labour does not exist in isolation and, therefore, special attention is given to those policies and programmes that alleviate poverty and enhance family living standards and incomes so that families do not shift the economic responsibility to their children prematurely. Of particular significance in this regard are:

- Decent work for adults as specified in the National Human Resources and Employment Policy 2012 and the Youth Employment National Action Plan of August 2006;
- The progressive extension of social welfare measures, such as the 'Samurधि', to support families in need; social security and family welfare measures, including children's allowances, aimed at ensuring child maintenance;
- Appropriate and adequate facilities for education and vocational orientation and training that are appropriate in form, content, access and delivery to the needs of the children and young persons concerned;
- Appropriate and adequate facilities for the protection and welfare of children and young persons, including employed young persons, and for the promotion of their development.

The National Policy on Elimination of Child Labour draws special attention to the situation of girls, the very young, the migrant or trafficked children, and those who are at-risk of engaging in child labour, including those who do not have families or do not live with their own families and are thus 'unprotected' children.

8.2 Striving to Increasing the Minimum Age for Employment

In line with the Employment of Women, Young Persons and Children Act No. 47 of 1956, the National Policy on Elimination of Child Labour applies to children and young persons below 18 years of age. For the purpose of this Act, 'a child is a person under the age of 14 years and a young person is someone who has attained the age of 14 but is under 18 years'. The Hazardous Occupations Regulations, 2010, applies to children and young persons below 18 years of age.

The minimum age for employment shall not be less than the age of completion of compulsory schooling, i.e. 16 years. With the compulsory education age raised to 16 years, the Ministry of Labour will pursue action to make the minimum age for employment consistent with the age for completion of compulsory schooling.

8.3 Promoting effective implementation of the Regulations on Hazardous Occupations

The Ministry of Labour may re-examine periodically and revise the Hazardous Occupations Regulations

where necessary, particularly in the light of advancing scientific and technological progress and the rapid development in the country.

Creating awareness about the Hazardous Occupations Regulations will be carried out through workplaces and general campaigns, including those targeted at sectoral implementing machinery and families and communities.

8.4 Enforcing Conditions of Employment

The Ministry will promote and enforce the Conditions of Employment as provided in the Employment of Women, Young Persons and Children Act No. 47 of 1956 and will constantly improve these through practice, policy measures and financial commitment to stretch the outreach of the labour inspectorate to reach informal work places as well.

8.4.1 Training of Young Persons

The Ministry will ensure that standards (including on occupational safety and health) for the protection and development are for conditions in which children and young persons undergo vocational orientation and training within undertakings, training institutions and schools for vocational or technical education. For young persons at legal working age, the conditions of work are to be closely and regularly supervised and appropriate instructions are to be provided to all concerned, including the children and young persons.

8.4.2 Inter-agency and Intra-agency Collaboration Mechanisms

The National Policy on Elimination of Child Labour recognizes the critical significance of ensuring that young persons at the workplace benefit from child protection and care services as do other young persons of their age. This calls for close collaboration between labour administration services and departments and agencies responsible for the education, training, welfare, guidance and protection of children and young persons. Towards this end, clear and simple mechanisms are to be developed for intra-agency collaboration.

8.5 Strengthening the Enforcement System

The National Policy on Elimination of Child Labour considers it a matter of high priority to establish measures that ensure the effective application of the Employment of Women, Young Persons and Children Act No. 47 of 1956 and the Hazardous Occupations Regulations and other relevant legislation, and the monitoring and outcome of the application.

8.5.1 Training

Strengthening of labour inspection and related services will be achieved through training and re-training programmes, resources and tools, and facilitation of access to work places, including those involving legal education for children and young persons in undertakings as permitted by the Employment of Women, Young Persons and Children Act No. 47 of 1956.

8.5.2 Age-verification

The National Policy on Elimination of Child Labour calls on the Ministry of Labour to collaborate with concerned agencies and put in place a credible age-verification system when the same is not practical through employers' registers. Among these would be cases related to the informal economy or itinerant occupations whereby children and young persons are issued licenses or other documents indicating their eligibility for the work. The government will endeavor to issue National Identity Cards to all children and young persons to ascertain age.

8.5.3 An Integrated Approach to Labour Inspection

As much as possible, the labour administration services will work in close co-operation with other inspection systems and service providers, particularly those responsible for the education, training, welfare, and services to young persons. They will also benefit from links to community monitoring systems to maximize limited resources and expand the scope and coverage.

8.5.4 Effective Prosecution and Penalties

The Ministry and its partner agencies such as the Police Department and the Ministry of Justice, are to facilitate effective and timely prosecutions, the application of penalties including, where appropriate, criminal penalties for violations of the national provisions of the laws and compensation and reintegration of children to mainstream education or viable and decent alternative for those above the minimum age of employment, the later, as a matter of choice, based on the evolving capacities of the individual child.

8.6 Maintaining Complaints Procedures

Complaints procedures are to be maintained as permitted in the respective laws. There will be provisions to protect from discrimination and reprisals those who legitimately expose violations of the provisions of the law. Help lines or points of contact are to be established in collaboration with other agencies. The National Child Protection Authority (NCPA) as the Ombudspersons and complement the work of the Ministry of Labour to initiate action against violators.

The Ministry of Labour through the Department of Labour, works closely with the Police and the NCPA, both mandated under the Penal Code and NCPA Act to support the withdrawal of children from exploitative employment. exploitative employment.

09



Communication: Reaching out and Feedback

The Ministry of Labour and members of the National Steering Committee will promote awareness and implementation of the National Policy on Elimination of Child Labour through their respective constituencies. The National Steering Committee will further establish dissemination and feedback mechanisms.

10



Resources

The Ministry of Labour and members of the National Steering Committee on Child Labour will develop a plan for resource mobilization that seeks funding under existing programmes and budgets of the concerned agencies as well as additional budgetary allocations for programmes and measures to address child labour. Analysis of their respective policies and programmes as well as linkages with the Sustainable Development Goals and other relevant frameworks will strengthen the resource mobilization efforts for national and external funding.



11

Review and Evaluation

Institutional internal review shall be undertaken by the Ministry of Labour on a yearly basis to review results, assess progress, learn from experience and adjust based on experience. The findings will be presented to the National Steering Committee on Child Labour.

Evaluations will be undertaken as determined by the National Steering Committee.



12

Risks and Challenges

This policy tasks the National Steering Committee on Child Labour, under the leadership of the Secretary, Ministry of Labour, to provide support, through an effective and capacitated labour inspection system and the promotion of effective mainstreaming strategy so that districts and communities are able to provide services to the affected children and families.

The success of the policy rests on understanding and managing the risks and challenges, particularly those that certain groups and institutions will face in the initial stages of policy implementation. These include, but are not restricted to: *line Departments and agencies* that lack capacity and resources that must be available to implement the policy; *employers* who engage children and will no longer have access to the pool of child workers; *families* that rely on earnings of the children and have little or no alternatives; *schools* that lack facilities to accommodate the additional influx of children; *teachers and administrators* who lack skills to integrate and support students from a working background; *communities* that lack capacities and mechanisms for support and child protection systems, including community-based child labour monitoring; *skills training providers* who will need to address the needs of young trainees who do not fully meet their training criteria; *workplaces* who will need to improve working conditions for young workers of legal working age; *policy makers* who will need to ensure policy coherence to enable an integrated response; *service providers* who will need to apply convergent and collaborative approaches in their planning, implementation, monitoring and reporting; and *emerging child labour situations* for which there are inadequate knowledge, tools and data.



Constraints in Formulation of the Policy

The data made use in this policy document are from the "Child Activity Survey of 2008/2009", conducted by the Department of Census and Statistics. The real estimates may differ from the projected estimates given in the survey. The population subject to survey was the children with in the age group of 5 - 17 years, and accordingly the total involved with child labour estimated at 2.5% of the survey population, which projected as 4,338,709. The figure so arrived is based on the age group from 05 years to 17 years identified as "Child Labour" is ex-facie inconsistent with the definition given to the child in Employment of Women, Young Persons and Children Act, No. 47 of 1956, where a child is defined as "a person under the age of 14 years". This basic error based on the survey reflected, invalid figure is estimated and that need to be rectified in the future survey to view a real figure on Child Labour.



Duration

The National Policy on Elimination of Child Labour its implementation shall be a continuous process until the objectives are comprehensively achieved. It may be updated, amended or modified suitably as deemed necessary by the National Steering Committee with the approval of the government.



Overview of the key national legislation, the main Ministries /Departments with the mandate for enforcement of the legislation

National Legislation	Ministry/Department with mandate for implementation of the Act	Link to Category of Worst Forms of Child Labour
<ul style="list-style-type: none"> The Employment of Women, Young Persons and Children's Act, No. 47 of 1956 The Hazardous Occupations Regulations No. Gazette Notification No 1695/32 of March 2011 	Ministry of Labour, Trade Union Relations and Sabaragamuwa Development	Work, which by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children
<ul style="list-style-type: none"> Penal Code (Amendment) Act. No. 16 of 2006 Section 385A 	National Child Protection Authority, Police Department. Attorney-General's Department	(All forms of) sale and trafficking of children, forced or compulsory labour, including forced or compulsory recruitment illicit activities.
<ul style="list-style-type: none"> Penal Code (Amendment) Act. No. 16 of 2006 <p>Sections 358 - 360A, 360 B, 360 C, 360 (D), 360 (E) and 288A</p>	National Child Protection Authority, Police Department Attorney-General's Deptment	The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances
<ul style="list-style-type: none"> The Penal Code (Amendment) No. 16 of 2006 – Section 360 (c) extends the offence to 'any other act that constitutes an offence under the law' Criminal Procedure Code 	National Child Protection Authority, Police Department Attorney-General's Department	The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs
<ul style="list-style-type: none"> Adoption of Children Ordinance 	Ministry of Women and Child Affairs Department of Probation and Child Care Services	(All forms of) trafficking of children
<ul style="list-style-type: none"> Education Ordinance/ Compulsory School Attendance by Law (2006) 	Ministry of Education	Concerns all forms; prevention and education
<ul style="list-style-type: none"> Children and Young Person's Ordinance 	Ministry of Women and Child Affairs	Covers all forms; related to care and protection



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