

UN CRC	Ratification Date	Care-Related Concluding Observations
	21 Jul 1991	<p>CRC/C/LKA/CO/5-6</p> <p>2 March 2018</p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fLKA%2fCO%2f5-6&Lang=en</p> <p>III. Main areas of concern and recommendations</p> <p>C. General principles (arts. 2, 3, 6 and 12)</p> <p>Non-discrimination</p> <p>16. The Committee urges the State party to take awareness-raising measures targeted at adults and children to overcome the prevalent perception that children are inferior to adults and to treat children as rights holders. Furthermore, the Committee recommends that the State party:</p> <p>...</p> <p>(b) Adopt a proactive and comprehensive strategy containing specific and well-targeted action, including affirmative social actions to eliminate discrimination against children in marginalized or vulnerable situations, including girls, children belonging to ethnic or ethnoreligious or indigenous minority groups, children subjected to caste-based discrimination, children living in rural areas, refugee and internally displaced children, children in street situations, children of migrant workers abroad, children in institutional care, children with disabilities and lesbian, gay, bisexual, transgender and intersex children;</p>

		<p>E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)</p> <p>Violence, including corporal punishment</p> <p>21. The Committee, while noting with appreciation that the State party has accepted a recommendation issued in the course of the universal periodic review in November 2017 that corporal punishment should be prohibited in all settings, is deeply concerned that high numbers of children are subjected to abuse and violence, including corporal punishment, and that corporal punishment remains legal in the home, alternative care settings, penal institutions and schools.</p> <p>22. The Committee, recalling its previous recommendations (see CRC/C/LKA/CO/3-4, para. 41, and CRC/C/15/Add.207, para. 29), and with reference to its general comments No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment and No. 13 (2011) on the right of the child to freedom from all forms of violence and taking note of target 16.2 of the Sustainable Development Goals on ending abuse, exploitation, trafficking and all forms of violence against and torture of children, urges the State party to prioritize the elimination of all forms of violence against children and to:</p> <ul style="list-style-type: none">(a) Prohibit unequivocally by law, and without any further delay, corporal punishment, however light, in all settings, repeal any legal defence concerning its use and ensure that the relevant laws are effectively implemented and that legal proceedings are systematically initiated upon their breach;(b) Increase the capacity of relevant groups of professional, in particular law enforcement officers, health personnel, social workers and the judiciary, including quazis, to handle cases of violence against children, including the capacity to bring cases of domestic child abuse under the Prevention of Domestic Violence Act;(c) Introduce sustained public education, awareness-raising and social mobilization programmes, involving children, families, communities and religious leaders, on the harmful effects of corporal punishment, with a view to changing the general attitude towards this practice, ensure children's involvement in the design of prevention strategies and promote positive, non-violent, participatory forms of childrearing and discipline as an alternative to corporal punishment;
--	--	--

		<p>(d) Regularly monitor the situation of children in all places of detention, install closed complaint boxes in prisons, police stations and remand homes to enable children to confidentially complain about torture or ill-treatment when in detention, and ensure unimpeded access by the Human Rights Commission of Sri Lanka to police stations and detention facilities;</p> <p>(e) Allocate all necessary resources to efforts to implement the national plan of action to prevent child abuse (2016 onwards) and to ensure that efficient follow-up measures are taken where child abuse is reported via helplines.</p> <p>F. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))</p> <p>Family environment</p> <p>27. The Committee, in the light of its general comment No. 22 (2017) on the general principles regarding the human rights of children in the context of international migration, issued jointly with the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, and in view of the relatively high number of parents who migrate abroad for work, leaving their children behind, recommends that the State party:</p> <ul style="list-style-type: none">(a) Step up efforts to provide adequate support and work opportunities within the State party to families in disadvantaged and marginalized situations;(b) Establish adequate care options, avoiding institutionalization for children whose parents decide to migrate for work, and provide specific measures of support for these children, who are often subjected to dire situations;(c) Create incentives for parents to return, as well as enter into diplomatic agreements with the destination countries to ensure their right to freely leave their employer, visit and reunite with their children. <p>Children deprived of a family environment</p>
--	--	---

		<p>28. The Committee, drawing the State party's attention to the Guidelines for the Alternative Care of Children, emphasizes that financial and material poverty should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child's social reintegration, and recommends that the State party:</p> <ul style="list-style-type: none">(a) Ensure that families who are destitute are provided with the necessary means to provide care for their children;(b) Support and facilitate care for children in their families of origin, including single-parent families, establish a system of foster care for children who cannot stay with their families, with a view to reducing the high rate of institutionalization of children, and implement mechanisms to expand and stimulate the reintegration of children into their families;(c) Ensure adequate safeguards and clear criteria, based on the needs and the best interests of the child, for determining placement in alternative care and strengthen the periodic review of the placement of children in alternative care;(d) Enforce mandatory registration for childcare institutions, particularly in the north and east; criminalize the act of running a childcare institution without a license; establish a uniform set of standards for public and private institutions and voluntary homes; improve conditions in those facilities; monitor the quality of care provided therein by means of unannounced visits where children are heard without the presence of staff; provide accessible channels for reporting maltreatment, sexual abuse and exploitation of children; and ensure that perpetrators are brought to justice;(e) Ensure that children in need of care are under no circumstances placed together with children in conflict with the law;(f) Ensure that children who are institutionalized can access good quality education and quality health services. <p>I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)</p> <p>Children in street situations</p>
--	--	---

		<p>43. The Committee, with reference to its general comment No. 21 (2017) on children in street situations, recommends that the State party:</p> <p>...</p> <p>(c) Ensure that children in street situations are under no circumstances placed in detention merely for being in the street, that institutionalization is employed only as a measure of last resort where reintegration with family or foster care is not available and that, when implementing reintegration measures, the child’s best interests are fully respected and due weight is given to his or her views, according to age and maturity.</p> <p style="text-align: center;">Country Report</p> <p>CRC/C/LKA/5-6</p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fLKA%2f5-6&Lang=en</p>
OPSC to CRC	Ratification Date	Care-Related Concluding Observations
CRC/C/OPSC/LKA/CO/1	22 Sep 2006	<p>3 July 2019</p> <p>https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fOPSC%2fLKA%2fCO%2f1&Lang=en</p> <p>V. Prevention of the sale of children, child prostitution and child pornography (art. 9 (1) and (2))</p> <p>Measures adopted to prevent offences prohibited under the Protocol</p>

		<p>20. The Committee urges the State party to adopt a comprehensive approach to address the root causes of offences under the Optional Protocol and to target families and children in the most vulnerable situations. In particular, the Committee recommends that the State party:</p> <p>...</p> <p>(b) Strengthen its poverty reduction strategies and supportive social protection measures for families in disadvantaged and marginalized situations, including child-centred early intervention programmes, to support parents in better performing their care and protection responsibilities towards children;</p> <p>...</p> <p>VI. Prohibition of the sale of children, child pornography and child prostitution and related matters (arts. 3, 4 (2) and (3) and 5–7)</p> <p>Criminal or penal laws and regulations in force</p> <p>27. The Committee notes that the amended Penal Code prohibits the sexual exploitation of children, child pornography, procurement of children for prostitution, trafficking in children and inducing consent for the adoption of a child. However, the Committee is concerned at the confusion of the offences under the Optional Protocol with trafficking and the remaining gap in criminalizing all the offences. In particular, the Committee is concerned that:</p> <p>(a) While not explicitly defined, sale of children, a concept similar, but not identical, to trafficking in children, is nonetheless criminalized as trafficking;</p> <p>(b) Offences of offering, delivering and accepting a child for forced labour or the removal of organs are criminalized as trafficking but not as the sale of children;</p> <p>(c) Child prostitution and child pornography have not been criminalized as defined in articles 2 and 3 of the Optional Protocol;</p> <p>(d) Sections 360A (Procurement) and 365 (Unnatural offence) of the Penal Code only protect children up to the age of 16 from being procured for prostitution and from being involved in same-sex activity, with or without consent.</p>
--	--	---

		<p>28. The Committee urges the State party to review its Penal Code with a view to bringing it into full compliance with the Optional Protocol. In particular, the State party should:</p> <ul style="list-style-type: none"> (a) Define and criminalize the offences of the sale of children, child prostitution and child pornography, covering all the acts and activities prohibited under articles 2 and 3 of the Optional Protocol, including an attempt to commit any of those acts or complicity or participation in any of those acts; (b) Prohibit child and forced marriage; (c) Ensure that all boys and girls under the age of 18 are fully protected from all forms of sexual exploitation, including prostitution.
OPAC to CRC	Ratification Date	Care-Related Concluding Observations
	8 Sep 2000	
ICCPR	Accession Date	Care-Related Concluding Observations
	11 Jun 1980	
ICESCR	Accession Date	Care-Related Concluding Observations
	11 Jun 1980	
CEDAW	Ratification Date	Care-Related Concluding Observations
	5 Oct 1981	
CRPD	Ratification Date	Care-Related Concluding Observations
	8 Feb 2006	

UPR	Date of Consideration	Link to Page
	15 Nov 2017	http://www.ohchr.org/EN/HRBodies/UPR/Pages/LKIndex.aspx
Hague Intercountry Adoption	Ratification Date	Link to Country Profile
	23 Jan 1995	https://www.hcch.net/en/states/hcch-members/details1/?sid=70

Acronyms and Abbreviations:

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review