



Country fact sheet for the CRC

SRI LANKA

REPORT N°	Fifth and Six Combined Periodic Report (UNCRC)
PRE-SESSION/SESSION	<ul style="list-style-type: none"> ▪ Pre-sessional: 77th (June 2017) ▪ Sessional: 77th (January-February 2018)
LAWS (THC-1993, GUIDELINES, DOMESTIC LAWS)	<p>The Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption of 1993, in force since 1 May 1995;</p> <p>The UN Convention on the Rights of the Child of 1989, ratified 12 July 1991;</p> <p>Optional Protocol to the CRC, on the Sale of Children, Child Prostitution and Child Pornography of 2000, ratified 22 September 2006;</p> <p>Adoption of Children Act of 1956 and its Amendments of 1964, 1977, 1979 and 1992;</p> <p>Children and Young Persons Ordinance No. 48 of 1939, (1956 revision); The Alternative care, fostering and fit person procedure under the children and young persons ordinance (CYPO)</p> <p>A new five-year Action Plan on children for 2016-2020 has been developed by the MWCA and has been forwarded to the Department of National Planning for approval. The new Action plan focuses on the following six main sectors:</p> <ul style="list-style-type: none"> • Early childhood care and development; • Access, quality and relevance in Education; • Quality health care and nutrition status of children; • Protection and care for children; • Access to reliable water supply and sanitation facilities; and • Monitoring mechanism. <p><i>Source : Office of the Cabinet of Ministries:</i> http://www.cabinetoffice.gov.lk/cab/index.php?option=com_content&view=article&id=16&Itemid=49&lang=en&dID=7167</p>
GENERAL SITUATION OF CHILDREN DEPRIVED OF THEIR FAMILY	<p>The population in 2015 amounted to 21'446'000. 6'308'0000 are children under 18 and 1'883'000 are children under 5.</p> <p>According to UNICEF, unusually heavy rains created massive temporary displacement in December 2014 and 2015, with some 1.1 million people affected by flooding in the Northern, Eastern, North Central and Central provinces.</p> <p>According to a study conducted in 2014, there are 14,179 children (8,538 girls and 5,641 boys) residing in juvenile homes/residential care, showing an increase over the 13,214 children in residential care during 2013.</p> <p><i>Source: UNICEF statistics : https://www.unicef.org/infobycountry/sri_lanka_statistics.html; UNICEF 2015 country report :https://www.unicef.org/about/annualreport/files/Sri_Lanka_2015_COAR.pdf; UNICEF https://www.unicef.org/srilanka/overview_9304.html; National Institute for Social Development, a study of institutionalised children in Sri Lanka: a situation analysis 2014:</i></p>
ALTERNATIVE	<p><u>Kinship and foster care</u>: There is no data on children living in foster or kinship care, but most of the children seem to have been taken care of by their extended family.</p> <p>Foster care in regulated by CYPO (for children up to 16 years old) and decisions are taken by the</p>

<p>CARE OPTIONS</p>	<p>Court, which decides the length of the period. An order of the CYPO committing a child to the care of a Fit Person remains in force until he or she attains the age of 16 years. Foster carers receive monthly grants and foster parents must meet certain requirements. [Section 46(3)] Section 57 however makes provision for the minister to make rules in respect of the duties of Fit Persons and the manner in which children are to be dealt with even if they are over 16 years of age. Now informal cases will be formalized. Statistics???</p> <p><u>Residential care:</u> In 2013, there were 414 children’s homes in Sri Lanka, including homes for children who offended the law (remand homes, certified schools, detention homes and approved homes) and residential facilities for children who need care because they are orphaned, have been abandoned or suffer from poverty. Court orders and economic difficulties seem to be the main reason for institutionalisations. More than 50% of the children still have one parents and 31% both. 18% do not have both parents.</p> <p>91% of the institutions are run by non-governmental organisations.</p> <p>Source: https://www.unicef.org/srilanka/Current_Childcare_Analysis_book_Final.pdf CYPO : http://hrlibrary.umn.edu/research/srilanka/statutes/Children_and_Young_Persons_Ordinance.pdf</p>
<p>ADOPTION</p>	<p>The Children’s Ordinance, No.38 of 1979 provide for the ‘Adoption of Children, for the registration as custodians of persons having the care, custody or control of children of whom they are not the natural parents, and for matters connected with the matters aforesaid’.</p> <p>The procedure is the following:</p> <ul style="list-style-type: none"> • The adoptee child should not be more than 14 years. • The applicant should be more than 25 years of age and the age gap between the applicant and the adoptee child should be at least 21 years. (This will not apply if the child concerned is a descendant of the applicant / his brother or sister / any of their married partners). • The child's consent is required if he / she is over 10 years old • Spouses (husband and wife) should produce an application • Order of adoption is issued by the District Court • This order should be registered at the Registrar General's Department • The birth of the adoption child can be re-registered • Following documents should be submitted for re-registration of such birth • Application for a re-registration of a birth • Parents' certificate of Marriage • Parents' certificates Births • Certificate of the Adoption • The application for re-registration of a birth should be produced to the Zonal Office of the Registrar General's Department to which the area where the child is born belongs to. <p>Sri Lanka requires quarterly progress reports on the child until the adoption is legally confirmed in their state of residence; semi-annual process reports on the child, including his/her photograph, for a period of three years from the date on which the final adoption order in Sri Lanka is issued; annual reports for the child until he or she reaches ten years of age</p> <p>The French adoption authority mentions that only children with special needs are available for adoption. The Swiss adoption authority confirms that very few children are adoptable in Sri Lanka and that delays are very long.</p>

	<p>Domestic adoptions are encouraged and most children are adopted by Sri Lanka nationals.</p> <p>Source : http://www.gic.gov.lk/gic/index.php?option=com_info&id=1604&task=info&lang=en https://travel.state.gov/content/adoptionsabroad/en/country-information/learn-about-a-country/sri-lanka.html http://www.diplomatie.gouv.fr/fr/adopter-a-l-etranger/comment-adopter-a-l-etranger/les-fiches-pays-de-l-adoption-internationale/fiches-pays-adoption/article/adopter-au-sri-lanka https://www.bj.admin.ch/bj/fr/home/gesellschaft/adoption/herkunftslaender/srilanka.html</p>																																																																																																																																																																																																																																																																				
<p style="text-align: center;">STATISTICS</p>	<p>In France, there were 3 children adopted in 2014, 6 in 2015 and 3 in 2016.</p> <p>In the US, there were 5 children adopted in 2009, 4 in 2010, 3 in 2011, 1 in 2012, none in 2013 and 2014 and 1 in 2015.</p> <table border="1" data-bbox="363 667 1513 1205"> <thead> <tr> <th>Receiving Country</th> <th>2013</th> <th>2012</th> <th>2011</th> <th>2010</th> <th>2009</th> <th>2008</th> <th>2007</th> <th>2006</th> <th>2005</th> <th>2004</th> <th>2003</th> <th>2002</th> <th>2001</th> </tr> <tr> <th></th> <th></th> <th></th> <th></th> <th></th> <th>- 2009</th> <th>- 2008</th> <th>- 2007</th> <th>- 2006</th> <th>- 2005</th> <th>- 2004</th> <th>- 2003</th> <th>- 2002</th> <th>- 2001</th> </tr> <tr> <th></th> <th></th> <th></th> <th></th> <th></th> <th>2010</th> <th>2009</th> <th>2008</th> <th>2007</th> <th>2006</th> <th>2005</th> <th>2004</th> <th>2003</th> <th>2002</th> </tr> </thead> <tbody> <tr> <td>Australia</td> <td></td> <td></td> <td></td> <td></td> <td>3</td> <td>4</td> <td>11</td> <td>7</td> <td>3</td> <td>2</td> <td>2</td> <td>5</td> <td>2</td> </tr> <tr> <td>Belgium</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Canada</td> <td>1</td> <td>1</td> <td>1</td> <td></td> </tr> <tr> <td>Denmark</td> <td></td> <td></td> <td>9</td> <td>9</td> <td>5</td> <td>6</td> <td>3</td> <td>2</td> <td>2</td> <td>2</td> <td></td> <td></td> <td></td> </tr> <tr> <td>France</td> <td>2</td> <td>1</td> <td>9</td> <td>7</td> <td>8</td> <td></td> <td></td> <td></td> <td></td> <td>9</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Germany</td> <td></td> <td></td> <td>13</td> <td>5</td> <td>5</td> <td>12</td> <td>12</td> <td>8</td> <td>13</td> <td>19</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Italy</td> <td></td> <td></td> <td>18</td> <td>17</td> <td>14</td> <td>12</td> <td>8</td> <td>6</td> <td>4</td> <td>5</td> <td>7</td> <td>7</td> <td></td> </tr> <tr> <td>Netherlands</td> <td></td> <td></td> <td>19</td> <td>14</td> <td>16</td> <td></td> <td></td> <td>10</td> <td>10</td> <td>10</td> <td>8</td> <td>7</td> <td></td> </tr> <tr> <td>Norway</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>2</td> <td>3</td> <td>3</td> <td>3</td> <td>4</td> <td>3</td> <td></td> </tr> <tr> <td>Spain</td> <td></td> <td></td> <td>1</td> <td>2</td> <td>1</td> <td></td> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Sweden</td> <td></td> <td></td> <td>5</td> <td>2</td> <td>1</td> <td>2</td> <td>1</td> <td>2</td> <td>2</td> <td>2</td> <td></td> <td></td> <td>1</td> </tr> <tr> <td>Switzerland</td> <td></td> <td>2</td> <td>5</td> <td>5</td> <td>4</td> <td>1</td> <td>2</td> <td>2</td> <td>4</td> <td>3</td> <td>1</td> <td>2</td> <td></td> </tr> <tr> <td>United Kingdom</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>¹⁾</td> <td>¹⁾</td> <td>¹⁾</td> <td>¹⁾</td> <td>¹⁾</td> <td>¹⁾</td> <td>¹⁾</td> <td>¹⁾</td> </tr> <tr> <td>USA</td> <td></td> <td>1</td> <td>3</td> <td>4</td> <td>5</td> <td>2</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total</td> <td>3</td> <td>5</td> <td>83</td> <td>65</td> <td>3</td> <td>59</td> <td>4</td> <td>36</td> <td>11</td> <td>30</td> <td>7</td> <td>33</td> <td>3</td> <td>38</td> <td>2</td> <td>53</td> <td>2</td> <td>20</td> <td>5</td> <td>20</td> <td>2</td> </tr> </tbody> </table> <p>Source: http://www.diplomatie.gouv.fr/fr/adopter-a-l-etranger/comment-adopter-a-l-etranger/les-fiches-pays-de-l-adoption-internationale/fiches-pays-adoption/article/adopter-au-sri-lanka https://travel.state.gov/content/adoptionsabroad/en/country-information/learn-about-a-country/sri-lanka.html http://www.aican.org/statistics.php?region=0&type=birth</p>	Receiving Country	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001						- 2009	- 2008	- 2007	- 2006	- 2005	- 2004	- 2003	- 2002	- 2001						2010	2009	2008	2007	2006	2005	2004	2003	2002	Australia					3	4	11	7	3	2	2	5	2	Belgium							1							Canada	1	1	1											Denmark			9	9	5	6	3	2	2	2				France	2	1	9	7	8					9				Germany			13	5	5	12	12	8	13	19				Italy			18	17	14	12	8	6	4	5	7	7		Netherlands			19	14	16			10	10	10	8	7		Norway							2	3	3	3	4	3		Spain			1	2	1		1							Sweden			5	2	1	2	1	2	2	2			1	Switzerland		2	5	5	4	1	2	2	4	3	1	2		United Kingdom						¹⁾	USA		1	3	4	5	2								Total	3	5	83	65	3	59	4	36	11	30	7	33	3	38	2	53	2	20	5	20	2							
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<p style="text-align: center;">RISKS</p>	<p>The country suffers from a lack of prevention from family separation, as well as a lack of alternative care policy.</p> <p>Therefore, there is great risk that children keep on being separated from their families.</p> <p>When children are separated from their families, other options than institutionalisation do not seem to exist and the risk for children to live in an institution is great.</p> <p>The risk to be separated for economic reasons is also too high.</p>																																																																																																																																																																																																																																																																				
<p style="text-align: center;">POTENTIAL QUESTIONS</p>	<ul style="list-style-type: none"> • How does the government plan to develop strengthened family support programs and services to prevent family separations? • What is being done to further develop formal foster care programs throughout the country? • What is the government's plan to ensure that rights of children in care are being respected and that they receive quality care? 																																																																																																																																																																																																																																																																				