

Ayubowan, Vanakkam, As-Salaam-Alaikum, Good afternoon!

Madam Chairperson, Dr. Renate Winter,

Distinguished Rapporteurs for Sri Lanka and members of the UN Child Rights Committee,

Representatives of UN agencies and civil society members present,

Ladies and Gentlemen,

Thank you for your warm welcome [and in particular, for offering the condolences of the Committee regarding the Easter Sunday attacks which unfortunately caused almost 50 child casualties and left many others affected, for whom my Ministry, along with other ministries are engaged in providing support, including psycho-social assistance]. On behalf of the Sri Lankan delegation, I would like to express my Government's great appreciation for the work of the UN Child Rights Committee which has helped not only my country, but many countries around the world to uphold the rights of children and to facilitate the implementation of the Convention and its protocols. In demonstration of our commitment to eradicating challenges associated with the sale and prostitution of children and child pornography, Sri Lanka signed this Optional Protocol in 2002 and ratified it in 2006.

I recall the engagement that Sri Lanka had with this distinguished Committee in January 2018 when we reviewed our 5th and 6th Periodic Reports under the Convention on the Rights of the Child, and I am pleased to be here with my colleagues to discuss the work that my Government has been carrying out in furthering the commitments under the Convention and the current Optional Protocol, despite certain delays. We look forward to having an open discussion with the Committee to share experiences and learn more from your expertise, which will further strengthen our endeavours as well.

Before introducing my delegation, I would like to thank our stakeholders, both from the Government as well as from international organisations including UNICEF and the civil society, both local and international, in preparing for this review. I also wish to thank the Human Rights Commission of Sri Lanka for their role in the formulation of some national action plans, including the National Human Rights Action Plan (NHRAP) 2017-2021 which contains a separate chapter on child rights, and the National Action Plan for Sri Lanka for the Elimination of Child Sexual Abuse and Exploitation including Online Safety (SIEVAC). We will continue to engage with these stakeholders in the best interests of the children of my country.

As you may see from the profile of this delegation, the Sri Lankan government attaches a great degree of importance to efforts aimed at putting a complete stop to the sale of children, child prostitution and child pornography.

As the leader of the delegation, let me now introduce the members of my Delegation:

- His Excellency Mr. A.L.A. Azeez, Ambassador and Permanent Representative of Sri Lanka to the United Nations in Geneva;
- Mrs. Chandima Sigera, Commissioner, Department of Probation and Child Care Services;
- Mrs. Samantha Jayasuriya, Deputy Permanent Representative of Sri Lanka in Geneva;
- Mrs. Lakmali Karunanayake, Deputy Solicitor General, Attorney General's Department;
- Ms. Sujatha Kulathunga, Deputy Chairperson, National Child Protection Authority;
- Ms. Lanka Rajani Amarasena, Director/Superintendent of Police of the Bureau for the Prevention of Abuse of Children and Women;

- Mrs. Shashika Somaratne, Minister Counsellor, Permanent Mission of Sri Lanka in Geneva;
- Mrs. G.C. Welikala, Assistant Secretary, Ministry of justice and Prison Reforms; and
- Ms. Dulmini Dahanayake and Ms. Rajmi Manatunga, Second Secretaries of the Permanent Mission of Sri Lanka in Geneva.

Madam Chairperson,

Let me take this opportunity to briefly touch upon some key factors to demonstrate my Government's commitment to effectively implement the Optional Protocol on the sale of children, child prostitution and child pornography.

Sri Lanka has had a number of legislation/regulations aimed at particularly addressing the sale of children, child abuse and child pornography even prior to becoming a party to the Optional Protocol. With our ratification of the Optional Protocol, this legal framework has been further strengthened, and accordingly, today, our national legislation comprehensively cover all the offences dealt with by the Optional Protocol.

With regard to Sale of children: Section 360C of our Penal Code states that "whoever buys, sells or barterers or instigates another person to do the same, commits an offence that can be punished with imprisonment of up to twenty years. The law provides that if such an offence is committed with respect to a child, the punishment is more severe.

Moreover, as a party to the "Hague Convention" on inter-country adoptions, since 1995, the Department of Probation and Child Care Services under my Ministry is the focal point agency responsible for processing foreign adoptions. We strictly follow the guidelines set out in The Hague Convention and ensure that no sale of child takes place under the guise of an adoption.

With regard to Child prostitution: Section 360 A of the penal code which deals with procurement of persons, including children, makes child prostitution a criminal offence in Sri Lanka. A person who "procures, or attempts to procure, any person whether male or female of whatever age to become a prostitute, thus commits an offence under this Section.

Additionally, Section 360B of Penal Code on sexual exploitation stipulates a more severe penalty of a minimum of five years and up to twenty years of

imprisonment for whoever acts as a procurer of a child for the purposes of sexual intercourse or for any form of sexual abuse’.

In relation to Child Pornography: The Obscene Publications Ordinance, a law that we have inherited from the British times, along with recent amendments made to the Penal Code have made these practices punishable offences in no ambiguous terms. While Section 286A comprehensively prohibits any person from hiring, employing, assisting, persuading, inducing or coercing any child to appear or perform in pornography, Section 286 B specifically addresses situations where computer facilities are used for such offence.

In addition, a number of legal reforms have been undertaken by the Government in the last 2 years in furtherance of child rights in general. These include laws and regulations made by the Government to increase the minimum age of compulsory education, raising the minimum age of criminal responsibility from 8 to 12 years, formulation of a Child Protection and Justice Bill in line with international standards to protect children who are in conflict with the law or who are in need of care, and the adoption of Guidelines for

the Operation of Day Care Centres. My colleague from the Attorney General's Department would elaborate further on these legal aspects.

At the policy and implementation level, we have National Action Plans that enable interventions to combat sexual abuse and exploitation. These include the National Plan of Action on Children, the National Plan of Action and Policy Framework on Sexual Gender Based Violence, NHRAP, and the SIEVAC. Following Sri Lanka becoming a path finder country of the Global Partnership to End Violence against Children, my Ministry established the National Action Partnership to end Violence against Children (NPEVAC). The National Monitoring Committee on CRC, chaired by me, and mandated to follow up on child rights in Sri Lanka functions as the over-arching coordinating body for the harmonized implementation of all these action plans. The Committee has a cascading structure and comprises provincial, district, divisional and village level committees that reach out to the grassroot level of society.

A National Alternative Care Policy has been approved focusing mainly on child welfare, including child victims and offenders, while approval has also been received for the National Case Management Guidelines covering the prevention aspects relating to violence against children of Sri Lanka.

At the international and regional levels too, Sri Lanka has joined a number of initiatives pertaining to the protection of children from exploitation and abuse. These include the ratification of the Palermo Protocol on trafficking in especially women and children, and most recently in April 2019, Sri Lanka's ratification of the ILO Protocol of 2014 to the Forced Labour Convention on the occasion of the centenary celebration of the ILO. Sri Lanka has also undertaken regional responsibilities related to upholding the SAARC Convention on Preventing and Combating the Trafficking in Women and Children for Prostitution. Accordingly, we are a member of the SAIEVAC and implements its workplans on prevention of child sexual abuse and online safety.

Madam Chairperson,

In the context of the legal and policy framework that I have just explained, my Government has established a robust institutional mechanism to ensure the effective implementation of the laws and policies relating to protection of children. This is an inclusive mechanism under the oversight of my ministry encompassing all government stakeholders such as ministries and agencies and law enforcement authorities including the police and the

Attorney General's Department. The Government remains vigilant and committed to apprehend perpetrators of these crimes through our network of over 490 police stations set up throughout the country, of which each has a women and children's desk. The majority of these desks have been established at the initiative of my Ministry to facilitate victims to lodge complaints confidentially. We appreciate the support received from organisations such as UNICEF in this regard. The Government, under the mandate of my Ministry, has also established a 24-hour toll-free hotline for the public to make complaints relating to infringement of child rights in all 3 languages. The complaints received through this hotline are promptly transmitted to the relevant agencies for action, and the police is required to respond to complaints that are forwarded to them, within 48 hours, through necessary investigation and legal action. Other aspects ~~of~~ pertaining to complaints are followed up by the islandwide network of Divisional Child Rights Officers. With a view to minimising delays experienced in prosecuting cases relating to child abuse, a special Unit has been established at the Attorney General's Department to deal exclusively with children-related cases. Training has been provided to officers dealing with children's cases

on conducting their work in a child friendly manner as well as to increase their technical skills in investigating such cases.

On the prevention front, the Government being particularly mindful of the vulnerabilities that children may face due to tourism, has initiated a number of measures including awareness creation, collaborations with foreign intelligence and law enforcement agencies, and economic empowerment programmes, to prevent child prostitution and child pornography that may occur within the tourism sector. Building on these measures, a Tourism Strategic Plan 2017-2020 has been adopted and is being implemented. My colleagues are ready to further explain these measures for the benefit of the members of the Committee.

Madam Chairperson, Distinguished Committee Members,

What I have explained to you in this statement are only few of the many initiatives that Sri Lanka has taken to give effect to the safeguards enshrined in the Protocol. However, we acknowledge that we cannot be complacent - the work is not over. In fact, it has probably just begun with the new and emerging threats cast by the misuse of emerging technologies, especially related to child pornography. We need to enhance our initiatives together

with organizations such as yours and gather the support of other technical agencies. We need to improve the ways we coordinate with Interpol and other agencies that have a mandate to combat transnational crime. We need to also strengthen our data collection and monitoring systems and build centralized databases on cases related to children, which is an on-going effort. We intend to effectively utilize our current research findings to learn about the drivers of child prostitution, child pornography and sale of children and ensure that it informs policy decision and establish effective mechanisms.

We admit that the reported cases in this area could be the tip of the iceberg, the extent of which we are yet to ascertain. Despite the many challenges that Sri Lanka is currently faced with, we are determined to survive as a nation and overcome these challenges continuing our commitment to creating a safe and secure country for all our children. I request the distinguished members to recognize these challenges that my country is facing, and we look forward to receiving suggestions and recommendations from the Committee members on how to move forward on this path in an effective and practical manner. As we engage with you during today's interactive dialogue, we will indicate the areas where Sri Lanka may need

technical and other assistance to enhance its work under the Optional Protocol.

I would like to once again thank you, Madame Chairperson and your Committee, for giving Sri Lanka this opportunity to share with you our experiences in giving effect to the CRC and its Optional Protocol II. Allow me to conclude my remarks with the words of late Nelson Mandela, who has proven time and time again to be a great advocate of children's rights.

"There can be no keener revelation of a society's soul than the way in which it treats its children".

I thank you, Madam Chairperson.