



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Eighty-first session

13–31 May 2019

Item 4 of the provisional agenda

### Consideration of reports of States parties

## List of issues in relation to the report submitted by Sri Lanka under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 February 2019. The Committee may take up all aspects of children's rights set out in the Optional Protocol during the dialogue with the State party.

1. Please provide statistical data (disaggregated, inter alia, by sex, age, ethnic origin, national origin, socioeconomic background, and urban and rural residence) for the past three years on the number of:

(a) Reports of sale of children, child prostitution and child pornography, as well as other forms of exploitation, including in relation to boys, in the context of travel and tourism, in alternative care and religious institutions, in the community, in the home and online, with additional information on the measures taken for the purpose of accountability;

(b) Reports of children offered, children delivered and children accepted — by whatever means — for the purpose of prostitution, engagement in forced labour, illegal adoption, organ transfer, pornography or marriage;

(c) The number of child victims who have been provided with shelter, reintegration or compensation.

2. Please indicate the measures taken with a view to defining and criminalizing sale of children, an offence that is similar but not identical to trafficking, child prostitution and child pornography, in line with the Optional Protocol. Please specify the measures taken to address the legal gaps that impede prosecutions for sale of children under section 360 (c) of the Penal Code.

3. Please indicate the measures taken so that the offences defined under the Optional Protocol are punished with appropriate penalties commensurate with the gravity of the offences, in line with article 3 (3) of the Optional Protocol. Please provide statistical data on the application of penalties (imprisonment and/or fines) and the use of suspended sentences in relation to sale of children, child prostitution and child pornography, from 2015 to date.

4. Please specify the age of sexual consent in the State party and provide information on the measures taken to harmonize the age of sexual consent for boys and girls. Please explain the impact of the age of sexual consent in the State party and its link with the offences under the Optional Protocol.



5. Please provide updated information on the adoption of a national child protection policy and a related action plan, a strategic plan for Sri Lanka as a pathfinder country in the Global Partnership to End Violence against Children, the implementation of the National Child Protection Programme (2017) and of the national action plan to prevent child abuse (2016), and the creation of a child offenders registry.
6. Please indicate the measures taken to coordinate the activities of the different agencies involved in child protection matters under the Optional Protocol in order to avoid unnecessary duplication of functions. Please clarify whether steps are being taken to create a single body responsible for coordination of the implementation of the Optional Protocol. Please also provide information on the resources specifically allocated and spent for the implementation of the Optional Protocol, from 2015 to date.
7. Please provide further details on the measures taken to prevent the offences under the Optional Protocol in relation to boys in the context of travel and tourism; as well as on the impact of such measures, including the “zero tolerance” programmes, on the tourism, education, health, and information and communications technology sectors. Please clarify whether the State party has disseminated the Code of Conduct developed by the World Tourism Organization.
8. Please provide detailed information on the number, content and outcome of complaints made by — or on behalf of — children, including in Tamil, alleging violations of the rights under the Optional Protocol, from 2015 to date. Please clarify which “agencies” referred to in paragraph 2 of the State party’s report (CRC/C/OPSC/LKA/1), in addition to the National Child Protection Authority and the facility for lodging complaints on cybercrimes, are mandated to receive and process such complaints.
9. Please indicate the measures taken to expedite the investigation and possible prosecution of cases involving child complainants alleging the commission of offences under the Optional Protocol, to bring those responsible to justice, and to address the reported impunity for perpetrators. Please provide information on the measures taken or planned to establish the criminal, civil and/or administrative liability of legal persons for the offences covered by the Optional Protocol.
10. Please clarify whether the State party has established, and exercises, extraterritorial jurisdiction in respect of offences under the Optional Protocol when the offence is committed by a national or a habitual resident of the State party. Please indicate the measures taken to ascertain that offences referred to in article 3 (1) of the Optional Protocol are considered extraditable offences under the amended Extradition Law, of 1977, governing extradition to Commonwealth countries. Please provide information on the number of extraditions requested and granted by the State party in relation to offences under the Optional Protocol.
11. Please elaborate on the measures taken to protect the rights of child victims and witnesses of crimes under the Optional Protocol at all stages of criminal proceedings, including through the Assistance to and Protection of Victims of Crime and Witnesses Act, of 2015. Please provide information on the status of the draft national guidelines of 2016 for treatment, reparation, restitution and rehabilitation for all victims of crime.
12. Please indicate the measures taken to ensure that child victims of offences under the Optional Protocol are not treated as perpetrators. Please indicate the measures taken to address the reported arrest and detention in adult detention centres of child victims of offences under the Optional Protocol. Please specify the measures taken to strengthen the capacity of local staff to identify child victims of offences under the Optional Protocol.

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