



CHILD RIGHTS RISK ASSESSMENT - TEA INDUSTRY SUPPLY CHAIN IN SRI LANKA

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Executive Summary

The tea sector in Sri Lanka is the largest employer with a direct and indirect workforce of over 2.5 million people, which accounts for 10 percent of the total population. The government owns large tea estates that are over 50 acres, which are operated and managed by state enterprises (i.e. Janatha Estates Development Board (JEDB) and Sri Lanka State Plantations Corporation (SLSPC)), while mid-sized estates between 10-50 acres and smallholder farms less than 10 acres are privately owned. Save the Children in Sri Lanka has been working with leading plantation companies in the tea industry and advocating for the adoption of a child protection policy that improves the safety and wellbeing of children living in plantation companies. However, with the context of smallholder farms and mid-sized estates being different to that of plantation companies, Save the Children realised the need to deepen the understanding of child rights risks in these different settings and also along the tea supply chain (factory, broker, packer, blender, buyer) in order to identify appropriate strategies and approaches for addressing child rights issues at the different levels.

Therefore, Save the Children initiated this study in partnership with the Centre for Child Rights & Corporate Social Responsibility (CCR CSR). The aim of this child rights risk assessment was to identify potential entry points for influence to making sustainable progress and improvement in the lives of children living within tea growing communities. It had three major objectives:

1. To analyse child rights risks specific to smallholder farms and mid-sized tea estates
2. To assess the level of impact of policies and practices of the particular stakeholder in the tea supply might have on children
3. To assess and map opportunities and potential areas of engagement to hold the tea industry accountable for the wellbeing of children living within smallholder and mid-sized tea growing communities.

A quantitative survey with 519 parents was carried out. 45.5% of these parents were smallholder farmers and 54.5% were labourers in small or mid-sized tea farms/estates. 19.3% of the participants were male and 80.7% were female. Along with the parent survey, a parallel survey was conducted with 519 children of farmers and labourers aged between 6 and 17 years. To complement

Executive Summary

the quantitative results, six focus group discussion (FGDs) sessions were conducted with three¹ different groups of farmers and labourers, and three² groups of children. Additionally, we also interviewed 14 key informants who are the representatives from key players in the tea supply chain in Sri Lanka³.

We observed significant difference between smallholder farmers and farm labourers in terms of working and living conditions, which seem to have a subsequent impact on their children. Indeed, the data from our interviews with children echo a very similar pattern. The fact that labourers are in a significantly worse financial state than farm owners became an obstacle in children's access to better education and healthcare. The poor living conditions of labourers in mid-sized tea estates with little to no privacy poses a significant risk in their children's protection, which is aggravated by the lack of community-based day-care options and lack of safe activity spaces for children to play.

We also observed that farmers' children are more likely to help their parents with farm work. Smallholder farmers face labour shortage during harvest times and the increasing costs of labour and production as well as the often low tea prices might be the driving factor to frequently rely on their children's help during harvest. 73% of those children started to help out on the farm before they reached their 12th birthday. The involvement of farm work at a young age means that some children miss school, which in turn negatively impacts their academic performance.

Another major child protection risk children face is the prevalence of corporal punishment both by parents at home and by teachers in school. 31.2% of children were physically punished in the past six months by means of spanking, beating and slapping. Parents have a relatively

high tolerance to corporal punishment at a moderate level, and our assessment has shown that this has a negative impact on children's sense of safety at home and in school, and subsequently impacts their performance at school.

To tackle some of the key issues we identified above, we suggest a range of measures that the tea industry and its key stakeholders could consider putting into place:

1. Develop clear guidelines on child protection and strengthened child protection mechanism
2. Consider the tea pricing structure and its impact on the most vulnerable
3. Build capacity with a cascading training model on child protection
4. Strengthen data collection on child rights
5. Conduct/enhance teachers' awareness of child protection and the needs of labourers' children
6. Improve maternity protection including the right to have breastfeeding breaks
7. Support community-based childcare
8. Conduct advocacy among government agencies on education, health insurance & child protection standards
9. Set up and facilitate access to a stronger child protection system

¹ Three groups of adult farmers: a) 18 smallholder farmers who employ labourers (12 mothers and 6 fathers) b) 14 smallholder farmers who do not employ labourers (10 mothers and 4 fathers) c) 15 labourers in mid-sized tea estates (8 mothers and 7 fathers). Separate sessions were held for men and women, hence six groups in total.

² Three groups of children: a) 13 children of smallholder farmers who employ labourers (11 girls and 2 boys) b) 11 children of smallholder farmers who do not employ labourers (5 girls and 6 boys) c) 9 children of labourers in mid-sized tea estates (7 girls and 2 boys). Combine sessions were held for boys and girls, hence three groups in total.

³ Please refer to Appendix 1 for further details on participants' backgrounds

1. Tea Industry Supply Chain in Sri Lanka

1.1 Overview of Tea Industry in Sri Lanka

Tea was introduced to Sri Lanka in the 19th century by a Scotsman named James Taylor. He established the first commercial tea plantation in 1867 at the Kandy District of Sri Lanka. His business was so successful that it attracted more English planters to follow suit (Ganewatta & Edwards, 2000). Subsequently, tea cultivation was born as the British-initiated large plantations spread into six principal regions in Sri Lanka. In 2018, Sri Lanka was the fourth largest tea producer in the world, with a production of approximately 303.84 million kilos of tea covering 200,000 hectares of land.

With 152 years of commercial tea history, the tea industry occupies a pivotal role in creating employment opportunities and in generating foreign exchange earnings in Sri Lanka (ILO, 2018). As a labour-intensive industry, the tea sector provides forward and backward linkages across a large number of industries, such as dairy farming and tourism. Therefore, the tea sector is the largest employer with a direct and indirect workforce of over 2.5 million people, which accounts for 10 percent of the total population (De Alwis, 2012). Since the domestic consumption of tea is low in Sri Lanka, around 90% of teas produced are exported (Ganewatta & Edwards, 2000). In 2018, the tea export earnings reached USD 1.43 billion, which contributes to approximately 12% of total export earnings and 2% of GDP (Central Bank of Sri Lanka, 2018; Ceylon Tea Brokers PLC., 2018).

1.2 Characteristics of Tea Value Chain

→ Table 1: Production Characteristics of Tea Value Chains in Sri Lanka from 2014 to 2016 (International Trade Centre, 2017; Mohan, 2018)

Hectares (in 2015-2016)	205,000
Production quantity (kg, in 2016)	292,362,000
Average yield (made kg/ha, in 2014)	1523
Ranking world production	4
% of black tea	93
% of crush, tear, curl tea	6
% certified (in 2015)	20
% consumed domestically	10
Export quantity (kg)	288,771,000
Rank world exports (value)	2
Average exports (us\$/kg, in 2016, government data (international trade centre data))	2.99 (4.81)
% exports value added	60
% output from smallholders	75
Number of factories	250
Number of smallholder farms	400,000
% smallholder household income derived from tea	48
Median smallholder tea land (ha)	0.35

1. Tea Industry Supply Chain in Sri Lanka

1.2.1 Producer groups

The producer groups in Sri Lanka can be divided into two sectors: the estate sector (i.e. large and mid-sized estates) and the smallholding sector, depending on the extent under cultivation (Central Bank of Sri Lanka, 2018). In terms of size and ownership, estate sectors are divided into:

→ Table 2: Producer groups

Type	Land size	Land ownership	Operated by:
Large estates	> 50 acres	Government	Selected managing agencies
Mid-sized estates	10-50 acres	Privately owned	Landowner/assigned supervisor
Smallholders	< 10 acres	Privately owned	Landowner

The large estate, or better known as Regional Plantation Companies (RPCs), cover land that is more than 50 acres in size, is owned by the Sri Lankan government, and is operated and managed by state enterprises (i.e. Janatha Estates Development Board (JEDB) and Sri Lanka State Plantations Corporation (SLSPC)) or, for a certain duration of time, by the selected private Managing Agencies (MA). There are 20 Regional Plantation Companies (RPCs), 453 estates, 300 tea and 112 rubber factories.

The mid-sized estate covers land that is 10-50 acres in size, which is privately owned. In some cases, a mid-sized estate can be 200 acres in size where 2-4 family members own up to 50 acres each. Mid-sized estates are frequently found to employ labourers (20-40 people) and provide housing for the labourers and their family members in their estate area as long as they are still working for them.

The third producer group is the smallholder sector

which is privately owned land below 10 acres in size. Based on our interview with the Federation of Tea Smallholder Development Societies in July 2019, there are around 500,000 smallholders in Sri Lanka and 75% of them only own land below 1 acre. Smallholders owning at least 4 acres are also found to employ casual labourers from their neighbourhood.

1.2.2 Geographic area and productivity

Regarding geographic area, there are three types of tea growing classifications based on the land elevation above sea level: high grown, medium grown and low grown areas. The conditions particular to those regions influence the taste, flavour and aroma from each elevation level (Tea Exporters Association, 2019).

→ Table 3: Geographic area

Type	Height above sea level	Districts
High grown	Above 1200 meters	Nuwara Eliya, Badulla
Medium grown	600-1200 meters	Kandy, Matale
Low grown	<600 meters	Galle, Matara, Rathnapura, Kegalle, Kalutara, Hambantota

Land productivity varies according to the elevation category, mainly due to sunshine hours, temperature and the soil nutrient status. Generally, the low grown areas are subjected to longer periods of sunshine, warm conditions and high levels of nutrients. High and mid elevation areas in contrast, experience more chill winds and dry conditions and have relatively drained soil. Hence, the land productivity in low grown areas has a much higher yield than medium and high elevations.

1. Tea Industry Supply Chain in Sri Lanka

→ Table 4: Tea Production by Elevation (Mn kg) – 2016 & 2017

Elevation	2016	2017	Change	% Change
High	64.42	64.36	-0.06	-0.09
Medium	44.51	45.55	1.04	2.34
Low	183.64	197.17	13.53	7.37
Total	292.57	307.08	14.51	4.96

Source: Tea Research Institute of Sri Lanka, 2018

After the land reform in the 1970s and the reversal of public ownership in 1992, the number of mid-sized estates and smallholders increased. At present, large plantations and mid-sized estates mainly exist in high and mid-grown areas while smallholders are dominant in low grown areas. The tea smallholders' percentage contribution to the national tea production has gradually increased over time (Central Bank of Sri Lanka, 2018). Currently, smallholders cultivate about 60 per cent of the total tea land and account for more than 70 per cent of Sri Lanka's total tea production (ILO, 2018).

1.2.3 Buyers

Sri Lanka produces a variety of tea types. While black tea is the main product, the country also produces green tea, instant tea, bio tea and flavoured tea (Sri Lanka Exports Development Board, 2019). Originally, the United Kingdom was the largest tea importer from Sri Lanka. With the emergence of African producers, traditional suppliers like Sri Lanka have lost the share in the major traditional markets. Currently, large quantities of black tea are exported to Iraq, Turkey and Russia. As for green tea, Russia, USA and UAE are the top three tea importers. Moreover, the major instant tea export destinations are Ireland, USA and China. In order to earn higher revenue in the global tea industry, Sri Lanka has increased its share of value-added forms of tea export over time. As a result of value-added tea export, Sri Lanka remains one of highest export earners from tea compared to Kenya that has exported almost the same amount of tea in the last few years.

1.3 Key Players in the Tea Supply Chain

1.3.1 Relevant stakeholders within the tea supply chain

The tea supply chain in Sri Lanka can be split into three main groups, namely: producers, brokers, and buyers/packers, whilst the whole tea industry comes under the

purview of the Ministry of Planation Industries. There are also well-established umbrella organisations who cater to the needs of these three entities. Other stakeholders such as boards, institutes, federations, NGOs and trade unions operate within the tea supply chain.

Producers and affiliates

- Colombo Tea Traders Association (CTTA)
- The Planters' Association of Ceylon [PA]
- The Sri Lanka Tea Factory Owners' Association [SLTFOA]
- The Tea Small Holdings Development Authority [TSHDA]
- The Sri Lanka Federation of Tea Small Holding Development Societies [SLFTSDS]
- Janatha Estates Development Board (JEDB)
- Sri Lanka State Plantations Corporation (SLSPC)
- Tea Research Institute
- Tea Commissioners Department

Brokers

- Colombo brokers Association (CBA)

Buyers/Packers

- Tea Exporters Association (TEA)

Trade Union and affiliates

- Employers Federation of Ceylon (EFC)
- Ceylon Estate Staff Union
- Ceylon Workers Congress
- Lanka Jathika Estate Workers' Union

1. Tea Industry Supply Chain in Sri Lanka

Development agencies and NGOs that operate in the tea sector

- Plantation Human Development Trust (PHDT)
- Save the Children Sri Lanka
- World Vision Lanka
- Berendina Foundation
- Chrysalis

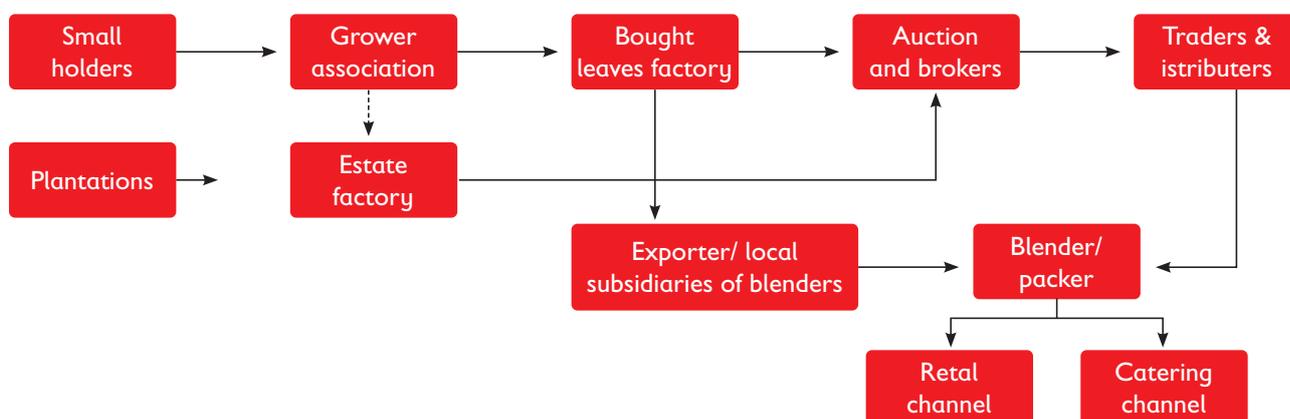
For further information on the above stakeholders, please refer to Appendix 5

1.3.2 Understanding the production process

The tea supply chain can take many routes before reaching the final consumer, depending on the type of tea, methods of trade, market structure and type of buyer. See the below supply chain flow chart (Auchter, 2014):



Chart 1: Tea supply chain



The tea sector in Sri Lanka comprises a web of key players ranging from tea pluckers, tea smallholders and tea estate management, weighers and transporters, factory workers, blenders, packers and retailers. The tea leaves are bought from the large and mid-sized estate and smallholders by a supplier or are sold directly to a factory where it is processed. This tea is then bought by a broker who constitutes an important link between tea producers and buyers as they communicate supply & demand. The tea is subsequently sold via an auction to an exporter or to an overseas buyer (TCC, 2010). Finally, most of the tea production is sold by multinationals.

1.3.3 Who has the power to determine the price?

The historical evolution of imperialism and excessive state intervention in Sri Lanka have shaped the present bargaining power of buyers in the tea supply chain (Wickramasinghe & Cameron, 2005).

Today's tea industry is largely controlled by the leading branding companies, such as Tata Global Beverages, Unilever, Associated British Foods, Nestle, ITO EN INC,

Barry's tea, Dilmah, Celestial Seasonings, Harny's and Sons and The Republic of Tea (Technavio, 2018). They are the key buyers of the tea auction in Colombo, where 97% of the tea produced in Sri Lanka has to be sold.

Since 1960, the Tea Board has set up a fixed-return price formula for green leaf that aimed to provide a reasonable price for smallholders and also manufacturers who buy green leaf from smallholders (WTO, 2001). Since 1987, the price formula ratio is 68% for the growers and 32% for the factory. This 68:32 ratio was decided based on the cost of production of a kilogram of finished tea considering such processes as harvesting green leaf, manufacturing, packaging, transporting, among other things. The price of processed tea per kilogram may vary from month to month and is determined at the Colombo Tea Auction. Through this process, brokers and tea collectors are also able to maintain their profits. Brokers charge a 1% broking fee for their service while tea collectors (who connects growers with the factory) will usually get a certain amount of green tea leaf in exchange for their service e.g. 100 kilograms of green leaf.

1. Tea Industry Supply Chain in Sri Lanka

The restrictive auction system aims to not only prevent producers from selling directly to overseas buyers, but also to provide credits to tea brokers and exporters to keep the margin between raw and final tea at a constant level. As a result, throughout the tea supply chain in Sri Lanka, more than 85% of the profit is captured by the marketing brands together with retailers, packers and blenders. The smallholder only make 1% of the profit while 7% goes to the estate factory that processes the tea and converts it from a tea leaf to consumable tea through withering, rolling, fermenting and drying (Morser, 2010).

In general, the Sri Lankan tea sector is under incredible pressure. The Department of Census and Statistics Sri Lanka estimated that the total cost of green leaf is Rs. 279.52 per KG and that the cost of production is around Rs. 475.29 per KG of finished tea in the 2017/18, while the Colombo tea auction average price was at Rs. 582.28 per KG in the 2018 (Department of Census and Statistics Sri Lanka, 2018; Tea Exporters Association Sri Lanka, 2018).

As such, profit margins are extremely low, there is a great likelihood that this pressure will be shifted down the supply chain and carried by the most vulnerable groups within the tea's supply chain.

1.3.4 How does this impact the income and wages of farmers and labourers on smallholder farms?

The smallholder tea sector was established with the hope that families could become their own employers and entrepreneurs, and create sustainable systems of self-maintenance and labour supply. However, the smallholder sector has grown to an extent that family alone cannot always meet the labour demand and the smallholders often need to hire additional labour, in particular for tea plucking, thus increasing the cost of their tea production (Owuor, Kavoi, Wachira, & Ogola, 2007). As also indicated above, the prices smallholders get per kilo of green leaf tea have not been sufficient to sustain their livelihood if the smallholder labour cost is factored in (Department of Census and Statistics Sri Lanka, 2018).

An additional challenge for the farmers is that there is often a looming shortage of labour especially in low-grown regions and farm labourers have their own varying labour prices. As a result, we are dealing with a system where on the one hand farmers strive to keep the labour prices low in order to keep some of the profit but on the other hand are required to offer a decent wage to attract labourers.

In practice most estates and farms set daily quotas which need to be achieved to receive the daily wage – on mid-sized estates the daily quota today is set at 28 kilograms. While the wages vary based on tea prices and

labour demand, an owner of a mid-sized tea estate in Matara explained that he pays Rs 700 (around 3.8 USD) for every 28 KG of green leaf plucked in a day and he adds an extra Rs 50 (0.27 USD) per KG if tea pluckers are diligent enough to harvest beyond the daily quota. However, he is not only providing regular payment for the tea pluckers but also provides liquor every 5 days, which he believes can make the tea pluckers happier and work harder. If on a certain day, the tea plucker cannot meet the minimum quota, they should work harder the next day to make sure they can meet the quota for that day as well as the unfulfilled quota from the day before.

1.3.5 Certification Schemes

In an effort to guarantee certain levels of standardisation in terms of working conditions and environmental impact, the tea sector has been subject to a range of certification campaigns. The most prevalent one is the Rainforest Alliance (RA) certification (focused mainly on certifying those who have met a comprehensive set of environmental, social and economic criteria) and the Ethical Tea Partnership, which brings together 50 brands working on topics of freedom of association, health and safety, child labour issues, wages, discrimination at work, disciplinary procedure and environment. Participating in these schemes may allow producers to receive some price premiums. However, largescale producers have different opinions on the business case for such schemes. In particular, producers in high grown areas feel that with the increase in certified estates the competitive advantage has faded away.

It is unclear to what degree the certification actual impacts the smallholder farms. For one, the large estates who apply for RA certification do not have to extend those standards to their contractors or suppliers such as the smallholder farmers they are buying a certain proportion of their green leaf from.

Our industry interviews have shown that generally the costs for smallholder farms to implement or work on these programmes is perceived to be very high and there is little to no evidence from a smallholder farmer's perspective that this would indeed increase their prices sufficiently. The Federation of Tea Smallholder Development Societies is emphasising that it is part of their mission to ensure the maintenance of good agricultural practices through the support of the Tea Research Institute (TRI) and Tea Small Holdings Development Authority (TSHDA). TRI educates smallholders on chemical, fertilizers, good quality plants, etc. while the TSHDA deploys field inspectors to conduct awareness raising programmes.

2. Working and Living Conditions of Tea Farmers/Labourers

In this chapter, we will describe the working conditions of surveyed farmers and labourers, including income and household expenditures, health & safety conditions of work, insurance coverage and access to healthcare etc. Additionally, we will also look at how those conditions might be different between farmers and labourers. While the conditions described here are not necessarily representative of all parents owning or working for small and mid-sized tea farms/estates in Sri Lanka, they provide a valuable insight into these communities, and help us understand how their working and living conditions might impact their children.

2.1 Income and Household Expenditures

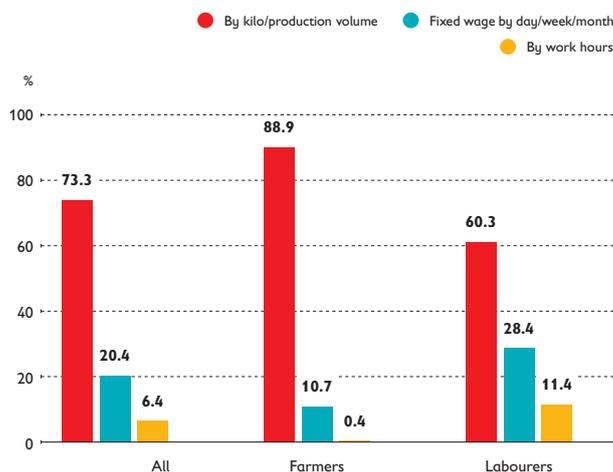
Families' income status is a factor that is closely linked with children's access to basic services such as education and healthcare. In next chapter, we will look into how families' income might be associated with children's access to education, healthcare, maternity rights and breastfeeding as well as other child rights risks.

While most surveyed parents (73.3%) are paid by production volume, there are disparities between how farmers and labourers are paid: farmers are predominantly paid by production volume (88.9%), while labourers are less so in comparison (60.3%). Instead, more labourers (28.4%) have fixed wages than the farmers (10.7%). Only a very small percentage of farmers (0.4%) and labourers (11.4%) claim to be paid by hourly rate (Chart 2). While the farmers' income from the tea farm/estate will be determined by the output, the labourers' income is mostly determined by the type of work they do at the tea estate and of course, the number of days they work per month.

We normally pay labourers 700 LKR a day for plucking and 800 for weeding. Pruning is mostly done by men, and it's 1,300 LKR per day

— small holder farmers who hire labourers

Chart 2: How is your payment calculated?



More than half (51.2%) of labourers who work 8 hours or longer per day earn less than 10 thousand LKR, which is the minimum legal monthly salary of a worker in Sri Lanka⁴.

The average monthly income of farmers from tea harvesting/processing activity per month is 27299 LKR (about 150 USD), and that of labourers is 10207 LKR (about 56 USD). Chart 3 displays the percentage of surveyed parents in different income groups. While few farmers earn less than 10 thousand LKR (16.6%) per month from tea harvesting/processing, nearly half (45.9%) of labourers earn less than 10 thousand LKR, which is the minimum legal monthly salary of a worker in Sri Lanka. 94.8% of labourers earn less than 20 thousand LKR (about 110 USD) per month from tea harvesting/processing. Among the labourers who work, at least 8 hours a day on the team farm/estate, more than half (51.2%) earn less than 10 thousand LKR.⁵

⁴ As most labourers are paid by day based on a production quota, their monthly income might fluctuate depending on the number of days they work.

⁵ 700 LKR per day for 20 days per months should be 14000 LKR. It is unclear why some labourers earn much less than that. It is possible that they cannot work for 20 days a month for unknown reasons.

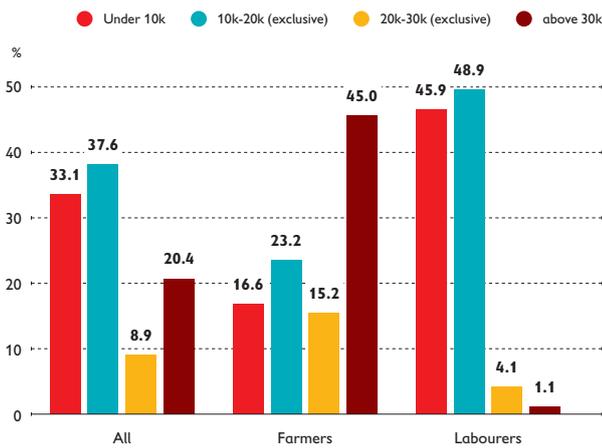
2. Working and Living Conditions of Tea Farmers/Labourers

We can earn between 15000-16000 Rupees if we work hard. Plucking Tea leaves is the only source of income. Income always varies according to the volume of leaves you pluck. They (farm owners) demand 30-35 buckets. If we fail to reach the target, the salary goes down resulting in us having to get loans. Loan instalments make the salary thin.

— mid-sized estate labourers

What we also found is that some farm owners, especially those who hire labourers to work on their estates, have additional income sources that do not come from the tea estate. Apart from the income generated through the cultivating of additional crops, relying on hired labour enables them to engage in other home-based work, such as making sarees, pillowcases, embroidery and growing flowers.⁶

→ Chart 3: Income distribution



Only about a third (35.1%) of surveyed participants can cover their basic expenses.

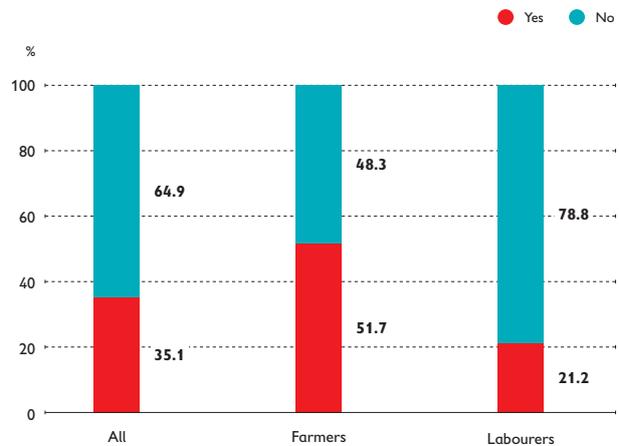
In order to understand the impact of the economic situation on children, we took a close look at the spending power that the families have. We know that if families struggle to pay for basic expenses, it will have a lasting impact on the development of children, their health, their performance at school, as well as the length of time they stay in school.

We found that only about a third (35.1%) of surveyed participants can cover their basic expenses. That leaves about 2 out of 3 families (64.9%) not able to cover basic expenses such as food, healthcare, housing, utilities, transportation etc. This means that a significant portion of families are struggling to survive, which puts their children at high risk of being denied basic services and being forced to leave school early⁷. Chart 4 demonstrates that the parents who work on other people's farm are in an even more vulnerable position economically, with a large majority (78.8%) struggling to cover their basic living expenses.

When I go to the weekly market, I don't buy anything for myself. I only buy things for my children. I wear my old slippers and I repair them when they're torn. I wear the same outfit I wore to work in the morning to the parents' meeting at school in the afternoon, because I am so concerned about saving soap

— a smallholder farmer

→ Chart 4: Does your family income cover your basic living expenses?



The biggest expenditures for families are food and children's education.

Chart 5 shows that the biggest expenditures for families are food and children's education. Spending on food is an indicator of a families' financial status: the poorer the family is, the higher the proportion of income spent on food (with the exception of self-sustaining farmers). The fact

⁶ This information is obtained from Focus Group Discussions (FGD). The scale of such work and the additional income generated can therefore not be determined

⁷ We will discuss the implications on children's access to basic services in Chapter 3.

2. Working and Living Conditions of Tea Farmers/Labourers

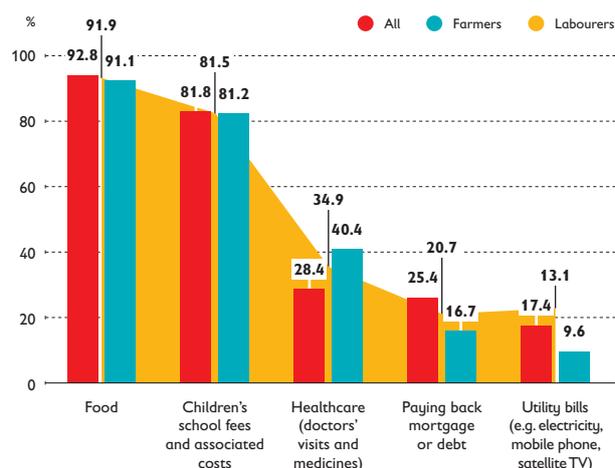
that families' second highest expenditure is on children's education indicates that families are investing a great deal in their children's education. However, at the same time it also shows that Sri Lanka's high education costs can be a major source of financial pressure for families. Although public schools are tuition-free, parents still need to pay for associated costs such as extracurricular activities, tuition classes and transportation, among other things. The children of farmers have better access to tuition classes than those of labourers: 78.4% of farmers' children go to tuition classes compared to 34.3% of labourers' children. During the focus group discussions, female labourers described how difficult it is for them to send their children to tuition classes due to their financial constraints. Another mother explained that she did not let her daughter sign up for a dance class because she couldn't afford it and not because she didn't want her daughter to go. Transportation cost is also an issue; some children must walk several kilometres to go to school and their parents have to pay for a private vehicle.

75% of our earnings go to children's education. The transportation cost for a child is 800 LKR per month. We pay 500 LKR for a subject (tuition class), and 140 for English and science tutoring a day.

— smallholder farmer

Additionally, the third highest expenditure is healthcare, which flags a risk that families may struggle to access or pay for healthcare.

Chart 5: What is your biggest family expenditure?



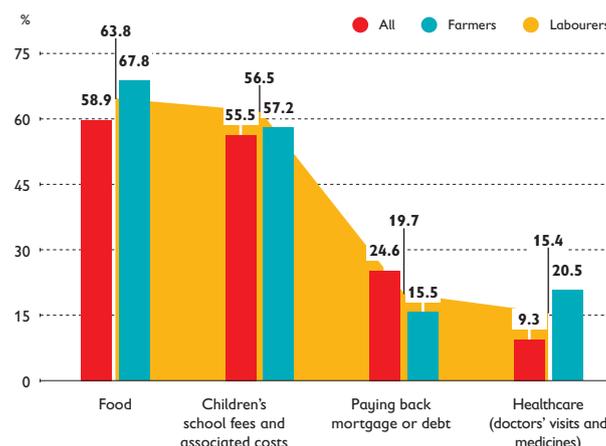
It is a struggle for most families to afford food and children's education.

Although food and children's education are the biggest expenditures for families, the majority find it difficult to afford such basic necessities. A considerable portion of families (19.7%) also struggle to pay back debts/loans. With over half of them (54.3%) having debts, more than a third (35.5%) struggle to pay back the money they owe (Chart 6).⁸

We are indebted. The superintendent pays our debts and gets us to work for that. After we have paid off our debts, we can go to work in any estate. Government estates are good. They recruit you only if you don't have any debts.

— Labourers (fathers) in a mid-sized tea estate

Chart 6: Which of the following do you often find difficult to afford?



2.2 Work Hours

On average, parents worked about 6.8 hours per day⁹. Labourers work significantly more on tea farms estates than farmers¹⁰ who put in an average of 7.4 hours per day compared to 5.8 hours for farmers. While nearly half (44.6%) of the farmers work less than six hours a day, only a small percentage (4.3%) of labourers work equivalent hours. The majority (95.7%) work six hours or longer per day.

⁸ In addition to getting credit from state institutions such as the Rural Bank or micro-credit institutions, many farmers get cash advances from the factories they supply for.

⁹ Outliers smaller than 1% percentile and larger than 99% percentile were not included.

¹⁰ The correlation is $r = -0.5326$, $sig = 0.0000$

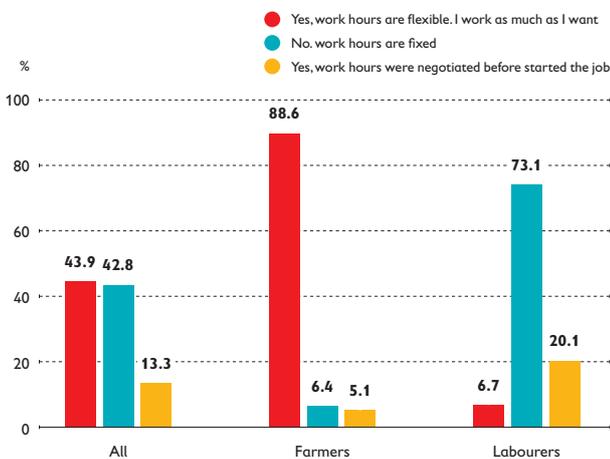
2. Working and Living Conditions of Tea Farmers/Labourers

Labourers usually work from 8 in the morning to 2 in the afternoon (6 hours). Some people work even longer if they want to finish the job faster.

— smallholder farmer and employer

As for the flexibility of work hours, it naturally varies greatly between farmers and labourers. As shown in Chart 7, the vast majority of farmer parents (88.6%) have total flexibility when it comes to their work schedule and hours. The situation looks very different for labourers however, with the majority required to work hours that are either fixed by their employers (73.1%) or were negotiated before they started (20.1%).

Chart 7: Are you able to decide the number of hours you work?



2.3 Health & Safety

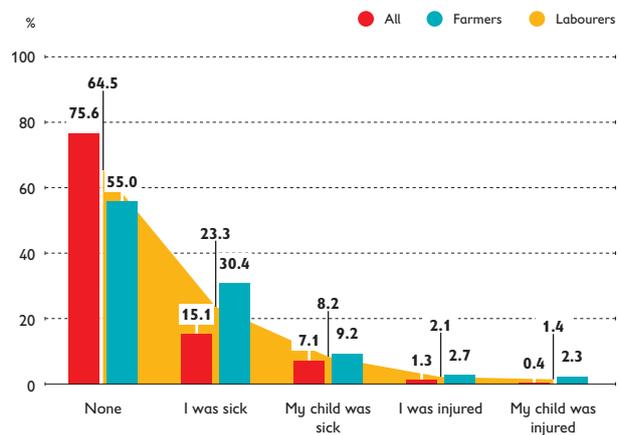
Health and safety conditions of parents may not appear to be directly linked to child rights. However, these parents, especially farmers, live and work in close proximity to their children. For that reason, the working conditions of parents have both an indirect and direct impact on children in these households. The children are not only directly affected by the safety of their surroundings, but the physical wellbeing of their parents is crucial in enabling parents to adequately care for their children.

Labourers are far more likely to miss work due to illness.

A considerable portion of parents (35.1%) skipped work in the past seven days because they or their children were ill or injured. Furthermore, significantly more

labourers skipped work due to personal illness/injury or that of a child (44.6%) compared to farmers (24.0%). This indicates the possibility that labourers are exposed to more health and safety risks than farmers who work on their own tea estates (Chart 8).

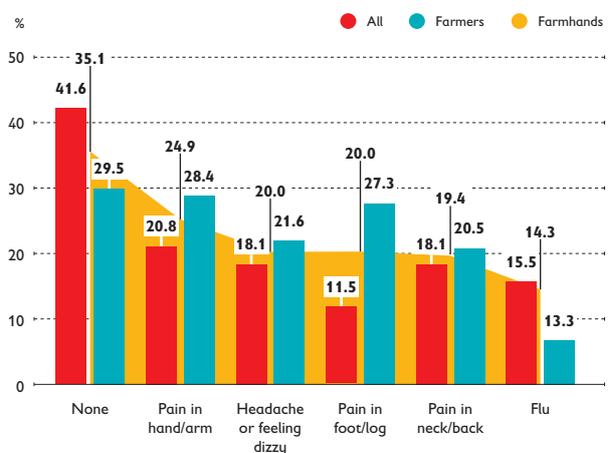
Chart 8: In the past 7 days, have you skipped work because of...?



Labourers are far more likely to experience all the health issues likely associated with doing manual labour.

When we look at the most common conditions/health issues parents experienced in the past one month, it is clear that labourers experienced all conditions that are likely caused by manual labour, and this percentage of labourers suffering from ailments is significantly higher than among farmers (such as pains in hands/arms/legs/back/neck etc.; see Chart 9).

Chart 9: Most common health conditions/health issues farmers/labourers experienced in the past one month



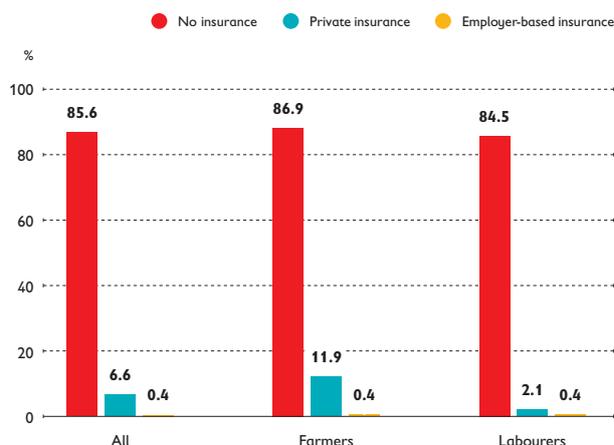
2. Working and Living Conditions of Tea Farmers/Labourers

2.4 Insurance Coverage & Access to Healthcare

The vast majority (85.6%) of parents are not covered by any insurance.

The vast majority (85.6%) of parents are not covered by any insurance. Only a few (6.6%) were able to buy private insurance, while employer-based insurance is almost non-existent (0.4%, see Chart 10).

Chart 10: What kind of health insurance do you have?



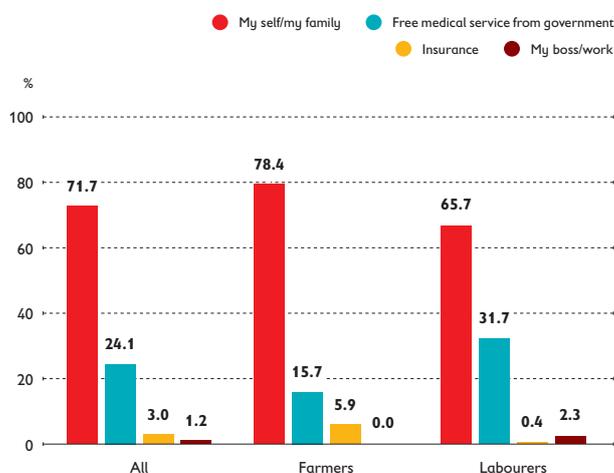
The majority of parents (71.7%) paid for their medical expenses out of pocket.

With very limited insurance coverage, the majority of parents (71.7%) paid for their own medical expenses when they visited a hospital/clinic (Chart 11). As we have seen above, the lack of insurance did take its toll on the families as healthcare expenses are among the biggest family expenditures for more than a third of the families (34.9%, see Chart 5).

My husband suddenly fell ill. It was such a blow to us because we lost his income. I used our savings to save my husband. Now he is better but cannot work as much as he used to. My children support me financially, because the income from tea harvesting is not enough to make ends meet.

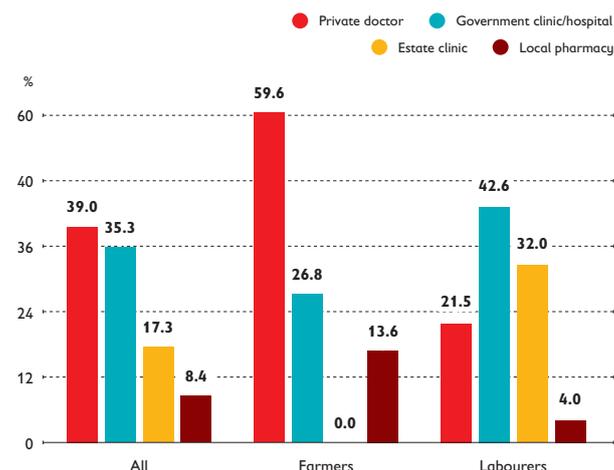
— a smallholder farmer

Chart 11: Who paid for the medical expenses when you were sick/injured last time?



Even though the Sri Lankan government has been providing universal and free access to health care services to its population since the 1930s, many patients bypass small medical institutions, particularly those in the rural areas that have only minimal facilities for patient care¹¹. As a result, we also observed more parents (39.0%), especially farmers (59.6%), choosing private healthcare over government clinics/hospitals. However, this is not the case for labourers: as affordability plays an important role in the healthcare choice of patients, significantly more labourers (42.6%) chose government clinics over private ones (21.5%, see Chart 12).

Chart 12: Where did you go when you were sick/injured last time?



¹¹ Owen Smith, World Bank, Sri Lanka: Achieving Pro-Poor Universal Health Coverage without Health Financing Reforms, 2018

3. Child Rights Risks in Tea Growing Communities

In this chapter, we will discuss the child rights risks in smallholder farms and mid-sized tea estates by introducing the bottlenecks in access to education and health; the most common child protection risks in tea growing communities; how the working mothers are being challenged in such communities in terms of childcare, maternity rights and breastfeeding; the level of children’s involvement in parents’ work and the risks of child labour. We will also consider the perspectives of parents and their children we interviewed for the study.

3.1 Access to Education

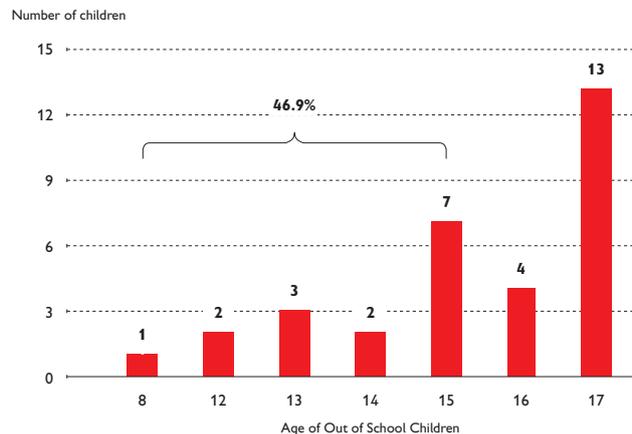
According to UNESCO, the secondary school¹² enrollment rate (at the age of 10) in Sri Lanka was 98% in 2017¹³ a relatively high enrollment rate or low school dropout rate compared to neighbouring countries¹⁴.

Age distribution of out-of-school children

6.2% of surveyed school-age children (6-17) are not in school.

All 519 children interviewed for the survey are school age, meaning they are between 6 to 17 years old. We found that while only 3.7% of surveyed parents say they have children who discontinued school, the drop-out rate amongst the interviewed children is 6.2%. All except one child not in school are above the age of 12 as indicated in Chart 13. Nearly half (46.9%) of out-of-school children are aged 15 or younger, which is the age range of compulsory education in Sri Lanka. The gender of children is not associated with whether or not they are still in school.

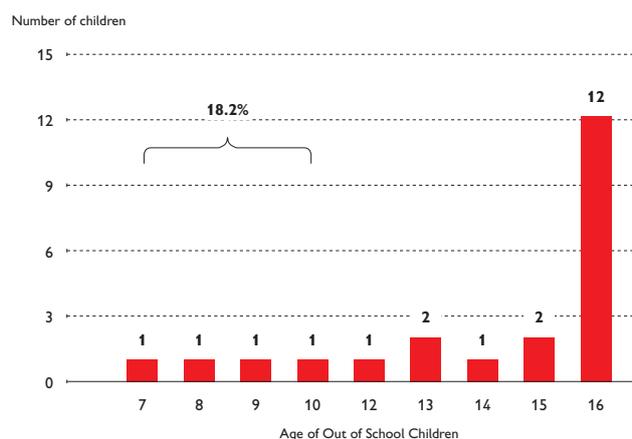
Chart 13: Out-of-school children by age



Age when children dropped out of school

73.5% of children who are no longer in school have previously attended pre-school/school before dropping out. The other 26.5% have never gone to school even though they are now aged 13 to 17. More than half (54.6%) of the children dropped out of school at the age of 16, the age at which they would have completed senior secondary school (grade 11) in Sri Lanka. 18.2% children left school before the age of 12 without completing primary education (Chart 14).

Chart 14: Age when children dropped out of school



¹² Secondary school age is from 10 to 17. The cited rate is the net enrollment rate. <http://uis.unesco.org/en/country/lk>

¹³ <http://uis.unesco.org/en/country/lk>

¹⁴ Reference CCR CSR & Save the Children report: In the Interest of The Child? Child Rights and Homeworkers in Textile and Handicraft Supply Chains in Asia

3. Child Rights Risks in Tea Growing Communities

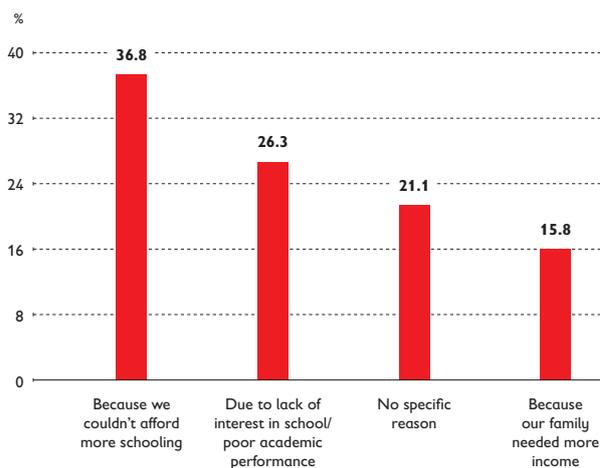
Children and parents’ reasons for dropping out

We asked both parents and children the reasons for dropping out of school. Parents say the most common reason is not being able to afford continued schooling for their children (36.8%), which is followed by children’s lack of interest or poor academic performance (25.3%). Closely related to family’s financial inability to afford more schooling for children is their need for additional income (15.8%), which leads to children joining the workforce early to support the rest of their siblings, especially in the families with several children (Chart 15).

My child went until 8th grade. The senior secondary school was far away and we had to pay 3600 LKR for the transportation to school. I couldn’t afford it, so my child stayed at home.

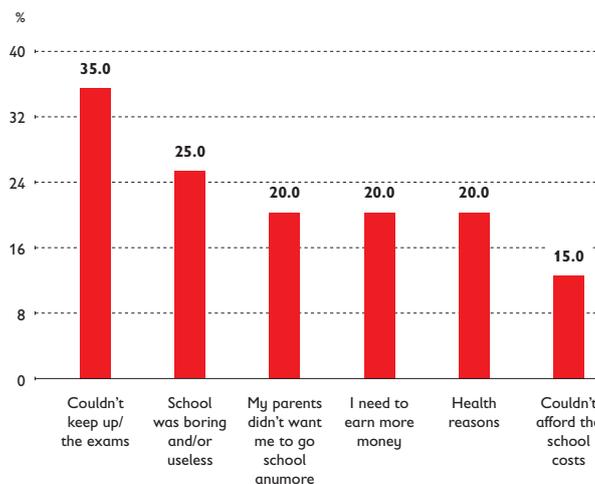
— a smallholder farmer

Chart 15: Parents’ reasons for their children discontinuing school



Children’s reasons for leaving school reflect that of their parents to a degree. For them, the most common reason is their own poor performance in school (35.0%) followed by their lack of interest (25.0%). On the surface, these reasons might seem to be related to personal reasons and capabilities of the child, but could in fact very well be linked to other factors, such as not having a supportive family environment to help them with their studies, not being able to hire a tutor when they struggle in school, having psychological difficulties from broken families etc. Children, like their parents, also listed reasons directly linked to their family’s economic situation such as the need to make extra money (20.0%) and not being able to afford school (15.0%, Chart 16).

Chart 16: Children’s reasons for discontinuing school



In addition to understanding the perspectives of parents and children for the reasons behind limited access to education, we looked at the characteristics of these families to understand the structural context better.

Farm owners vs. children’s education

Children of labourers are far more likely to drop out compared to those of farmers.

Looking at the parents with children under 18 who dropped out of school, we observed that the children of labourers are far more likely to drop out compared to those of farmers¹⁵. While only 1.3% of farmers have children under 18 who are no longer in school, 4.3% of labourers have school dropouts within this age group. Confirming these results, the children’s survey indicated that children whose parents work at someone else’s tea farm/estate are more likely to drop out of school than the ones whose family owns the farm¹⁶. As shown in Chart 17, 2.5% of children from families with a tea farm/estate left school before turning 18, compared to 8.6% of labourers’ children.

¹⁵ The correlation is $r = 0.0886$, $sig = 0.0438$

¹⁶ The correlation is $r = -0.1299$, $sig = 0.0033$

3. Child Rights Risks in Tea Growing Communities

Chart 17: Family owns the tea farm/estate vs. children leaving school before age 18

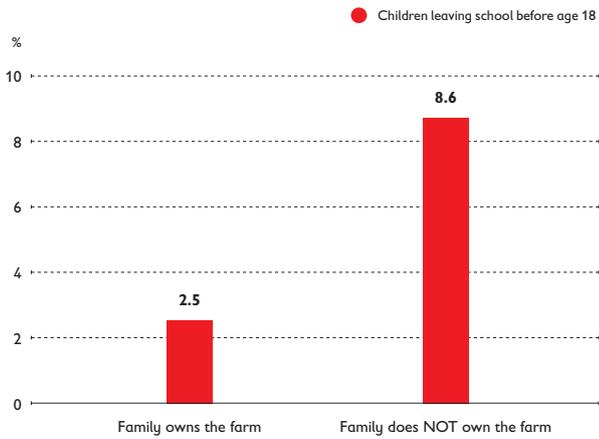
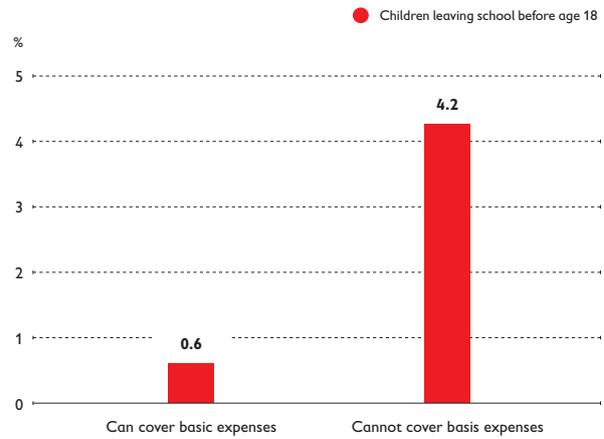


Chart 18: Family income covering basic living expenses vs. children leaving school before age 18



Family’s financial wellbeing vs access to education

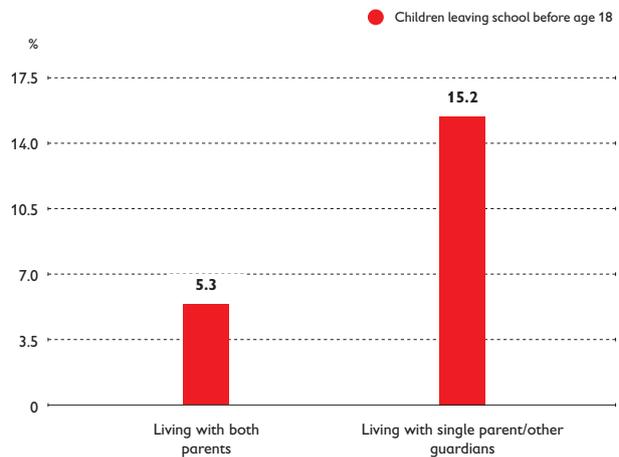
All but one family who have children that dropped out of school before 18 cannot afford their basic living expenses.

After finding differences in access to education between farmers’ and labourers’ children, we suspected that this difference might be due to the financial hardship labourers experience and therefore looked at the connection between families’ purchasing power and the likelihood of children dropping out of school. Indeed, we found that the families whose income cannot cover their basic expenses are more likely to have children dropping out of school. In fact, all but one family who have children dropping out of school before 18 cannot afford their basic living expenses (Chart 18).

Single parent households vs. children’s education

Children living with one parent or other guardians are much more likely to drop out of school than the ones living with both parents¹⁷. Chart 19 shows a significant difference between the two groups of children: 15.2% children living with a single parent or other guardians dropped out of school, while only 5.3% living with both parents did.

Chart 19: Single parent household vs. children leaving school before age 18



Family size

A common phenomenon to observe in communities with limited economic power is that the more children the household has, the more likely that some of them have to leave school early to contribute to the family income. We also observed that the more siblings the children have, the more likely they are to not go to school¹⁸.

¹⁷ The correlation is $r= 0.1174$, $sig= 0.0074$

¹⁸ The correlation is $r= 0.1002$, $sig= 0.0224$

3. Child Rights Risks in Tea Growing Communities

Additionally, for the children who are currently in school, the more siblings they have, the less hopeful they are about their future education and the less likely they are to want to complete their education¹⁹.

In summary, family income is the biggest deciding factor in how much schooling children can get in tea growing communities. As the labourers who work in someone else's farms/estates are also in a more economically vulnerable position, their children are at a greater risk of leaving school early and joining the workforce to support the family. The children who are lagging behind in school are also more likely to drop out from school. When we look at how school-going children rate their performance, we see that the children of farmers give their performance at school a higher rating than the children of labourers. Another vulnerability factor is living in a single parent households. Children living in such situations are more likely to drop out of school either to contribute to the family income and/or because of poor academic performance due to the lack of a supportive family environment.

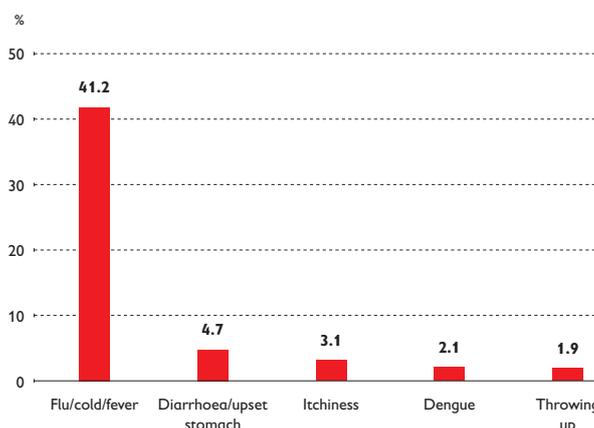
3.2 Children's Health Conditions and Access to Healthcare

Common health issues

In Chapter 2, we discussed how tea growing communities are burdened with healthcare costs, and that the lack of insurance coverage might exacerbate the economic hardship of some families thereby further limiting children's access to quality healthcare. In the following paragraphs, we will look at the general health status and nutrition intake of children in these communities, but most importantly, the factors that might be limiting their access to quality healthcare.

59% of children experienced some level of common health conditions in their communities in the past one month. Among them, the most prevalent one is flu or common cold (43.1%, see Chart 20).

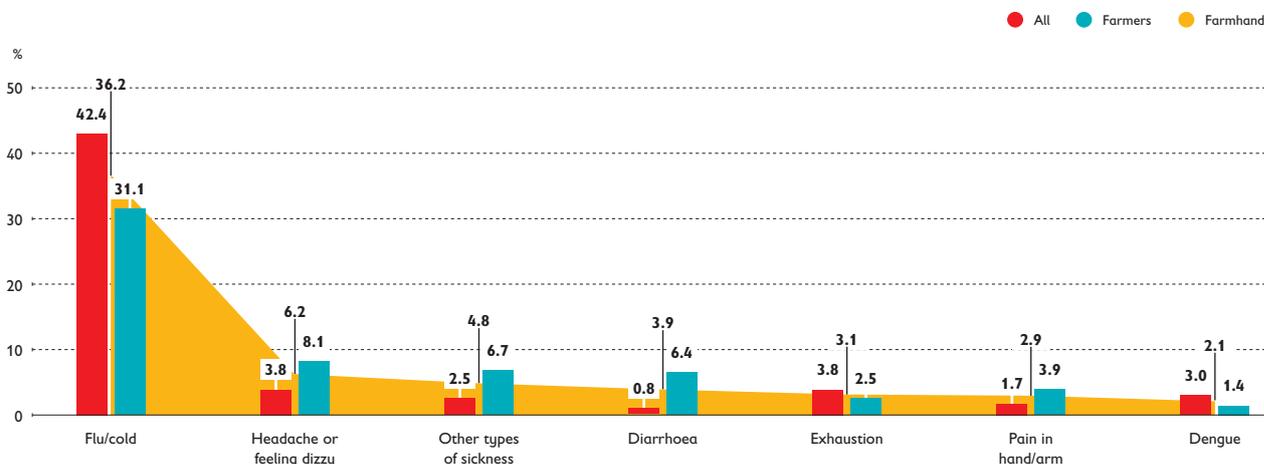
Chart 20: Common conditions children experienced in the past one month (according to children)



Labourers' children experience nutrition and/or hygiene related health conditions significantly more than the farmers' children

The surveyed parents echoed their children's answers by stating that flu or the common cold is the most frequently experienced health issue that their children are inflicted with (36.2%). When we look at other issues children experience that are possibly related to poor nutrition and/or hygiene such as dizziness & exhaustion (possibly from anaemia) and diarrhoea (due to unclean food, untreated water and/or poor hygiene behaviour), we found that labourers' children are experiencing them more than farmers' children (Chart 21). The above issues are often equated with low-income households.

Chart 21: Common conditions children experienced in the past one month (according to children)



¹⁹ The correlation is $r = -0.1451$, $sig = 0.0015$

3. Child Rights Risks in Tea Growing Communities

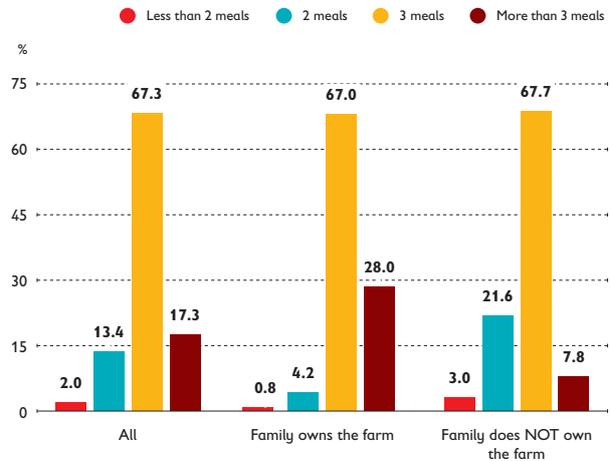
Furthermore, we found that the number one reason for children to miss school is illness. 74.4% of children who missed school in the past one month did so because they were ill.

Nutrition

A considerable portion of labourers' children (24.6%) eat two meals or less in a day.

Although the majority of children have meals three times a day (67.3%), a considerable portion of labourers' children (24.6%) have two meals or less in a day. Additionally, children from single parent families²⁰, and children who live in a housing facility on a tea estate²¹, eat significantly less meals than others, which clearly indicates that families' economic constraints directly impact the number of meals children have each day (Chart 22).

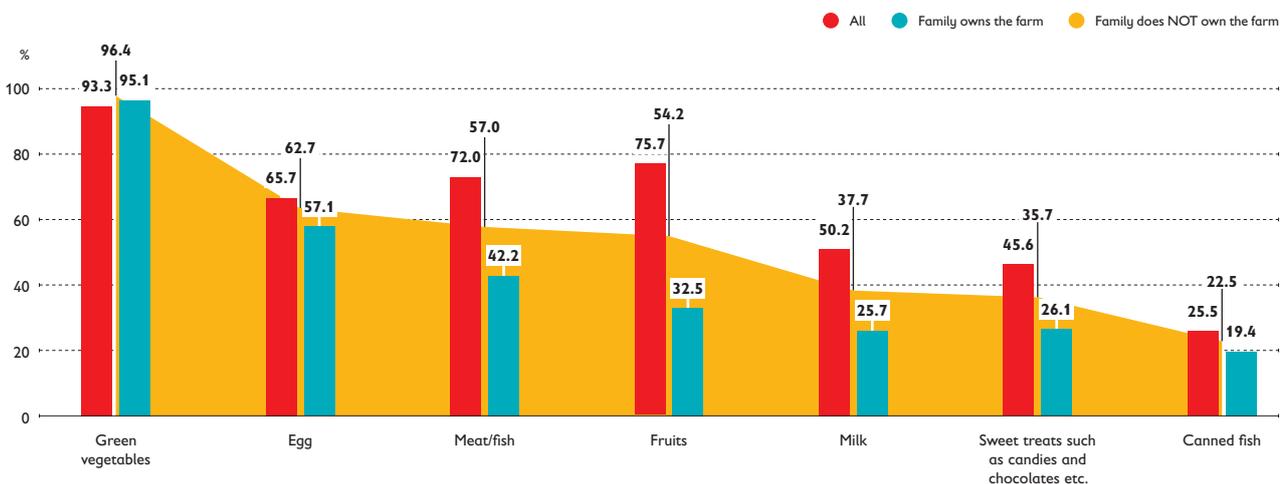
Chart 22: How many times do you eat per day?



Labourers' children consume fruits and animal-based proteins significantly less often than farmers' children.

Almost all children (96.4%) eat their green vegetables every day, but when we look at fruits and animal-based proteins such as eggs, meat and milk, we see a significant difference between children whose family own the tea farm/estate and those who parents work for others. The latter consumes significantly less animal-based proteins on a daily basis (Chart 23), which is another indication that poor families struggle to meet children's nutritional needs. As we mention in Chapter 2, many families, especially families of labourers, find it hard to pay for basic necessities such as food (Chart 6), which in turn can have long-lasting implications on children's healthy development²².

Chart 23: Which of the following foods do you eat almost every day?



²⁰ The correlation is $r = -0.1619$, $sig = 0.0002$

²¹ The correlation is $r = -0.2464$, $sig = 0.0000$

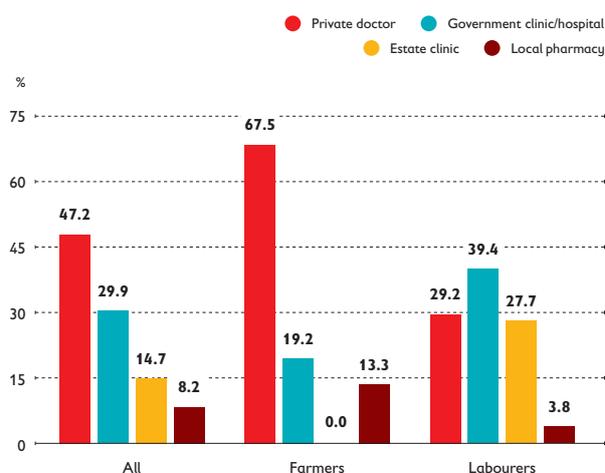
²² WHO, Early Child Development – Nutrition and the Early Years: <https://www.who.int/topics/early-child-development/child-nutrition/en/>

3. Child Rights Risks in Tea Growing Communities

Access to healthcare

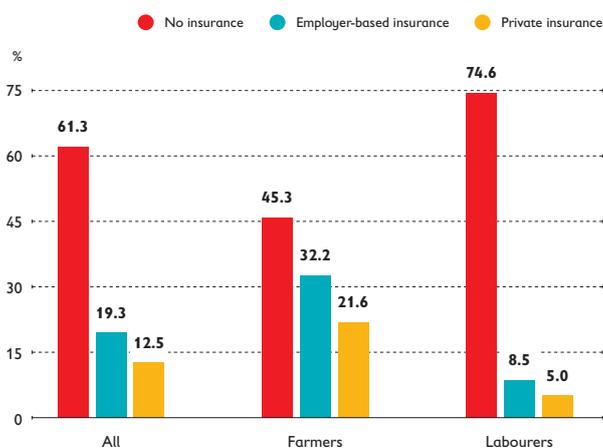
Parents' healthcare choices for their children mirror what they choose for themselves when they are ill. Chart 24 shows the place parents chose to turn to for medical treatment when their children fell ill last; the result is completely in line with the results in Chart 12 (page 21), which shows that farmers primarily choose private doctors/clinics for their children while significantly more labourers choose government clinic/hospitals and estate clinics.

Chart 24: Where did you go when your child was sick/injured last time?



As shown in Chart 25, 19.3% of children benefiting from employer-based insurance might look surprising given that far fewer parents get health insurance via their employers. However, we believe that this result is due to the fact that children are benefitting from the Sisu Suraksha programme, a medical insurance for school children, and by choosing the option that their children do indeed have an additional insurance package unlike them²³.

Chart 25: What kind of health insurance do you have for your child/ren?



3.3 Child Protection Risks in Tea Growing Communities

3.3.1 At home

Children who live in a housing facility of a tea estate feel significantly less safe than the ones living in their own homes.

Home should be a place where children feel safe and protected. Indeed, the surveyed children rated their home as the place where they feel safest: 9.3 out of 10. What is worth mentioning is that children who live in a housing facility of a tea estate feel significantly less safe (9.0) than the ones living in their own homes (9.5), even when controlling for all other factors²⁴. Additionally, children who say they were punished in the past six months feel significantly less safe (9.1) at home²⁵.

Physically and verbally aggressive punishments

31.2% of children were physically punished in the past six months by means of spanking, beating and slapping etc.

²³ Sri Lanka implements a universal health care system that provides free healthcare for all citizens. In addition to the free healthcare and the free education system for children, the Sri Lanka government also initiated a free medical insurance 'Sisu Suraksha' for school-going children that has been in place since 1 October 2017 and is implemented through the Sri Lanka Insurance Corporation Ltd. This insurance scheme aims to reduce the burden of poor parents in sending their children to school and also provide parents and guardians with financial support in case of accidents, disability and death **Invalid source specified**.

²⁴ The correlation is $r = -0.1091$, $sig = 0.0140$

²⁵ The correlation is $r = 0.1381$, $sig = 0.0016$

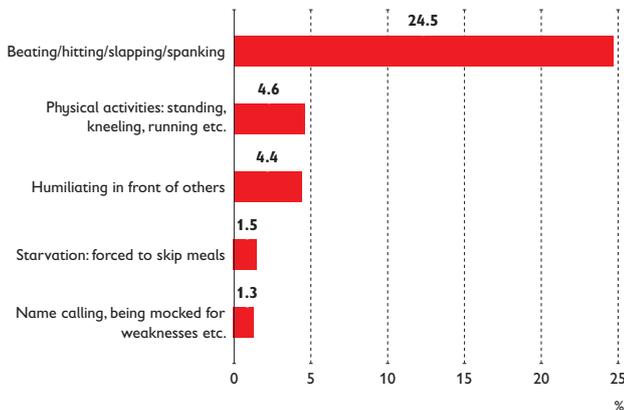
²⁶ 31.2% of all surveyed children

3. Child Rights Risks in Tea Growing Communities

36.6% of children say they were punished in the past six months, of whom 77.7% were punished by their parents. Of those children, the mother was more likely to do the punishing (65.4%) than the father (45.7%). What is alarming is that 85.2% of children who were punished in the past six months²⁶ were subject to corporal punishments such as spanking, beating and slapping.

When looking at parents' methods of disciplining a child, 36.4% admit that their children are punished at home using at least one form of physical or verbal aggression, including beating/hitting/slapping/spanking (24.5%). Parents turn to other forms of punishment to a much lesser extent such as standing, kneeling and running (4.6%), or humiliating the children in front of others (4.4%), or humiliating the children in front of others (4.4%) (Chart 26).

→ Chart 26: Do you know if your children are punished at home through the following methods?



Witnessing violence

15.8% parents claim their children witnessed violence and 41.5% of the violence they witnessed happened at home, either between the parents or other family members. As for the children who participated in the survey, 34.7% said they witnessed a violent fight at least once and 21.8% of those said they often witnessed violence. 14.4% of those violent fights took place at home.

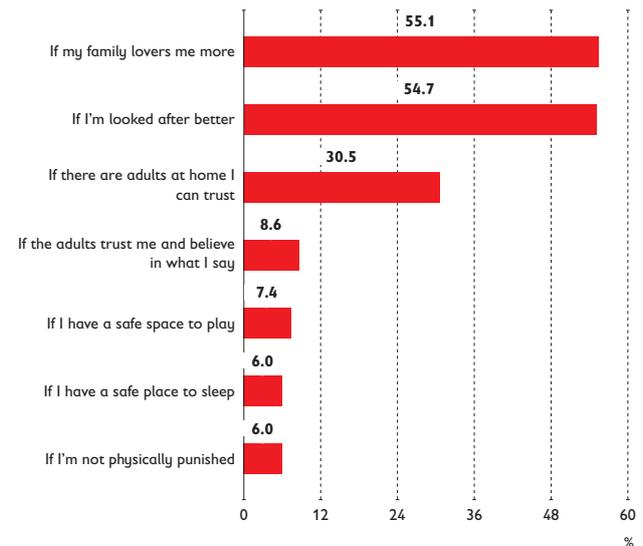
14.4% of children who witnessed a violent fight say they were affected by it and the other 9.4% are not comfortable answering. More than half (57.7%) of the children who think they were affected by witnessing violence say they were very scared and four of them got hit as well.

What it would take for children to feel (even) safer at home

When asked how they would feel safer at home, 23.7% said they already feel very safe at home and do not expect any change. But others had different ideas

regarding changes and improvements at homes to feel safer: more than half the children would expect more love (55.1%) and care (54.7%) from their families, and about one third (30.5%) would like to have an adult at home they could trust. Although few in numbers, there are cases where children felt they needed a safe space at home to play (7.4%), to sleep (6.0%) and to be free from physical punishment (6.0%, see Chart 27).

→ Chart 27: How would you feel safer at home?



The safer children feel at home, the higher they self-rated their school performance.

A safe environment is crucial for the healthy development of a child. Supporting that view, we found that the extent to which children feel safe at home is positively correlated with how they perform at school: the higher they rate their sense of security at home, the higher they self-rated their school performance²⁷.

3.3.2 At school

Children feel significantly less safe at school than at home, rating their sense of safety 8.5 out of 10, in contrast to 9.3 at home. Additionally, the safer children feel at school, the higher they self-rated their school performance²⁸.

Corporal punishment

I don't like going to school because teachers hit us when we cannot do the schoolwork... some with sticks and some with their hands

— A farmer's child

²⁷ The correlation is $r = 0.0850$, $sig = 0.0673$

²⁸ The correlation is $r = 0.2009$, $sig = 0.0000$

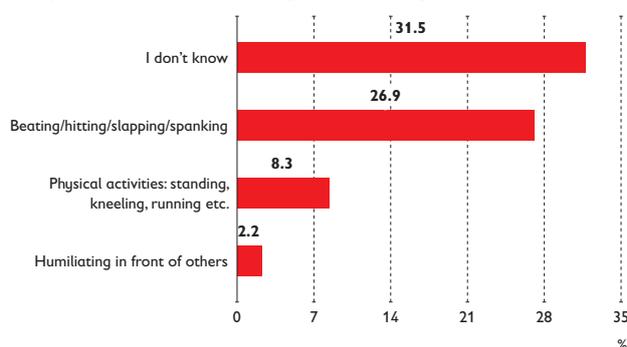
3. Child Rights Risks in Tea Growing Communities

Although the percentage of children who dislike school is low (2.2%, 11 children), the number one reason for them disliking their school is that they get punished by their teachers (72.7%). The second reason is that they don't like some of their teachers (36.4%). Some children explained that their reason for not liking school was their teacher's method of making them kneel in class as a form of punishment. Some even found their teachers to be dangerous and abusive. Indeed 36.6% got punished in the past six months, and after parents, 63.8% of them were punished by their teachers.

26.9% parents are aware that their children have experienced corporal punishments such as beating, hitting, slapping and spanking at school.

Nearly a third of the parents (31.5%) are not aware whether their children are being punished by physically and verbally aggressive means at school. However, quite a number of parents (26.9%) confirmed that their children experienced corporal punishments such as beating, hitting, slapping and spanking at school (Chart 28).

→ Chart 28: Do you know if your children are punished in day care, pre-school or school through the following methods?



75.5% of the parents at least somehow agree that “teachers or administrators should be allowed to physically punish children at school, for example, by hitting a child with a hand or an object, as long as it isn't excessive.”

What is alarming, however, is that 75.5% of the parents at least somehow agree that “teachers or administrators should be allowed to physically punish children at school, for example, by hitting a child with a hand or an object, as long as it isn't excessive.” 38.3% of the parents even strongly agree with that notion.

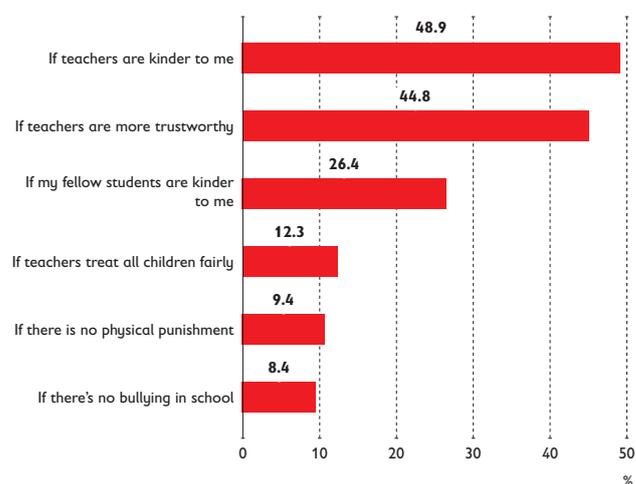
Bullying

Only a small percentage of parents (3.9%) reported that their children were bullied at school or in the community. While it is possible that bullying is not prevalent among children, the possibility does exist that children are not telling their parents or teachers about the bullying because they are afraid of how it will be handled. Most parents who are aware of their children being bullied punished the bully (31.8%) or reported the issue to the school (31.8%).

Children's voice to feel safer at school

When asked how they would feel safer at school, 21.5% said they already feel very safe at school and do not expect any change. However, the remaining children did indicate a preference for changes or improvements to make them feel safer at school. The most important change children expect to see is a change in their teachers' attitude – they want their teachers to treat them more kindly. What might be unexpected is their lack of trust in the teachers, with 44.8% wanting teachers to be more trustworthy. 9.4% children say they would feel safer if there was no physical punishment at school. While this result could indicate that corporal punishment is not widely used in schools, it could also be linked to the fact that parents have a lax attitude towards corporal punishment as long as it's not excessive and that children as a result, do not realise that this is something that should be changed (Chart 29).

→ Chart 29: How would feel safer in school?



3.3.3 In Communities

Children generally feel less safe in their communities/ neighbourhoods than at home or school. They rated their sense of safety in communities 7.4, in contrast to 9.3 at home and 8.5 at school.

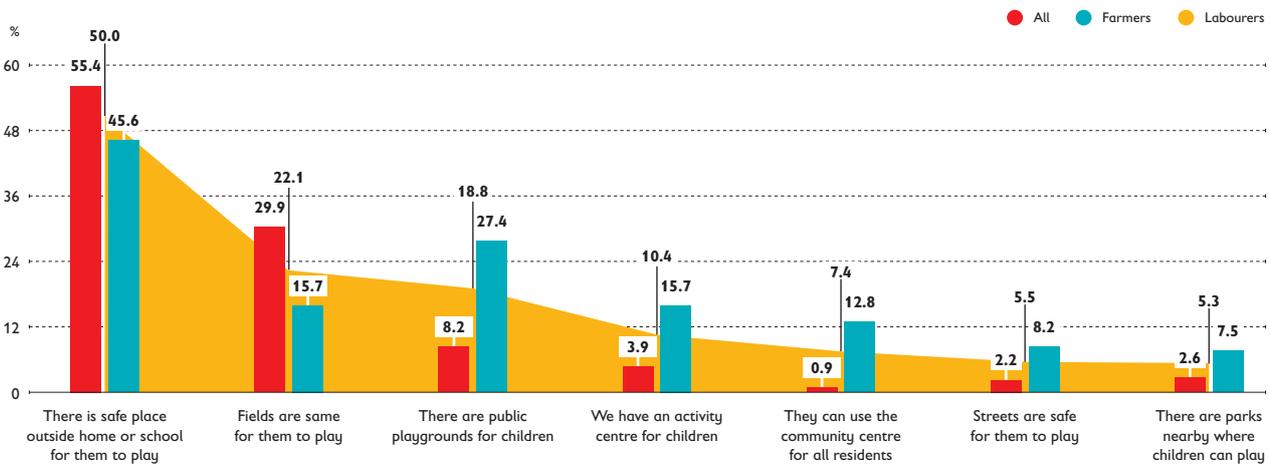
3. Child Rights Risks in Tea Growing Communities

Safe space to play

Half of the families let their children play only at home and/or school because they don't find it safe for them to play outside.

Half of the families only let their children play only at home and/or at school because they don't find it safe for them to play outside. Significantly more farmers (29.9%) find the fields (farmlands) safe for children to play than the labourers who work in someone else's farms (15.7%). Although the farmers and labourers live in similar communities, farmers are less happy about the safety of the communities compared to labourers, which might indicate a slightly higher awareness among farmers of the risks (Chart 30).

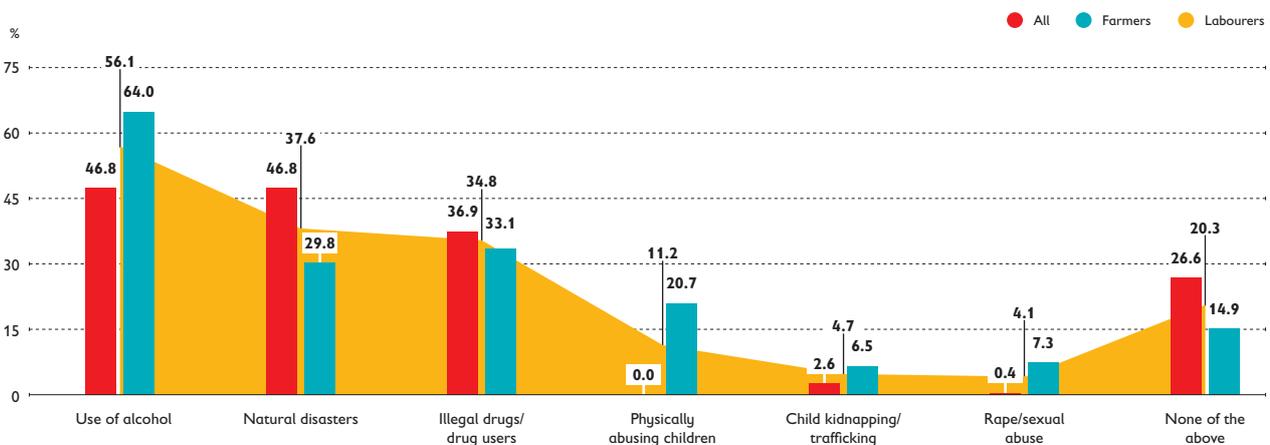
Chart 30: Are there any safe places in your neighbourhood for your children to play?



Perceived risks in the communities

About four out of five parents (79.7%) believe there are potential risks/dangers in their community for children, such as alcohol use (56.1%), natural disasters (37.6%), and illegal drugs (34.8%) etc. Farmers and labourers seem to have varying levels of concerns about different risks. For example, 20.7% of labourers thought physical abuse of children is a risk in their community, while no farmer finds it to be a potential risk (Chart 31).

Chart 31: What potentials risks/dangers do you think exist in your community/neighbourhood for children?

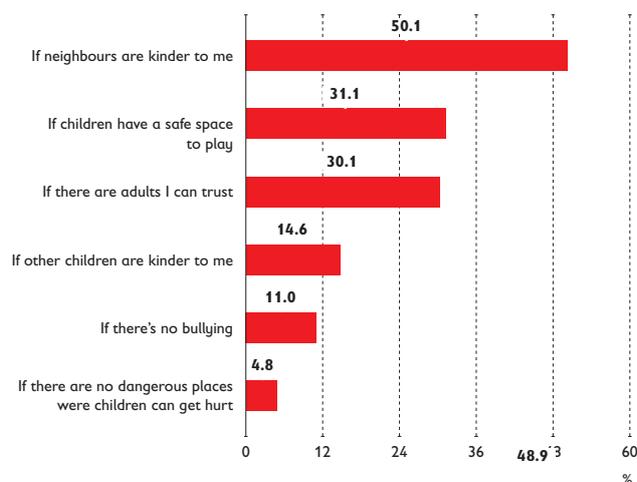


3. Child Rights Risks in Tea Growing Communities

Children’s voice to feel safer in their communities

16.4% of children say they already feel very safe and do not expect any changes. The remaining children, however, do expect certain changes: the most significant change being better treatment/attitude from the adults, or in other words, kinder neighbours (50.1%). The second biggest changed selected by children mirrors what half of the parents said: namely, that they would like to have safer places in their community to play (31.1%, see Chart 32).

→ Chart 32: How would you feel safer in the community/ neighbourhood?



3.3.4 At the tea estate

Children who live in housing facilities in tea estates find it least safe

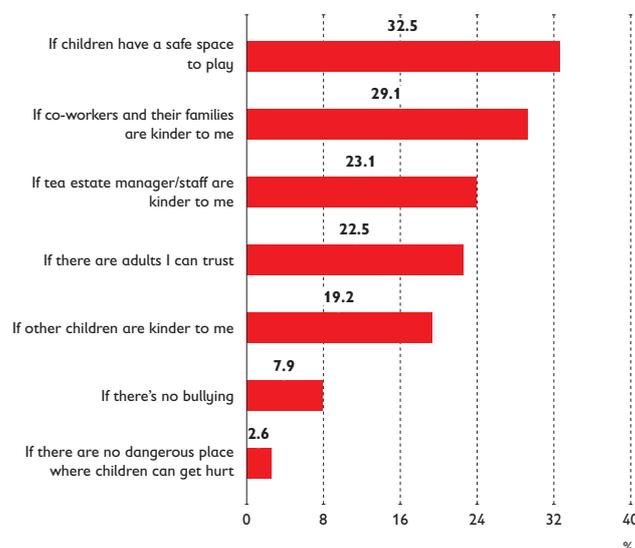
30% of surveyed children live in housing facilities in tea estates, and that is where children feel least safe, giving it a rating of 5.6 out of 10 for sense of safety. Labourers and their families, particularly those living in housing facilities of mid-sized estates, are rarely given individual houses. Instead, they mainly live in line rooms where there is little to no privacy. Based on our interview with a mid-sized estate’s owner, there are 16 families living in his estate. 12 of the families are staying in line rooms and the other four families live in individual houses. He admitted that the conditions in the line rooms are much worse than the separate houses and that is why the government encourages estates to provide individual houses. A news article by Radhia Rameez²⁹ in 2018 described the line rooms’ condition as badly in need of repair with many found to have cracked and flaking walls and broken roofs,

while others are windowless. Many line rooms are roughly ten by twelve feet for one family but it is not unusual for eight to nine family members to share one small room.

Children’s voice to feel safer at the tea estates

Of the 30% of children who live in housing facilities inside a tea estate, only 13.9% felt that no change is necessary to make them feel safer. Others chose similar examples as outlined above in previous questions about safety, such as needing a safe space to play (32.5%), better treatment from the adults in their lives including the families (29.1%) in the tea estate as well as staff/managers (23.8%, see Chart 33).

→ Chart 33: How would you feel safer in the tea estate?



3.4 Childcare needs and gaps

The longer the hours parents work, the less likely they are to have enough time to care for their children.

Looking at the childcare issue from the parents’ perspective, Chart 34 shows that more than a third (37.9%) of parents with children under the age of 12 believe that their working hours always allow them to care for their children. 34.4% think their hours mostly allow enough time, and the rest (27.7%) think it doesn’t. Not surprisingly, this assessment is directly linked to the number of hours parents worked: the longer the hours they work, the less likely they are to have enough time to care for their children³⁰.

²⁹ <https://roar.media/english/life/in-the-know/the-real-line-room-experience-through-the-eyes-of-an-estate-worker/>

³⁰ The correlation is $r = 0.2590$, $sig = 0.0000$

3. Child Rights Risks in Tea Growing Communities

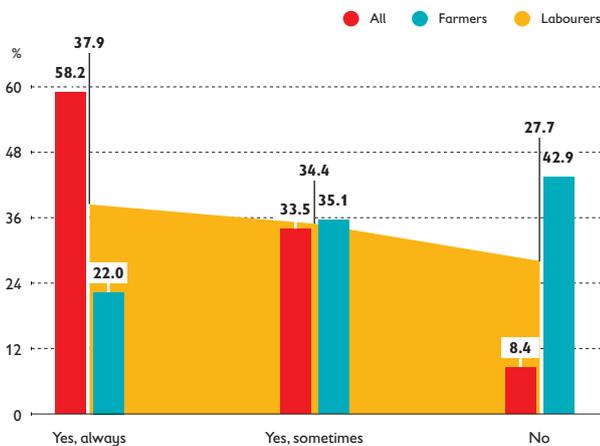
We have to leave for work at 6.30 a.m. There is hardly any time to attend to the needs of children.

— female labourers

As labourers work significantly longer hours than farmers who work on their own tea farms/estates, labourers were less likely to believe that their work hours allowed them to have enough time for childcare³¹. When we compared the results with recent Save the Children/CCR CSR studies that looked at homeworkers and factory workers, we found that farmers' answers are close to those of homeworkers namely that they have enough time to care for their children. Conversely, labourers are the group most likely to say they do not have enough time to spend with their children³². Interestingly, their results more closely resemble those of factory workers who also find that they do not get enough time with their children³³.

Labourers, more than any other surveyed group, feel they don't have enough time to spend with their children.

→ Chart 34: Do you think your work hours allow you to have enough time to care for your children?



I wish there was a creche (day-care centre). When the children come home from school, they are alone at home. The neighbours look after them, but we are in constant fear. If there is an institution where the children can be looked after, we could work without fear.

— labourers in mid-sized tea estates

Very few parents utilise any sort of creche/day-care option, whether it is government-provided, community-based or factory-based.

Most of the parents, like in many other places, rely on grandparents (59.0%) as backup when they must spend time away from their children. Farmers rely on the grandparents significantly more than the labourers. What we found through focus group discussions is that some grandparents might expect some financial compensation for taking care of their grandchildren. Even though this result is anecdotal, it might explain why labourers rely on grandparents less, as they are in a more difficult position financially. We found that very few parents utilise any sort of creche/day-care option, whether it is government-provided, community-based or factory-based. When no other option is available, the children are sometimes left at home unattended (10.9%, see Chart 35).

Sometimes our mothers quarrel with us about having to look after our children and ask for money. But we don't have money to give to our mothers. Sometimes they even refuse to take care of the children... because it's not easy

— female labourers

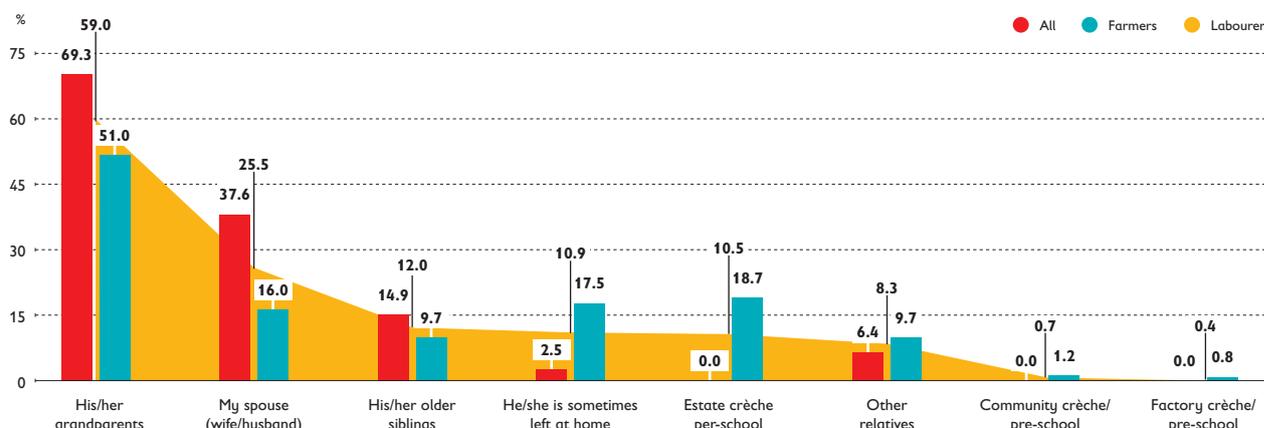
³¹ The correlation is $r = -0.4361$, $sig = 0.0000$

³² Reference: TABLE A43: TIME FOR CHILDCARE, page 60, **CCR CSR & Save the Children, In the Interest of The Child? Child Rights and Homeworkers in Textile and Handicraft Supply Chains in Asia, 2019**

³³ CCR CSR, 2017: From the Factory with Love: A Study on Migrant Parent Workers in China: http://www.ccrs.com/sites/default/files/From%20the%20Factory%20with%20Love%20-%20A%20Study%20on%20Migrant%20Parent%20Workers%20in%20China_EN_0.pdf

3. Child Rights Risks in Tea Growing Communities

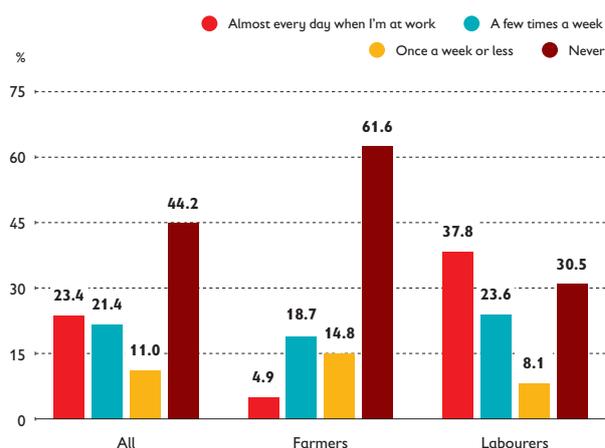
Chart 35: Who takes care of your child/children when you are away from home/at work?



The longer parents work, the more likely it is for the children to be left unattended.

Again, if we look at how often children under age 12 are left without the care of an adult, we find that it is directly linked to the number of hours parents worked. The longer they work, the more likely it is for the children to be left unattended³⁴. Children of labourers are therefore more likely to be left unattended³⁵. Furthermore, even when we control for the work hours, we found that labourers are leaving their children unattended significantly more than the farmers. Again, since labourers living on tea estates may not have the option of relying on extended family for childcare support, there is a greater risk that their children are neglected, with as many as 37.8% leaving their children unattended on a daily basis (Chart 36).

Chart 36: How often are your children left without the care of an adult?



Labourers' children are left unattended significantly more than the farmers' children.

Children's answers also illustrate a very similar picture to that of the parents. While only 3.6% of farmers' children under the age of 12 are left home unattended on a daily basis, 35.5% of labourers' children are left by themselves every day.

We can conclude that farm owners share similar characteristics of homeworkers in terms of childcare needs and gaps. They also have few alternative day-care options available in the community apart from their families, but their children are much less likely to be left unattended compared to factory workers or labourers who work for them.

3.5 Maternity Leave and Breastfeeding

Maternity leave

Exactly half of the mothers said they took maternity leave. Only 12.6% of farmers said they took leave in the past, compared to 69.1% of the labourers. We assume that farmers who do not work directly on the farms might continue working to a certain capacity (e.g. selling the tea to the collectors, paying salaries to labourers) and do not consider themselves as having formal maternity leave. This notion is reflected in feedback from the focus group discussion whereby they claimed to take some rest after giving birth but that they don't consider it a formal leave of absence from work.

³⁴ The correlation is $r = -0.3335$, $sig = 0.0000$

³⁵ The correlation is $r = 0.4078$, $sig = 0.0000$

3. Child Rights Risks in Tea Growing Communities

As for the ones who took some leave after giving birth, the length varies greatly. Farmers on average took about 13.3 months of leave from work, with the range spanning from eight to 35 months. Labourers on the other hand, took much shorter leaves, averaging 3.3 months and spanning from one month to a maximum of 12 months.

We work as long as we can when we're pregnant. After the childbirth, there is no salary if you do not go to work. After delivering the baby, some of us rest for a week and go back to work. If we don't work for a month, our husbands will have to work so much more, and we will have to completely rely on him for expenditures.

— female labourers

When we looked at the relationship between the length of maternity leave and families' financial status, we found that the mothers whose families struggle to cover their basic expenditures take shorter breaks from work³⁶, confirming what they told us during the focus group discussions.

Breastfeeding

Some labourers look after the child for four or five months during the breastfeeding period without coming to work...but some of them might lose their jobs if they do not go for months. So they have no option but to leave the child and go to work,

— smallholder farmers who employ labourers

Sri Lanka is one of the countries with the highest breastfeeding rates, with 82% of exclusive breastfeeding in the first six months according to UNICEF³⁷. 84.5% of surveyed mothers who have children aged 2 or younger are still breastfeeding. However, the stories mothers told us during focus group discussions shed a different light on the challenges they face.

We get scolded if we are found coming home for breastfeeding. There is no official break for breastfeeding.

— labourers in a mid-sized estate

Mothers who are employed at mid-sized estates say that sometimes they have to wait too long before they can breastfeed because they are afraid of being reprimanded for taking a break from work. A lot of the mothers, especially labourers, complain that the food they eat is not nutritious enough to produce an adequate milk supply for their children, especially when they cannot eat on time due to work.

Sometimes we don't have enough breastmilk because we don't eat on time, we don't eat properly... and sometimes, we can't feed the baby on time.

— smallholder farm labourers

3.6 Children's involvement in parents' work

Few parents (3.3%) say their children help on the farm, but more children (22.1%) claim to do so.

Only very few parents (3.3%) said their children helped with the tea production/farm work. In contrast, 22.1% of surveyed children said they helped their parents with the farm work. This gap is most likely due to parents underreporting the situation due to a fear of being accused of engaging their children in child labour. 90% of the children say they work in the farm because they want to help their parents.

In total, 115 of the children we talked to helped parents with work on the tea estate. Boys are more likely than girls to engage in the work³⁸. 26.9% boys say they help parents with the tea estate work, while 18.1% of girls say so. Also, children whose family owns the farm/estate are more likely to help their parents with work³⁹. Naturally, children who are still in school are less likely to help their parents with the farm work⁴⁰. Chart 37 shows the age distribution of children who say they help with the estate.

³⁶ The correlation is $r = -0.4023$, $sig = 0.0000$

³⁷ <https://www.unicef.org/press-releases/why-family-friendly-policies-are-critical-increasing-breastfeeding-rates-worldwide>

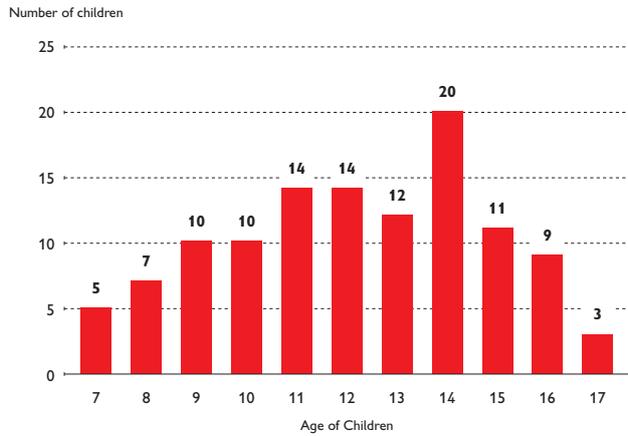
³⁸ The correlation is $r = 0.1049$, $sig = 0.0168$

³⁹ The correlation is $r = -0.1502$, $sig = 0.0007$

⁴⁰ The correlation is $r = 0.0754$, $sig = 0.0861$

3. Child Rights Risks in Tea Growing Communities

Chart 37: Age of children who help parents with farm work

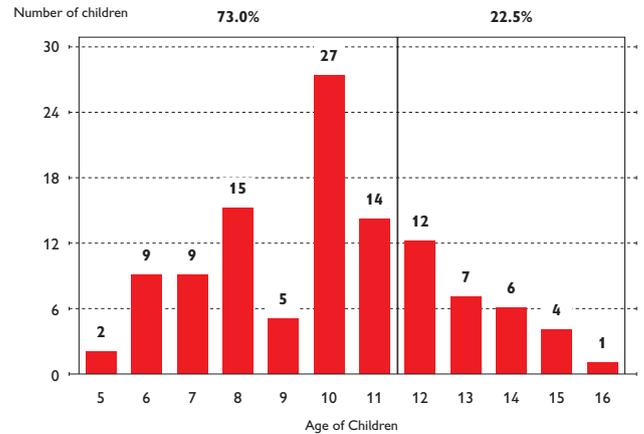


Age when children started to help in the farm

73% of children start to help out on the farm before the age of 12.

Chart 38 shows the age when children started to help their parents with the farm work. We can see that age 10 is the most common age for children to start helping on the farm, and 73% of children start to help out on the farm before their 12th birthday. There is no significant difference between boys and girls when it comes to the age that they start helping on the farm.

Chart 38: Age when children started helping their parents with farm work

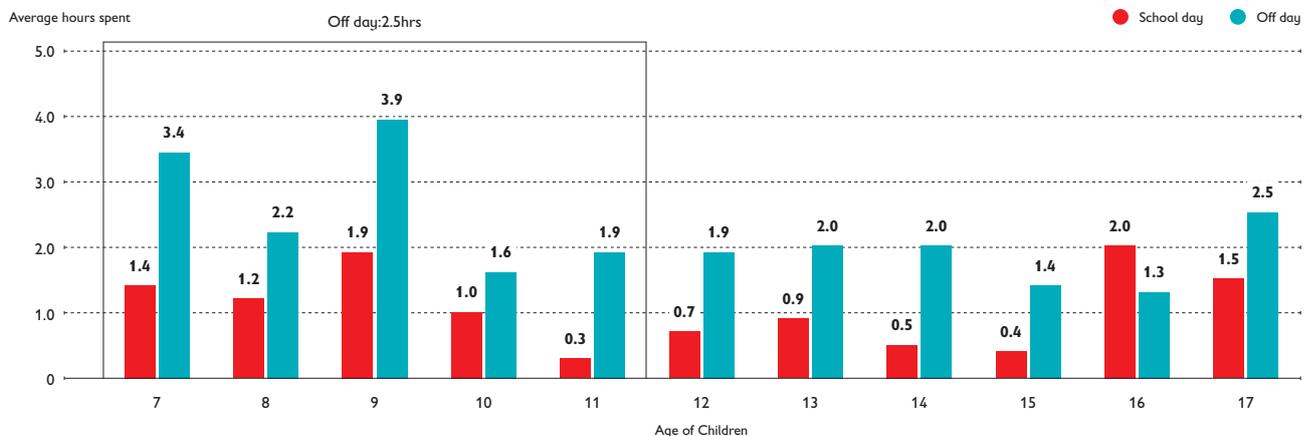


Work hours of school children

School children spend 0.9 hours on farm work on a school day and 2.2 hours on weekends and holidays.

44.8% of school children say they can decide how many hours to work in a day, which means the other 55.2% might have to adhere to their parents/guardians demand regarding work length. On average, school children spend 0.9 hours on farm work on a school day and 2.2 hours on weekends and holidays. The amount of time they spend varied day to day from zero hours to a maximum of 12 hours in one special case. As shown in Chart 39, school children spend significantly more time on the farm on weekends and holidays than on a regular school day. Some children under the age of 12 are spending more than two hours on their off days. However, there is no significant difference between how much boys and girls work on average.

Chart 39: Average hours school children spend on farm work per day



3. Child Rights Risks in Tea Growing Communities

Work hours of out-of-school children

54.6% of out-of-school children say they can decide how much to work on the farm. The children who are not in school work an average of 5.6 hours on a regular work day, with the range spanning from one to 10 hours daily.

What children do on the farm

It is unlikely that children are engaging in hazardous work, but the possibility does exist.

Most children helping on the farms pluck tea leaves (60.2%) and weed (49.0%). Girls are assigned to certain tasks more than boys, or vice versa. For example, significantly more girls (72.3%) than boys (49.0%) are in charge of plucking. Children under 18 should not engage in any hazardous work such as spraying insecticides and fertilizing the soil. While there were no reports of children spraying insecticides, two children, both boys, said they fertilized the soil (Chart 41).

Chart 40: Average hours out-of-school children spend on farm work per day

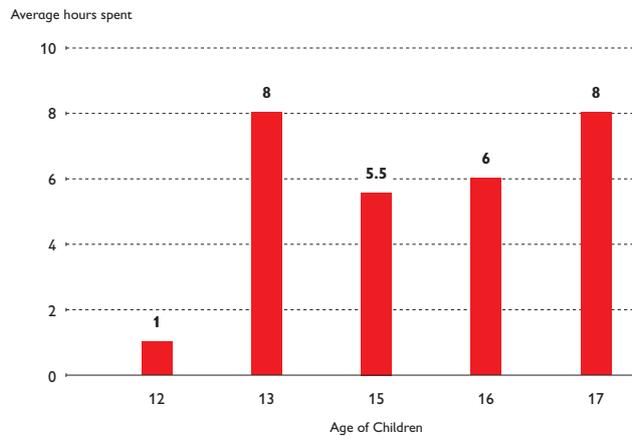
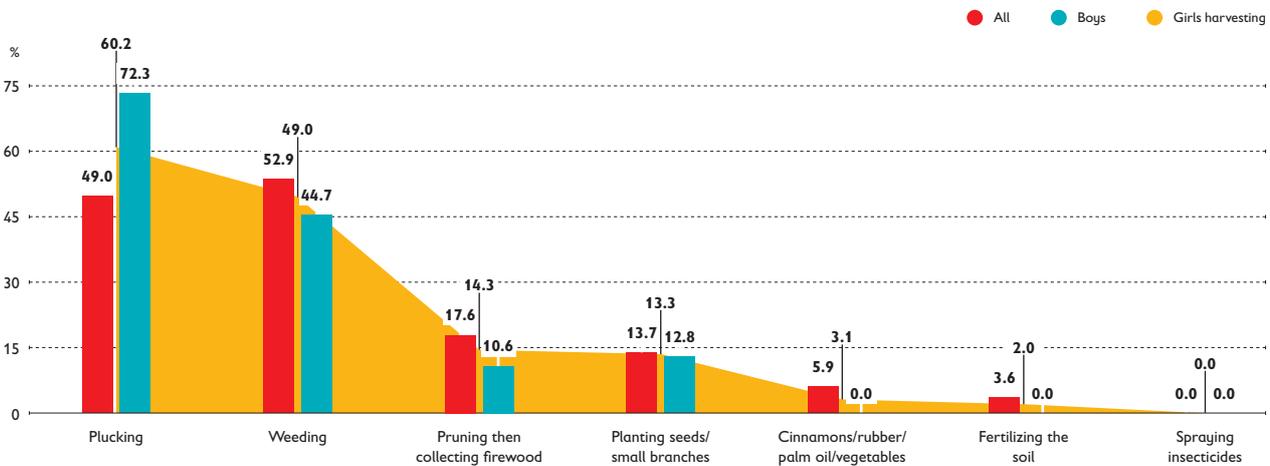


Chart 41: What types of work do you do on the tea estate?



It is very likely that the older children were given more difficult tasks because there is a significant correlation between age and how hard the children find the work on the tea estate⁴¹. More than half of the children (51.3%) working on the tea estate describe their work as very difficult. 15.7% think it is difficult but manageable, while only a third (33.0%) find it easy.

⁴¹ The correlation is $r = -0.3120$, $sig = 0.0007$

3. Child Rights Risks in Tea Growing Communities

Impact on school performance

Helping with the farm work can have a negative impact on education if it causes absenteeism.

16.5% of school children who help on the farm say they sometimes miss school because of work. Whether or not children help parents on the farm is not significantly associated with how well they perform at school. There is however a correlation between absenteeism from school due to farm work and their academic performance: children who are more likely to miss school due to farm work self-reported having lower achievements at school⁴². This could imply that helping on the farm may not necessarily lead to a negative performance at school directly; rather, it poses a negative impact on education only when such help causes absenteeism.

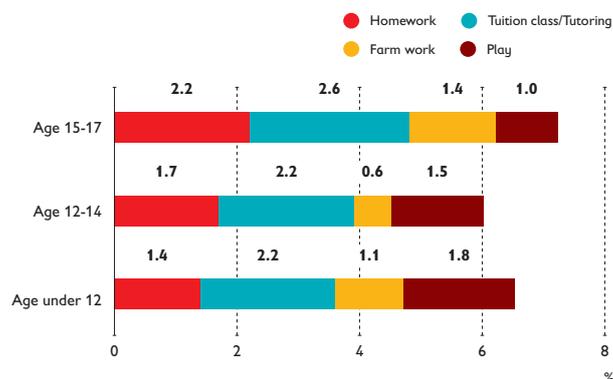
Right to play

Children have less than two hours a day for play on average throughout all age groups.

Right to play is a fundamental right of children and crucial to their healthy development. This is of special importance for younger age groups. On average, surveyed children had about 1.5 hours per day to play. However, 12.6% of the children say they have no time to play at all. Boys generally had more time to play than girls⁴³, and naturally, the younger the children are, the more time they had to play⁴⁴.

Chart 42 shows the typical after-school hours for children of three different age groups. Note that the results in this chart are of children who are taking tuition classes, which is 55.8% of children. For others, a school day looks less busy. The children of all age groups in Chart 42 have a busy schedule and have less than two hours for play on average, which could be an obstacle to children’s healthy development, especially the younger age groups.

Chart 42: Typical after-school hours on a school day



3.7 Risk of child labour

There is a risk of child labour when children start helping out on the farm at a young age.

As can be seen in Chart 38, 73.0% of children who indicated to be working on the plantations, started to work before they reached the age of 12, which would be classified as child labour under ILO standards regardless of the hours they work per day. Furthermore, although very few, we observed two cases of children engaging in hazardous work such as handling the fertilizer. During the focus group discussion, labourers explained that their children are involved in plucking tea leaves, bringing water for the parents, cleaning the ground, carrying plucked teas and digging canals. Labourers said they have no choice but to get their children involved in work. A female labourer described how a child she knows had to start working after his mother fell ill and became bedridden.

As for work hours of children aged 12 to 14 and 14-17, the average work hours of school children do not appear to be excessive. However, in a few cases, children reported to work up to 12 hours on some days, with one 13-year old boy working an average of 8 hours per day.

All in all, we can conclude that children’s involvement starts too early for a significant number of them, and that there is some risk of hazardous work and long hours. The majority of children, however, do not engage excessively and the data seems to indicate that most parents seem to understand that assigning hazardous work to their children is off-limits.

⁴² The correlation is $r = -0.2378$, $sig = 0.0146$

⁴³ The correlation is $r = -0.1963$, $sig = 0.0000$

⁴⁴ The correlation is $r = -0.2759$, $sig = 0.0000$

3. Child Rights Risks in Tea Growing Communities

3.8 Child Protection Mechanisms

In Sri Lanka, the child protection mechanism is spread across different levels, namely national, provincial, district and divisional level, which involve various key stakeholders, including government and non-government entities.

These include the Children and Women’s Desks (CWD) a.k.a. the Children and Women’s Bureau (CWB). This unit is part of the police department and handles incidents of violence against children and women. Meanwhile, the leading agency in the criminal justice system for protecting children and upholding their rights is the Ministry of Women and Child Affairs. Sri Lanka’s National Child Protection Authority (NCPA) was established under this ministry in 1998, which provides care and protection to children in need. They also spearheaded a nationwide volunteering project that aims to establish a strong child protection network, as well as a hotline for children in need.

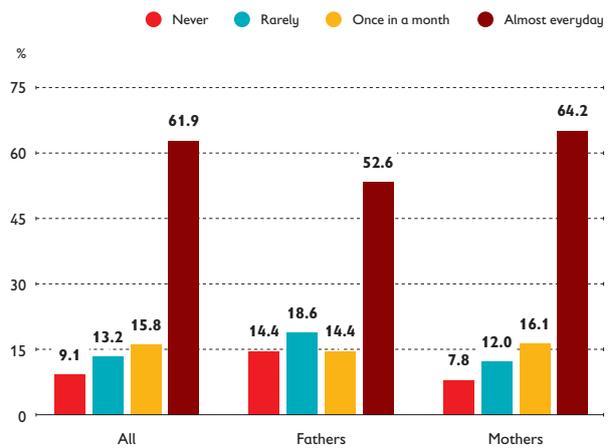
Another child protection unit under the Ministry of Women and Child Affairs is the Department of Probation and Child Care Services (DPCC), whose mission it is to uphold the rights of all children and to provide them equal opportunities in line with national policies and international standards with specific attention to orphaned, abandoned and destitute children and children in conflict with law.⁴⁵

Despite these efforts from the government to protect children, major flaws and gaps do still exist. For example the hotline usage in rural areas is low, e.g. only 168 calls were record in 2018 in Nuwarea Eliya⁴⁶, and a 2018 study has shown that the effectiveness of the Village Child Development Committees structure remains in question as many community members, e.g. teachers in schools, are not aware of it (Samaranayake & Athukorala, 2018). There is also still a lot of taboo around the issue of reporting domestic violence to the authorities, which is exacerbated by police indifference and even mistreatment of victims who report such crimes. Some of these gaps also became evident during our study and are described below.

Parents’ Awareness

As shown in Chart 43, the majority of parents (61.9%) say they alert their children about the need to protect themselves from harm and violence on a daily basis, and this is especially so in the case of mothers (64.2%). While this might indicate a relatively high awareness among parents to protect their children, it could also be due to the fact that parents are wary about actual dangers in their communities.

Chart 43: How often do you speak to your children about how to protect themselves from harm and violence?



More than half (55.5%) of the parents would choose to deal with instances of physical harm against their children themselves with the help of family and friends.

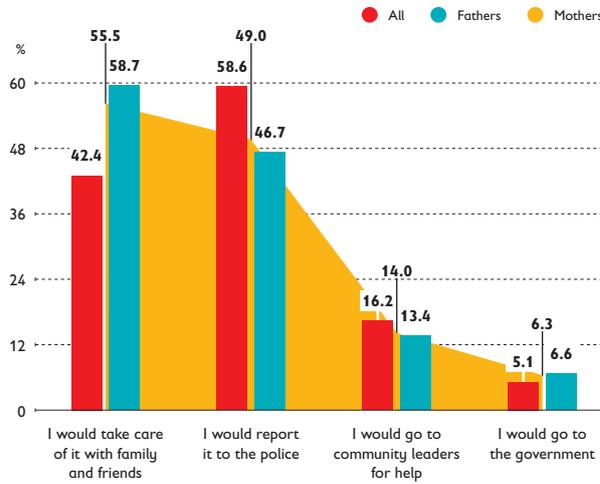
More than half (55.5%) of the parents said that if their child were physically harmed by someone else, they would choose to deal with it together with family and friends. This is more so the case for mothers (58.7%) than fathers (42.4%). More fathers would choose to report it to the police (58.6%) than the mothers (46.7%). The fact that more parents would handle a case of a child being harmed as a family matter instead of something to be dealt by the authorities means that parents largely see it as private or family matter (Chart 44).

⁴⁵ http://www.probation.gov.lk/vission_e.php

⁴⁶ <http://www.childprotection.gov.lk/wp-content/uploads/2018/02/1929-final-data-2018.pdf>

3. Child Rights Risks in Tea Growing Communities

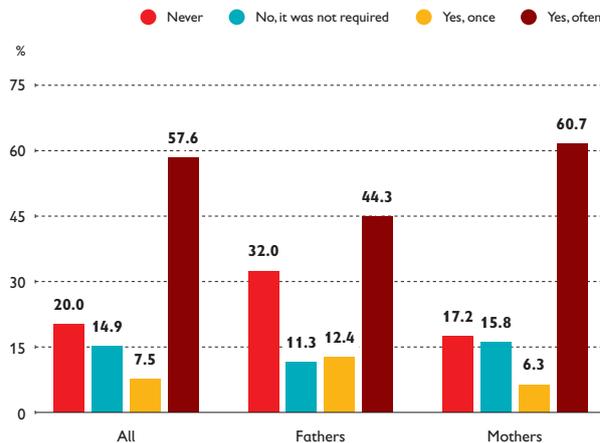
Chart 44: What would you do if someone physically harmed your children?



Parent-Child Communication

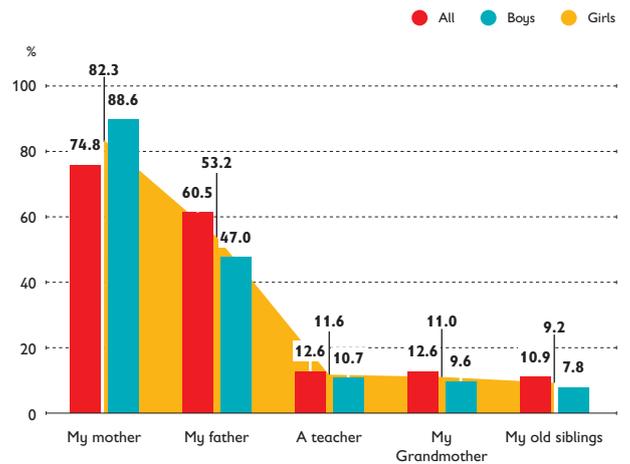
The majority of parents (57.6%) often encourage their children to tell them if they experienced forms of harm, abuse or violence from others. However, more than a third (35.0%) never encouraged their children to talk about it. We can see from Chart 45 that fathers are much less likely to remind their children to share such negative experiences compared to mothers.

Chart 45: Have you ever encouraged your children to talk to you if they experience any form of harm, abuse or violence from others?



As shown in Chart 46, it is no surprise that children will predominately choose to talk to their mothers (82.3%) if an adult mistreats or threatens them. In comparison, far fewer children will go to their fathers (53.2%), even boys (60.5%). What might be unexpected is how few children would choose their teachers (11.6%). Only a very small number (2.3%) of children would choose to tell no one.

Chart 46: Have you ever encouraged your children to talk to you if they experience any form of harm, abuse or violence from others?



4. Child Rights Risks in Smallholder Tea Farms – Analysis

In this chapter, we will summarise the key findings from the previous three chapters and analyse the child rights risks in terms of their likelihood and consequences. Adopting a child rights-centred approach, we pay special attention to the following children’s rights:

- Right to survival: safe and clean environment, sufficient food and drinking water, appropriate shelter, physical safety and medical care
- Right to protection: being well looked after, not being harassed, not being discriminated and exploited, provided with a safe environment, and being free from fear and anxiety
- Right to develop: being able to take part in education, sports and cultural activities, as well as develop new experiences and special skills

In the following table, we used a **Risk Assessment Criteria Matrix** based on ISO 31000⁴⁷, which lists the key issues we found through the research. It also lists the contributing factors to the risks, the potential impact of such risks on child rights and assigns a ranking in the order of probability (likelihood of such risks occurring) and magnitude (consequence, the strength of impact). A detailed description for how *likelihood and consequence* are defined and measured mathematically, and how the risk matrix is developed based on the likelihood and consequence of a risk, are explained in Appendix 4. ISO 31000 Risk Assessment Criteria Matrix.

→ Table 5: Overview of key child rights risks identified

Unit of Analysis	Risk	Contributing Factors	Potential Impact	Initial Risk		
				Consequence	Likelihood	Risk Ranking
1. Livelihood of Parents and their Children	1.1 Low income levels in particular of labourers: nearly half earn less than the Sri Lankan minimum monthly salary for workers ⁴⁸	There are significant gaps in income between farmers and labourers. Price pressure and instability seems to be balanced on the back of farmers, and payment for labourers is kept at the minimum possible market price, thus relying on the vulnerability of labourers.	Right to survival Risks to children’s health	3	5	H
	1.2 Only about a third (35.1%) of surveyed participants can cover their basic expenses, with many families struggling to pay for their children’s education	While schools is theoretically free, parents told of high side-fees for commuting to school, tuition classes and extracurricular activities. This is particularly true for labourers, who are at greater risk of not being able to cover basic needs.	Right to protection Risks to children’s health and safety Right to develop Access to education	4	4	Vh

⁴⁷ “ISO 31000 is an international standard published in 2009 that provides principles and guidelines for effective risk management. It outlines a generic approach to risk management, which can be applied to different types of risks (financial, safety, project risks) and used by any type of organisation.” <https://risk-engineering.org/ISO-31000-risk-management/>

⁴⁸ As of 1 January 2016, the national minimum wage for all workers in Sri Lanka is Rs 10,000 per month or Rs 400 per day Invalid source specified.

4. Child Rights Risks in Smallholder Tea Farms – Analysis

Unit of Analysis	Risk	Contributing Factors	Potential Impact	Initial Risk		
				Consequence	Likelihood	Risk Ranking
	1.3 A considerable portion of labourers' children (24.6%) have two meals or less in a day. Labourers' children consume fruits and animal-based proteins significantly less than farmers' children	The issue closely correlates with the low income of labourers, showing that children in labourer families are at high risk of not getting enough access to nutrition.	Right to survival Risks to children's health	3	3	M
2. Health	2.1 Labourers and their children are far more likely to experience health issues	Health issues for adult labourers are strongly linked to their manual labour. Labourers' children experienced nutrition and hygiene-related illnesses significantly more than farmers' children.	Right to survival Right to develop	4	3	H
	2.2 The majority of parents and children are not covered by any insurance. The majority of parents (71.7%) paid for their medical expenses out of pocket	While the situation for children is slightly better than among parents due to health insurance coverage through a school insurance scheme, the overall informality of parents' work leads to a very widespread lack of employer-based insurance coverage. Parents choose to pay for private healthcare when possible because medical institutions in the rural areas have minimal facilities for patient care.				
3. Access to Education	3.1 6.2% of surveyed school age children (6-17) are not in school 3.2 Children of labourers are far more likely to drop out compared to those of farmers	One important factor is clearly financial: all but one family who have children dropping out of school indicated that they cannot afford to pay for basic living expenses. School performance is another contributor. Interestingly, school performance is also linked to how safe the children feel at home. The data also shows that helping with the farm work can have a negative impact on education if it causes absenteeism from school.	Right to develop Lower income children are more likely to drop out of school early.	3	3	M

4. Child Rights Risks in Smallholder Tea Farms – Analysis

Unit of Analysis	Risk	Contributing Factors	Potential Impact	Initial Risk		
				Consequence	Likelihood	Risk Ranking
4. Children Engaged in farm Work	<p>4.1 Few parents (3.3%) say their children help with the farm, but more children (22.1%) claim to do so</p> <p>4.2 73% of those children start to help out in the farm before their 12th birthday</p> <p>4.3 School children spend 0.9 hours on farm work on a school day and 2.2 hours on weekends and holidays</p> <p>4.4 Children engaging in hazardous work is unlikely, but it happens</p> <p>4.5 Helping with the farm work can have a negative impact on education if it causes absenteeism from school</p> <p>4.6 Children of all age groups have less than two hours per day to play on average</p>	<p>Smallholder farmers face labour shortage during harvest seasons.</p> <p>The high cost of production might be the driving factor in smallholder farmers relying on their children's help during harvest season.</p> <p>Labourers are paid a daily wage only if they meet the daily quota set by the estate. Children of labourers help their parents to ensure the daily quota is met.</p> <p>There are exceptional cases of children doing excessive work that is not appropriate for their age.</p> <p>Lack of day-care/after school centre options and safe space to play might drive children to the fields.</p>	<p>Right to protection and right to develop</p> <p>Children may do hazardous work when helping their parents, especially when the workload during the harvest is high; Farm work reduces the time children have to spend on education and recreation.</p>	3	5	H
5. Child Protection	<p>5.1 Children and parents find the environment outside the houses generally not safe for children</p> <p>5.2 Half of the families let their children play only at home and/or school because they don't find it safe for them to play outside</p>	<p>Children who live in housing a facility of a tea estate feel significantly less safe than the ones living in their own homes.</p> <p>In the housing facilities of mid-sized estates, labourers and their families are rarely provided with individual houses and have little to no privacy.</p> <p>Famers seem to have higher awareness than labourers on possible safety risks for children.</p>	<p>Right to protection</p> <p>Lack of a safe and clean environment for children, especially a suitable playing space after school.</p>	2	4	M

4. Child Rights Risks in Smallholder Tea Farms – Analysis

Unit of Analysis	Risk	Contributing Factors	Potential Impact	Initial Risk		
				Consequence	Likelihood	Risk Ranking
	<p>5.3 31.2% children indicated being physically punished in the past six months by means of spanking, beating and slapping etc.</p> <p>5.4 26.9% of parents are aware that their children experienced corporal punishments such as beating, hitting, slapping and spanking at school</p>	<p>Parents seem largely supportive of some level of mild corporal punishment with 75.5% of the parents at least somewhat agreeing that “teachers or administrators should be allowed to physically punish children at school, for example, by hitting a child with a hand or an object, as long as it isn’t excessive.”</p>	<p>Right to protection Children have the right to protection from all forms of violence, abuse and maltreatment. Corporal punishment in school is a violation of that right.</p>	3	3	L
	<p>5.5 More than half (55.5%) of the parents would choose to deal with instances of harm against their children themselves together with friends and family</p>	<p>Only 14% would go to community leaders and 6.3% would go to the government to report cases of violence against their children. Parents do not seem to be aware of the existence and role of the Village Child Development Community (VCDV), which is comprised of community leaders and government representatives at the village level. This can be an indication that there is a sense of shame and/or fear that deters them from reporting the case.</p>	<p>Right to protection Private solutions might not always provide children with the protection they need. Outside services are essential when the family protection fails.</p>			
6. Child Care	<p>6.1 The longer the hours parents work, the less likely they are to have enough time to care for their children, which also directly leads to children being left unattended</p>	<p>Labourers, more than any other surveyed group, feel they don’t have enough time to spend with their children. Labourers’ children are left unattended significantly more than the farmers’ children.</p> <p>Very few parents utilise any sort of creche/day-care options, whether its government-provided, community-based or plantation-based.</p>	<p>Right to protection, and right to develop Children are not well looked after due to the lack of parental supervision and involvement.</p>	2	4	M
7. Maternity Leave and Breastfeeding	<p>No maternal protection in mid-sized estates and smallholder farms, no paid maternity leave, no official breastfeeding breaks</p>	<p>Poor nutrition of pregnant and breastfeeding women, especially among labourers.</p> <p>Little to no family savings, especially among labourers, which therefore limits their ability to take a break during pregnancy or while breastfeeding.</p>	<p>Right to survival & to develop Insufficient nutrients for children to grow, stay healthy and develop to their full potential.</p>	3	3	M

5. Recommendations

To tackle some of the key issues we identified above, we suggest a range of possible measures that the tea industry and its key stakeholders could put in place.

These measures aim to compliment Save the Children Sri Lanka’s current efforts to strengthen the protection of children in the tea plantation community (for example through its “Mother and Child-Friendly Tea Estates” project and the agreement with Plantation Human Development Trust (PHDT) to promote child protection standards in the plantation communities of large-scale plantations in Sri Lanka).

The listed measures also aim to show how the tea industry can become an active promoter of children’s rights in its smallholder plantations. With this in mind, we suggest three levels of measures that reflect the connection and the leverage of the tea industry. The suggested measures are not comprehensive but should serve as a discussion starter within the tea sector.

LEVEL	DESCRIPTION
1	Measures that are closely related to the tea sectors’ sphere of influence and where change can be triggered by changing the way business is done.
2	Measures that are explorative and preventative, and when implemented, can complement level 1 interventions to reduce residue risk.
3	Measures that aim to change the smallholder tea sector via advocacy and changes within the government system.

Furthermore, each level of intervention is rated as “Low”, “Medium” or “High” in the following five dimensions:

- **Resources:** refers to additional resources for staffing and financial support. Low resources would indicate that very little additional staff and funds are needed to implement this measure.
- **Impact:** refers to the level of change that can be expected through this measure, including improvements for farmers, farm labourers and impacted children.
- **Complexity:** refers to the complexity of the suggested solution, such as development of complex processes, cooperation of different stakeholders, or extensive changes to current practices.

- **Sustainability:** refers to the likelihood that the measure will be self-sustainable once implemented or whether ongoing actions are required to keep it going.
- **Scalability:** refers to the likelihood that the measure can be implemented in smallholder farms and mid-sized tea estates in Sri Lanka.

5.1 Level 1 Intervention

5.1.1 Clear Guidelines on Child Protection and Strengthened Child Protection Mechanism

Resources	Impact	Complexity	Sustainability	Scalability
Medium	Medium	Medium	High	High

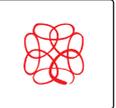
We suggest the Sri Lankan tea sector to develop and share a clear guideline on child protection for smallholders, mid-sized tea estates, and leaf-processing factories, which can then guide tea associates and farmers (including parent farmers) to follow the guideline and ensure children are protected and have their rights guaranteed. We suggest to include the following components in the guideline:

- Clarify the child rights risks in smallholder farms and mid-sized tea estates. This includes a clear definition of the rights of children that need to be protected, key child rights risks/impact areas in tea estates/farms in Sri Lanka including child protection issues, children engaged in farm work, health & nutrition, childcare, maternity protection and breastfeeding, and WASH. The process of guideline formulation is recommended to be participatory, based on the outcomes of this assessment, which has taken into consideration the viewpoints of stakeholders in the communities.
- Strengthen the child protection mechanism by taking into account the development of a child protection policy, investing in human resources (e.g. dedicated focal point, awareness raising activities, training), and utilising effectively the current structure at the village level such as the Village Child Development Community (VCDC) and Women and Children’s Desk in the police department.

5. Recommendations

- Define how the tea sector can contribute to tackling child rights challenges and manage child rights risk. This should include outlining tangible steps that can be taken by smallholders, mid-sized estates and factories respectively to ensure they positively impact each of the key child rights risk areas. In addition, provide good business practices to inspire them, such as examples related to strong age verification methods, effective child remediation protocols, early childhood care and education, robust grievance mechanisms etc. And lastly, include indicators for them to be able to self-evaluate and monitor their child-related programmes and efforts.

5.1.2 Consider the Tea Pricing Structure and its Impact on the Most Vulnerable

				
Resources	Impact	Complexity	Sustainability	Scalability
High	High	High	High	High

This assessment has clearly shown that labourers and their children are the most vulnerable group within the smallholder farm and mid-sized tea estates, and this is closely related to the insufficient pay structures for labourers, which means they live in poverty even when they are working full time on tea estates:

We therefore suggest bringing together the key players in the tea industry, NGOs, farmers and labourer representatives to:

- Set up a workshop to discuss the pricing challenges and what would need to change so that labourers could at least be paid minimum wage level salaries.
- Set up a livelihood fund that supports labourers in need.
- Create minimum income level guidelines for labourers, which could for example be a mix of basic income and piece/efficiency rates.
- Explore short-term possibilities to provide farmers and labourers with employer-based health insurance.
- Ensure that improvements in plantation management and productivity will directly benefit labourers.

5.1.3 Build Capacity with a Cascading Training Model on Child Protection

				
Resources	Impact	Complexity	Sustainability	Scalability
Medium	High	Low	Medium	High

Parents are children's best guardians. Therefore, we believe it is important to enable parents to make better decisions on when, how or if their children should get involved on the farms and how children should be protected from any harm, including corporal punishment at home and school. However, as smallholder farms and mid-sized estates are scattered over a wide area, a cascading training model would be a more effective approach in reaching the target audience. Factories and collectors as well as the Federation of Tea Smallholder Development Societies are well positioned to disseminate the messages.

Factories:

Key personnel of the tea factories should be trained on child rights and child protection guidelines, which include compliance and quality assurance staff (as the latter ones have frequent interaction with collectors).

Collectors and the Federation of Tea Smallholder Development Societies:

This group is the eyes and ears on the ground. In addition to the knowledge on child rights and child protection guidelines, they could be trained on child rights risk monitoring, identification and referral and remediation. Depending on their capacity, they could organise health and safety training for parent workers, which could include the following:

- Sensitisation of the risks children face when they work at a young age, as well as health and safety hazards of different tasks and working conditions
- Sensitisation of the negative impact of corporal punishment on children
- Respect the need for children to have time to study and play

Such training could be supported or co-facilitated by Save the Children Sri Lanka and third-party organisations such as VCDC. In addition, the following activities could also be conducted to reinforce the learning:

- Identify peer leaders (parent farmers and labourers) and train them to become ambassadors to conduct peer training in communities and monitor child rights and protection risks; to avoid conflicts of interest, farmers' child rights focal points should not be selected by collectors, and labourers' focal point should not be selected by mid-sized estate managers/owners .
- Create simple information and education communications (IEC) materials such as posters, for wider dissemination.

5. Recommendations

5.2 Level 2 Intervention

5.2.1 Strengthen Data Collection on Child Rights

Resources	Impact	Complexity	Sustainability	Scalability
High	Medium	Medium	High	Medium

For activities to be effective, they need to be backed up by accurate and timely data. The following information could be collected to strengthen the evidence base:

- School-going status, including grade, name of school, year/grade when they dropped out (if they are not in school), etc.

- Participation of children in farm work, including timing and hours, e.g. after school, weekends.
- Child protection elements – prevalence and acceptance/awareness of corporal punishment.
- Number of labourers’ children living on and off the farm/estate.

Moreover, existing tools such as Child Footprint (see below) could be adapted to smallholder and mid-sized tea farm/estate settings.

Child Footprint

Child footprint is a simple standardised questionnaire developed by UNICEF and CCR CSR that mainly contains multiple choice questions to collect information about workers’ family situations, e.g. number of children, where are they, level of schooling and some key questions on general impact areas. Child footprint can serve as an important tool to monitor the impact on children and should ideally be collected and updated regularly.



Maternity Protection



Breastfeeding



Childcare



Water, Sanitation and Hygiene at the Workplace (WASH)



Health & Nutrition



Young Workers



Children’s Rights and Business Principles



Migrant Children Left Behind



Child Labour



Wages, Benefits & Working Hours



Access to Basic Services



Safe and Healthy Living

5. Recommendations

5.2.2 Conduct/Enhance Teachers' Awareness of Child Protection and Needs of Labourers' Children

Resources	Impact	Complexity	Sustainability	Scalability
Medium	High	Low	Medium	High

Teachers are important influencers in rural communities and currently schools seem to fail to deliver strong messages about child protection and inclusiveness. As the study shows, corporal punishment in school is frequent and school systems in general contribute to uneven access to education based on the children's backgrounds.

We therefore suggest designing an awareness programme with schools in tea growing communities to increase the knowledge and skills of teachers so that they understand how they can:

- Promote different forms of discipline without using physically or psychologically abusive methods
- Increase their understanding of inclusive teaching which ensures that school success is not dependent on external tutoring or other extracurricular activities
- Know how to support children from low-income backgrounds

5.2.3 Breastfeeding & Nutrition

Resources	Impact	Complexity	Sustainability	Scalability
Medium	High	Low	Medium	High

Although Sri Lanka has a relatively high breastfeeding rate including exclusive breastfeeding for the first six months, women in low income households, especially labourers, complain about inadequate nutrition during breastfeeding. Labourers in mid-sized tea estates also complain about the lack of official breastfeeding breaks during work hours. The following suggestions can lead to greater support for breastfeeding labourers.

1. Support estate and community-based awareness and nutrition initiatives for pregnant and lactating labourers
2. Create an awareness campaign amongst all tea industry employers to emphasise the importance of breastfeeding and how they as employers can play a role in enabling good breastfeeding practices, e.g. by allowing breastfeeding breaks.

5.2.4 Child Friendly Spaces and Child Care

Resources	Impact	Complexity	Sustainability	Scalability
Medium	High	Low	High	High

As the assessment shows, children in the context of smallholder and mid-sized tea estates have few opportunities to play outside the house, and labourers' children in particular face a higher risk of being left unattended even at young age (under 12).

To strengthen children's protection, we therefore suggest to tea growing communities (and with it the key stakeholder who sources from these communities) to invest in Child Friendly Spaces that can function as both a recreational space for children to play in a safe environment and as a childcare facility for younger children.

Factories could play a direct role in setting up such facilities (jointly with childcare professionals), as a way of strengthening their relationship with smallholder communities and creating a support system that will make its tea production attractive to farmers and labourers. For childcare support, Save the Children may adapt already tested programmes on mother and child friendly plantations for large estate to the mid-sized estates or communities.

5.3 Level 3 Intervention

5.3.1 Strengthening and Facilitating Access to Child Protection Systems

Resources	Impact	Complexity	Sustainability	Scalability
High	High	High	High	High

Launch a multi-stakeholder initiative to push for the implementation of Sri Lanka's child protection laws and regulations. Such an initiative could include:

- Widespread awareness-building amongst key players such as the Federation of Tea Small Holder Development Societies, schools, the Village Child Development Community, and the police department.
- Joint awareness programmes aimed at children and parents that disseminates information about positive parenting, support hotline etc.
- Advocacy work with the government to ensure that there are enough professionally trained staff in all departments and areas that can support families and children with practical support and counselling.

1. APPENDIX

STUDY OVERVIEW

Study Design

Sources of Data and Data Management

The main sources of data for the study include both first-hand data obtained through conversations with relevant stakeholders as well as second-hand information through desk research. In order to obtain first-hand information on the lives of tea farmers/labourers and their children, qualitative and quantitative data was collected primarily through individual interviews/surveys and focus group discussions (FGDs) with famers, labourers and their children. Researchers conducted the data collection by recording the quantitative survey responses on tablets on a secure online survey platform (Questionpro). In depth interviews were also conducted with key players in the tea supply chain in Sri Lanka.

Secondary information was obtained from a review of current policies and procedures, use of subcontractors/ smallholder farmers and current worker engagement programmes of major tea production companies.

The Researchers And Principles

The research team consisted of the following:

1. Center for Child Rights and Corporate Social Responsibility, Hong Kong: to design research tools, carry out key informant interviews, train enumerators, data analysis and develop the research report
2. Save the Children Hong Kong MEAL Advisor– to contribute to the design of the research, methodology, sampling and analysis
3. Save the Children in Sri Lanka
 - a. to ensure research progress and deliverable is on track with study objective and scope, manage the research and to provide technical inputs to the design of the research, analysis and report writing
 - b. to provide child protection technical inputs/ context/insight to the research design and facilitate key informant interviews and focus group discussions (where required) as well as provide inputs to the analysis and report
 - c. to collect quantitative survey data and conduct qualitative Focus Group Discussions with farmers, labourers and their children
4. Tea industry consultant to help connect the research team with contacts in the supply chain and to provide insight into the tea industry

The researchers were briefed and instructed on the interview and survey principles and familiarised themselves with the survey questionnaires beforehand. Some of the principles that the researchers were required to follow included:

- Obtain oral consent to speak with the farmer/ labourer and his/her child/ren prior to conducting any discussions.
- Obtain written consent before taking any pictures of labourers and written consent for those whose photos are expected to be used in published materials.
- No payments allowed for interviews during survey data gathering. Refreshments (food and beverages) however were provided during FGDs.
- No judgment should be expressed when asking any questions and no comments should be made on the responses to prevent leading/guiding the answers in a certain direction. The researchers should stay neutral throughout the interview process.

Research Tools

Desk research

A background research was conducted on the tea supply chain in Sri Lanka through a literature review with inputs from Save the Children Sri Lanka on the key players in tea production as well as current policies and procedures, use of subcontractors/smallholder farmers, current worker engagement programmes of major tea production companies.

Interviews with key informants

One-on-one interviews were carried out with 14 key informants who are the representatives from:

- Colombo Brokers Association
- Department of Probation and Child Care Services of the Ministry of Women and Child Affairs
- Sri Lanka Federation of Tea Smallholder Development Societies
- Plantation Human Development Trust (PHDT)
- Sri Lanka Tea Board
- Tea Small Holdings Development Authority (TSHDA)
- Regional Director of Health Services
- A mid-sized estate's owner
- A smallholder

1. APPENDIX STUDY OVERVIEW

- A factory/plantation manager of a large estate
- Colombo Tea Traders Association
- Sri Lanka State Plantations Cooperation (SLSPC)
- A plantation company: Kelani Valley Plantations
- SCiSL tea supply chain consultant

The interviews provided important in-depth information for understanding the landscape of the tea industry in Sri Lanka, different stakeholders in the tea supply chain and their parts in determining and/or influencing prices, wages, working and living conditions of tea farmers and labourers.

Quantitative surveys

Two sets of surveys were developed respectively for farmers/labourers who have children under the age of 18 and their children aged 6-17. The survey targeted small and mid-sized tea farms and estates in Nuwara Eliya, Galle and Matara.

The farmer/labourer survey had 77 questions and gathered aggregate data on the living and working conditions of tea farmers/labourers including family income and expenditures, children's situations and engagement in farm work, maternity rights and breastfeeding as well as child protection risks and awareness. The children's survey had 58 questions to capture information from the children's perspectives on child rights and protection risks. In total, 519 valid responses were collected from the adult farmers/labourers and another 519 were collected from their children aged 6-17.

Focus group discussions

Six sessions of focus group discussions (FGDs) were conducted with three different groups of farmers/labourers such as: 1) landowners who hire labourers, (2) labourers who work on somebody else's farm and (3) farmers who work on their own farm and don't employ any labourers. All these categories of farmers/labourers are from small and mid-sized tea farms/estates. Men and women were grouped separately to encourage more candid discussion, especially on maternity rights and breastfeeding issues. Additionally, three FGDs were carried out with children aged between 6 and 17. While children's sessions were not grouped by gender, each session included children of closer age groups to make them feel more comfortable to express themselves.

The FGDs were conducted after quantitative surveys in the field and aimed to obtain more in-depth information on the results obtained through the field surveys. They provided a fuller picture of the issues faced by tea farmers/labourers and their children.

Survey Sample Description

The survey used purposive sampling to intentionally select the respondents based on their ability to discuss specific issues.

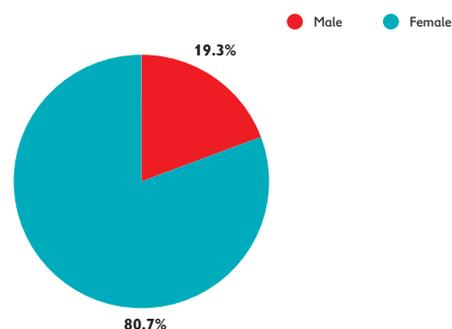
Farmer/Labourer Survey

Gender

519 farmers/labourers were interviewed, of whom 19.3% were male and 80.7% female (Figure A1).

	Male	Female	Total
Farmers	45	191	236
Labourers	55	228	283
Total	100	419	519

→ Figure A1: Gender Distribution of Farmers/Labourers



Age

The average age of farmers/labourers who participated in the survey is 38.8, ranging from 23 to 70. The average age of males is 41.3, significantly older than the females (38.2). Also, farmers are, on average, significantly older (39.5) than the labourers (38.1) who participated in the survey (Table A2).

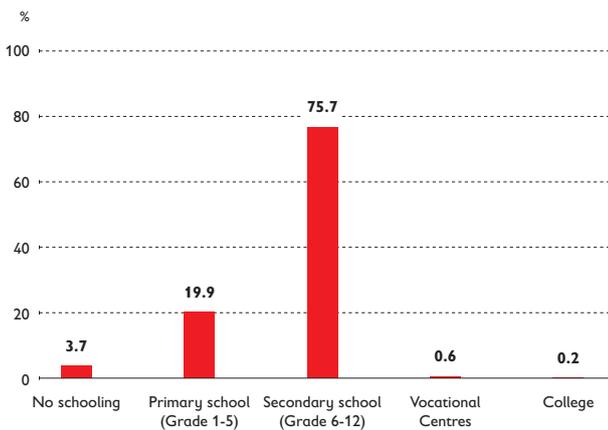
	Male (%)
Average Age	
All	38.8
Male	41.3
Female	38.2
Farmers	39.5
Labourers	38.1

1. APPENDIX STUDY OVERVIEW

Education Background

3.7% of the farmers are illiterate and a large majority (75.7%) have completed secondary education, while one fifth (19.9%) completed only primary education. Very few, only 0.8%, had an education level higher than secondary education (Figure A2). Education levels of male and female respondents do not differ significantly. However, farmers have a significantly higher level of education compared to labourers⁴⁹.

Figure A2: Education Levels of Farmers/Labourers



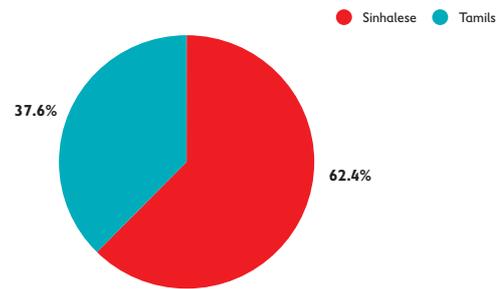
Marital Status

Since having children under the age of 18 was a criterion for choosing farmers/labourers for the survey, almost all surveyed adults are married (96.3%) or divorced/widowed (3.5%) with the exception of one response, which could be due to a data entry error.

Ethnicity

The majority of ethnic groups who participated in the farmer/labourer survey is Sinhalese (62.4%), coinciding with the fact the Sinhalese are the predominant ethnic group in the country, representing over 70% of the total population⁵⁰. The remaining 37.6% are Sri Lankan Tamils, which is the second largest population of ethnic groups in Sri Lanka (Figure A3).

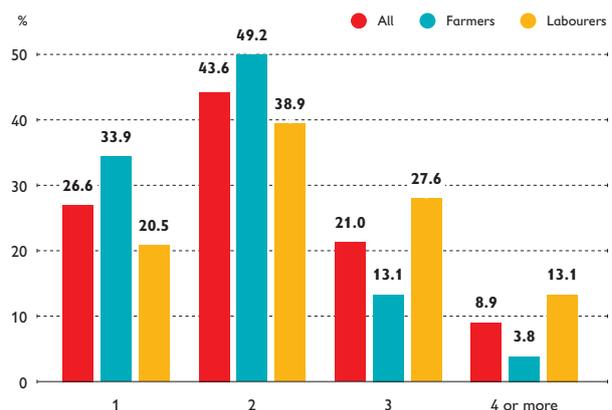
Figure A3: Ethnicity



Children and Family Size

91.1% of farmers/labourers have up to three children under the age of 18. Nearly half (43.6%) of the families have two children under the age of 18. Comparing the farmers and labourers, we observed that farmers have significantly fewer children under the age of 18 compared to labourers⁵¹ (Figure A4).

Figure A4: How many children under the age of 18 do you have?



The average of youngest children farmers/labourers have is 7.9 years old. The average age of farmers' young children is 8.4 years old, significantly older than that of labourers – 7.4 years old. This coincides with the fact that surveyed farmers are significantly older than the labourers.

Most farmers/labourers (79.8%) live in a household with 4-6 family members. Very few (6.8%) live in large households with more than six family members (Figure A5).

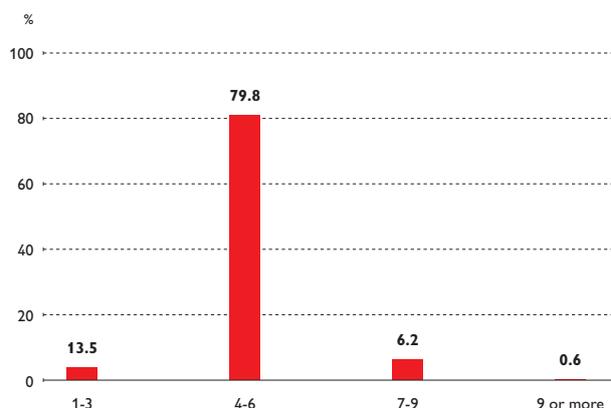
⁴⁹ 92.4% of farmers completed secondary education, while only 61.7% of labourers did so.

⁵⁰ World Atlas, Groups Of Sri Lanka, <https://www.worldatlas.com/articles/ethnic-groups-of-sri-lanka.html>

⁵¹ The correlation is $r = -0.2555$, $sig = 0.0000$

1. APPENDIX STUDY OVERVIEW

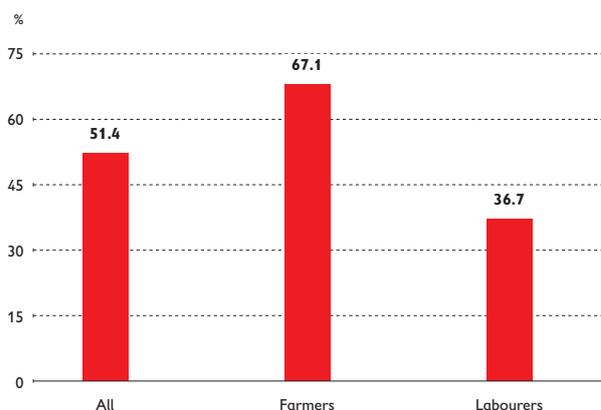
→ Figure A5: How many family members are living with you in your household?



Living Space

The average size of the houses were reported to be 51.4 square metres, which is small considering that about 80% of respondents live with 4-6 other family members. Additionally, the housing space reported by farmers is significantly larger than that of the labourers (Figure A6).

→ Figure A6: About how big (m²) is your house?

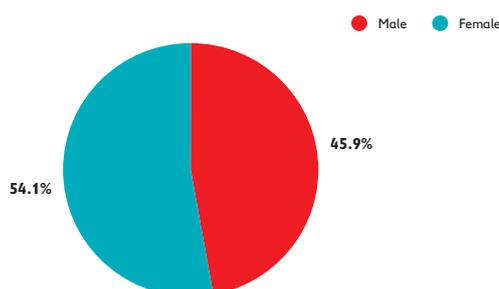


1.2.2 Children's Survey

Gender

519 children of farmers/labourers aged between 6 to 17 years old were interviewed. 45.9% of the participants were boys and 54.1% were girls (Figure A7).

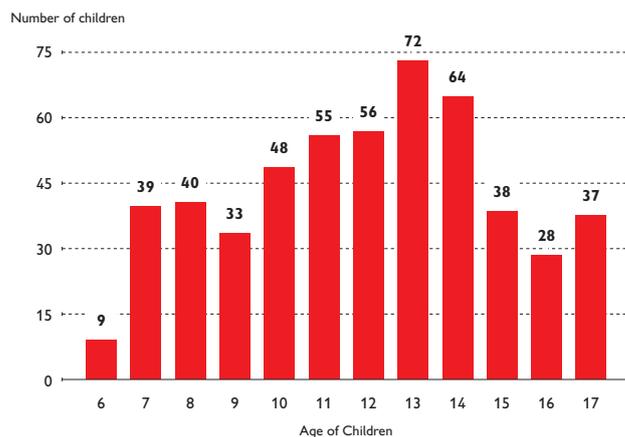
→ Figure A7: Gender Distribution of Children



Age

The average age of the children who participated in the survey is 11.9, ranging from 6 to 17. The average age of boys and girls does not differ significantly. Figure A8 displays the age distribution of children's survey participants. As seen from the graph, age 13, 14 and 12 are the most frequent age groups to be interviewed.

→ Figure A8: Age Distribution of Children's Survey Participants



Where they live

About a third (69.9%) of children live in their own homes, while the rest (30.1%) with in housing facilities in tea estates (Figure A9).

→ Figure A9: Where children live

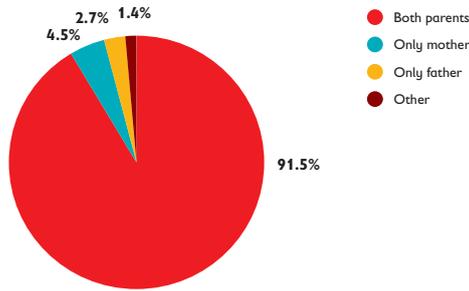


Who they live with

Most of the children who participated in the survey live with both of their parents (91%). A small percentage (4.5%) live with only their mothers and an even smaller (2.7%) portion live with their fathers only. Very few children (1.4%) live with caregivers other than their parents (Figure A10).

1. APPENDIX STUDY OVERVIEW

→ Figure A10: Who children live with



Family Size

The 519 children who participated in the survey have 982 siblings in total: 518 brothers and 464 sisters. 519 families in total have 1501 children, with an average of 2.9 children for each family. Comparing the total number of boys (756) and girls (745) in families selected for the surveys (Table A3), there is no significant difference between the ratio of boys and girls.

	Boys	Girls
Boy participants	238	Girl participants 281
Total number of brothers	518	Total number of sisters 464
Total	756	745

Disability

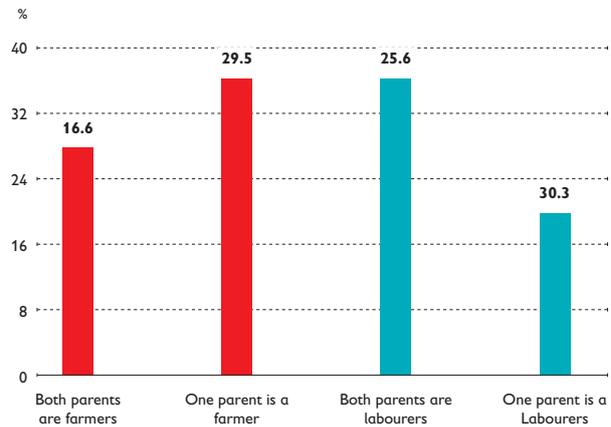
Nine children (1.8%) who participated in the survey identified themselves as disabled.

Parents' Background

16.6% of the surveyed children came from families where both parents work on their own farm/estate, and another 29.5% have one parent working on their own farm. In total, 46.1% of children are from families with their own small/mid-sized tea farm/estate that one of the parents work in. 25.6% of the surveyed children have both their

parents working at someone else's small/mid-sized tea farm/estate, and another 30.3% have one parent working for someone else. In total, 51.8% children have at least one parent working at someone else's tea farm/estate (and don't have their own tea farm/estate).

→ Figure A11: Parents' background

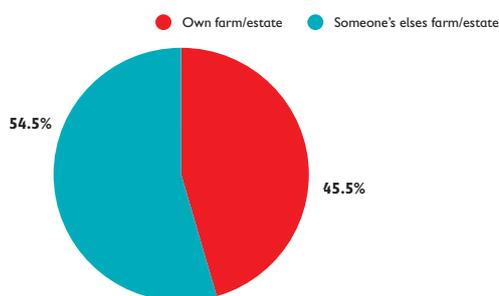


2. APPENDIX

FARM/ESTATE BACKGROUND

Smallholder farms and mid-sized tea estates that are no more than 50 acres in size were selected for the surveys. 45.5% of the participants are farmers who work on their own small farms, while the remaining 54.5% work on someone else's small farms or mid-sized tea estate (Figure A12).

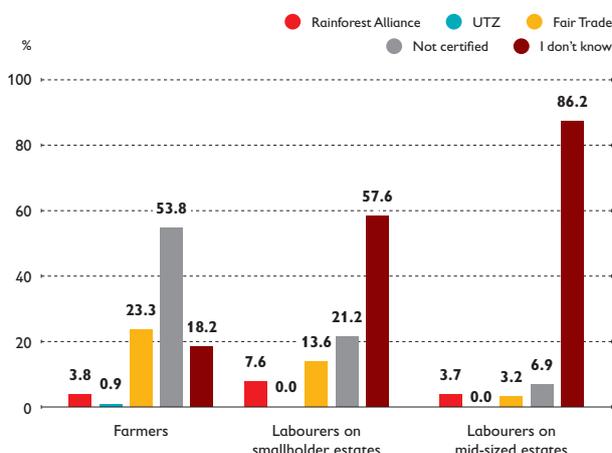
→ Figure A12: Where they work



Certification

As indicated in Figure A13, more than half (54%) of the farmers say their farms/estates are not registered with any of certification processes such as Rainforest Alliance, UTZ and Fair Trade. A significant portion (18%) did not know whether their own farm/estate was registered at all. Close to one fourth (23%) of farms/estates covered by the survey were certified by Fair Trade, and a much smaller portion was certified by the Rainforest Alliance (3.8%) and UTZ (0.9%).

→ Figure A13: Certification of farmers' estates

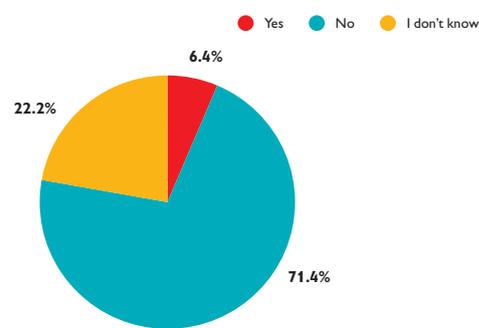


As for labourers who work on both smallholder and mid-sized estates, they are much more likely to be aware of the certification status of the farms/estates they work for, especially so for the labourers working on mid-sized estates (86.2%).

Government Monitoring

Only a small portion of smallholder and mid-sized farm/estate owners (6.4%) we interviewed believe there was a local mechanism for the government to monitor their farm operations. A large majority (71.4%) did not think such a mechanism existed, while the rest (22.2%) did not know if it did (Figure A14).

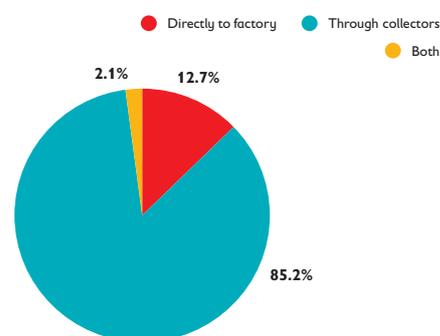
→ Figure A14: Is there a local mechanism by the government to monitor the way your tea estate/garden operates?



Farmer Relationship with Factories and Collectors

As shown in Figure A15, a large majority (85.2%) of farmers work with collectors only to supply their tea leaves. Very few (2.1%) supply their tea to both collectors and factories, while the rest (12.7%) supply directly to factories.

→ Figure A15: Who do you supply your tea leaves to?

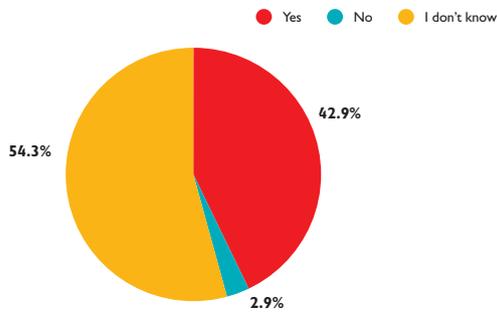


2. APPENDIX

FARM/ESTATE BACKGROUND

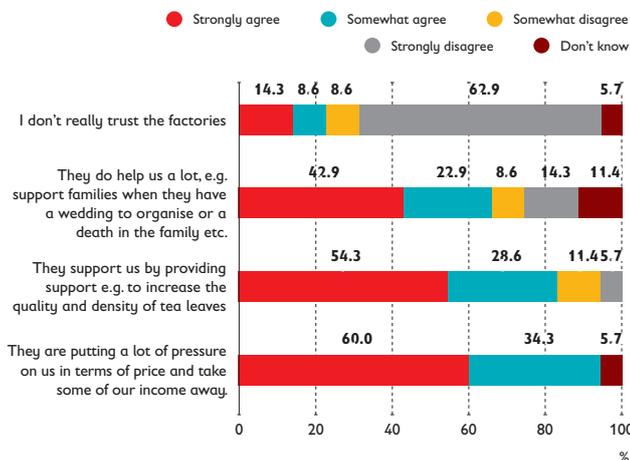
More than half of the farmers (54.3%) who directly supply to factories are not aware if the factory is certified by the Rainforest Alliance, while 42.9% believe it is certified (Figure A16).

→ Figure A16: Is the factory certified?



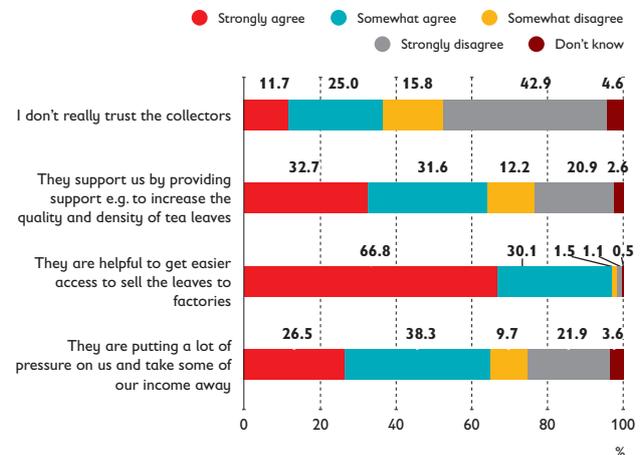
As for the roles of factories, farmers' attitudes are predominantly positive. Most of them trust the factories that they supply the tea leaves (71.5%) to, and think factories are not only supportive with their personal lives (65.8%), but also help them improve tea quality and production (82.9%). However, an overwhelming number of farmers (94.3%) feel that they are pressured by the factories in terms of prices, and lose some profit as a result (Figure A16).

→ Figure A17: How would you best describe the role of the factories?



From Figure A17 and A18, when comparing farmers who supply to factories directly with the ones that go through collectors, we see that they trust the collectors less than the factories they work with (71.5% for factories compared with 58.7% for collectors). Also, even though the majority (64.3%) believes the support they receive from the collectors help increase quality and volume of production, fewer farmers think so compared to the ones supplying directly to factories (82.9%). However, almost all farmers (96.9%) still find collectors helpful as they provide an easier channel to sell tea leaves. Additionally, significantly less farmers (64.8%) believe collectors have the power to put pressure on the price compared to factories (94.3%).

→ Figure A18: How would you best describe the role of the collectors?



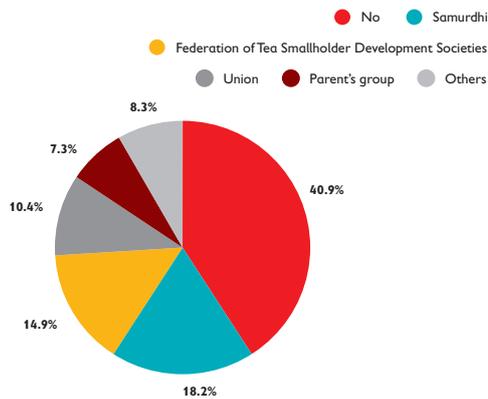
2. APPENDIX

FARM/ESTATE BACKGROUND

Affiliations/Memberships

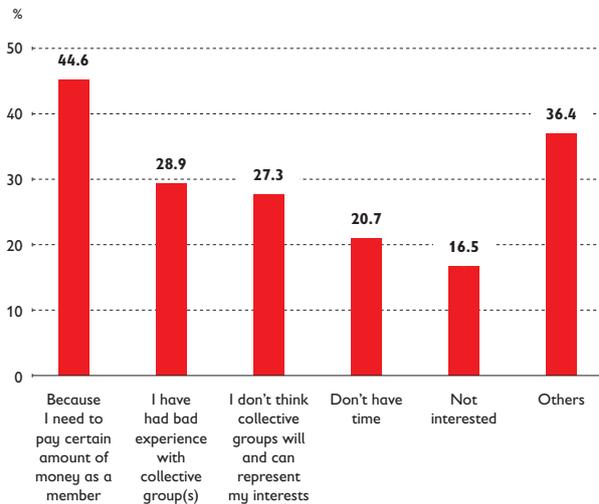
About 3 out of 5 farmers/labourers are affiliated with associations such as Samurdhi (18.2%), Federation of Tea Smallholder Development Societies (14.9%) and the Union (10.4%) (Figure A19).

Figure A19: Are you member of any of the following associations?



As for the 40.9% of farmers/labourers who have not joined any associations, the most important reason is the membership fee (44.6%), although they have various other reasons such as previous bad experience (28.9%), not finding them relevant/representing their interests (27.3%), and not having time (20.7%) or interest (16.5%) (Figure A20).

Figure A20: Reasons for not joining associations



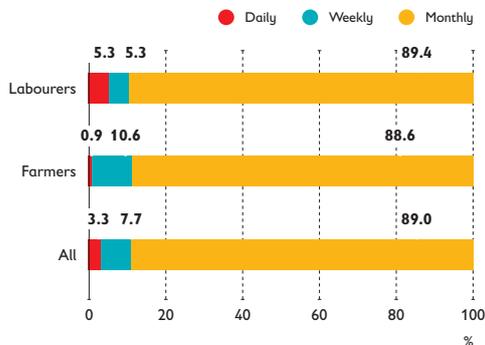
3. APPENDIX

ADDITIONAL RESULTS FOR REFERENCE

Income and Business Relationship

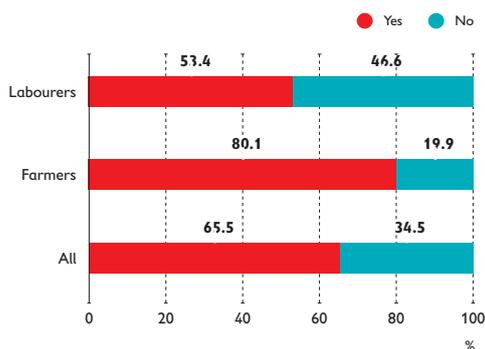
A large majority (89.0%) of both farmers and labourers are paid monthly. Few are paid weekly (7.7%), and even fewer (3.3%) are paid daily (Figure A21).

→ Figure A21: When/how do you get your payment?



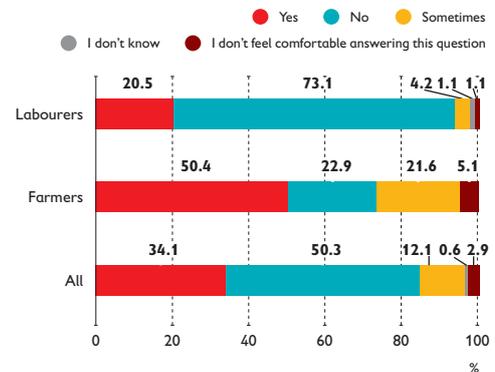
The majority of survey respondents (65.5%) reported they were able to negotiate their payments. Naturally, significantly more farmers/owners (80.1%) say they can negotiate their payments than labourers (54.4%).

→ Figure A22: Do you get to negotiate your payment?



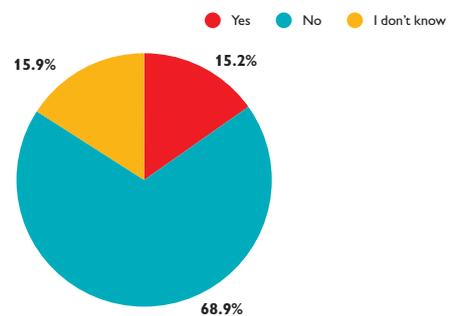
Farmers and labourers feel quite differently when it comes to the fairness of payment from their work. As shown in Figure A23, more than twice as many farmers find their pay/income from their work fair (50.4%) as the ones who find it otherwise (22.9%). However, the labourers who find their payment unfair (73.1%) are more than triple the ones who find it fair (20.5%).

→ Figure A23: Do you think you are fairly paid for your work?



Very few labourers (15.2%) who were employed at the tea farms/estates have employment contracts. Some (15.9%) are not even aware whether they have a contract (Figure A24).

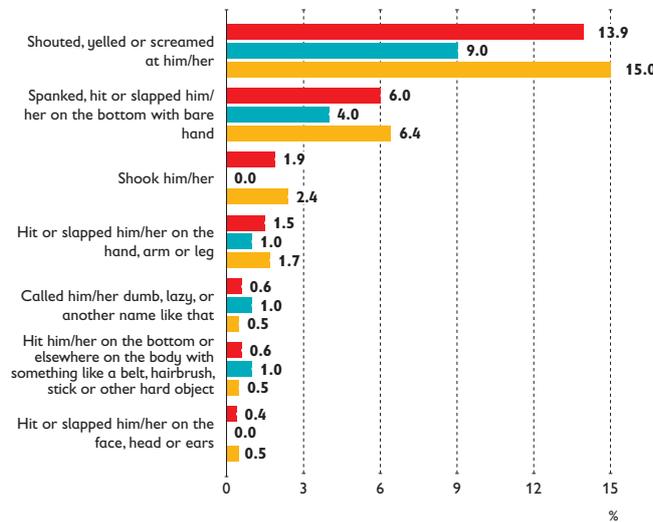
→ Figure A24: Do you have an employment contract for your work at the tea estate?



3. APPENDIX ADDITIONAL RESULTS FOR REFERENCE

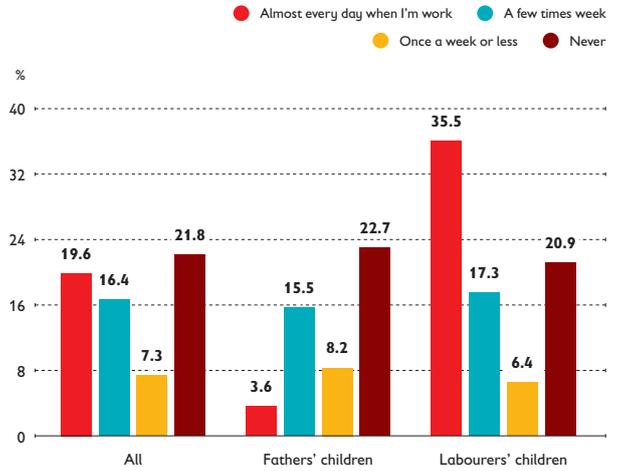
Parents' Methods of Disciplining a Child

→ Figure A25: Aggressive acts towards children in the past one month by an adult in the household



→ Figure A27: How often are you left alone without the supervision of adults?

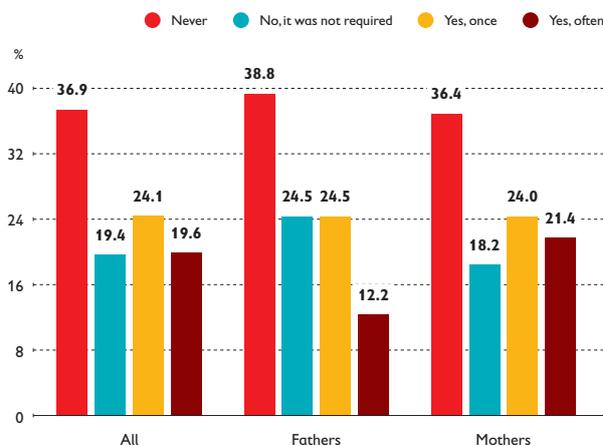
Childcare



Conversation on Sex Education

With the communication gap mentioned above, parents from rural areas and relatively conservative communities might be less likely to talk about sex education and sexual violence with their children. Indeed, less than half (43.7%) of the parents have had any conversation on sex education with their children. Fathers are less likely (36.7%) to have such a conversation compared with mothers (45.4%). Only about one in five parents say they often have conversations on sex education with their children (Figure A26).

→ Figure A26: Have you ever engaged in a conversation with your children about sex education?



4. APPENDIX

ISO 31000 Risk Assessment Criteria Matrix

ISO 31000 is an international standard published in 2009 that provides principles and guidelines for effective risk management. It outlines a generic approach to risk management, which can be applied to different types of risks (financial, safety, project risks) and used by any type of organisation⁵². Possible changes and control mechanisms are then identified to avoid or reduce the anticipated impacts. The proposed changes and control mechanisms focus on either reducing the likelihood of occurrence or decreasing the magnitude of the consequence so that the residual risk rankings are reduced to acceptable levels. The expected residual risks should rank lower in risks by one or two orders of magnitude after the proposed changes are adopted.

Likelihood

As per ISO 31000, likelihood is defined as ‘the chance of occurrence’. In risk management terminology, the word ‘likelihood’ is used to refer to the chance of something happening, whether defined, measured or determined objectively or subjectively, qualitatively or quantitatively, and described using general terms or mathematically (such as a probability or a frequency over a given time period). Further definition of likelihood rankings is provided in Table A4.

→ Table A4: Descriptions of Likelihood Rankings

Likelihood	Summary
1. Rare	Very unlikely in the current or in a changing environment. Conceivable but highly improbable. The aspect/event may occur in very exceptional circumstances.
2. Unlikely	Less likely to happen in the current or a changing environment. The impact could occur at some time. The aspect/event has happened elsewhere under slightly similar circumstances.
3. Possible	It could happen in the current or a changing environment. The aspect /event has occurred before here or in similar circumstances elsewhere.
4. Likely	It probably will happen in the current or in a changing environment. The aspect/event is expected to occur. The aspect/event occurs in most circumstances.
5. Almost Certain	Frequent occurrence in current or in a changing environment. The aspect/event has occurred. The aspect/event occurs in almost all circumstances.

⁵² <https://risk-engineering.org/ISO-31000-risk-management/>

4. APPENDIX

ISO 31000 Risk Assessment Criteria Matrix

Consequence

As per ISO 31000, consequence is defined as ‘the outcome of an event affecting objectives’. As outlined in the ISO standards: an event can lead to a range of consequences; consequence can be certain or uncertain and can have positive or negative effects on objectives; consequences can be expressed qualitatively or quantitatively; and the initial consequences can escalate through knock-on effects as shown in Table A5.

→ Table A5: Descriptions of Consequence Rankings

Likelihood	Summary
1. Slight	Slight impact on children’s rights or misunderstanding with parent worker(s) or community members. Written/verbal complaint from community.
2. Low	Low but ongoing impact on children’s rights, parent worker(s)’s well-being or community health/well-being.
3. Medium	Medium but ongoing impact on children’s rights, parent worker(s)’s well-being or beyond local community’s well-being that can be recovered quickly and without significant lasting reputational or relationship impacts.
4. High	Significant non-compliance and impact on children’s rights, parent workers’ well-being and community’s and well-being. National and international concerns. Sustained NGO/stakeholder activism resulting in reputational damage.
5. Extreme	Breach of national and international law. Severe non-compliance and severe negative impact on children and parent workers’ health and safety. Complete breakdown of relationship with key stakeholders. Sustained negative media coverage on a national and/or international level. Cessation or severe restriction of operations. Public outrage.

Initial risks are being assessed and ranked with the matrix in Table A6, and a colour-coded risk ranking will be assigned (Low, Moderate, High, and Very High)

→ Table A6: Risk Assessment Criteria Matrix with Likelihood and Consequence Rankings

Likelihood		Consequence				
Level		1.	2.	3.	4.	5.
		Slight	Low	Medium	High	Extreme
5.	Almost Certain	Moderate	High	High	Very High	Very High
4.	Likely	Moderate	Moderate	High	High	Very High
3.	Possible	Low	Moderate	Moderate	High	High
2.	Unlikely	Low	Low	Moderate	Moderate	High
1.	Rare	Low	Low	Low	Moderate	High

5. APPENDIX

Key Stakeholders in the Tea Industry in Sri Lanka⁵³

Stakeholder	Description
The Ministry of Plantation Industries	The Ministry of Plantation Industries aims to achieve national prosperity through development of the plantation industry, to enhance the productivity, profitability and sustainability of the plantation through an economically, socially and environmentally established plantation sector.
The Sri Lanka Tea Board.	SLTB is responsible for regulation and development of the tea industry as well as the promotion of Ceylon Tea globally.
Colombo Tea Traders Association (CTTA)	CTTA's objective is to promote the common interests of sellers and buyers of tea, and to uphold the good name of the Colombo Tea Market. As the Apex Body of the Tea Industry, it represents the following stakeholders of the tea industry: <ul style="list-style-type: none"> • The Planters' Association of Ceylon (PA) • The Sri Lanka Tea Factory Owners' Association (SLTFOA) • The Sri Lanka Federation of Tea Small Holding Development Societies (SLFTSDS) • The Tea Exporters' Association (TEA) • The Colombo Brokers' Association (CBA) • The Tea Small Holdings Development Authority (TSHDA)
Planters' Association of Ceylon (PAC)	The general objective of the Planters' Association is to promote, foster and protect the plantation industry of Sri Lanka and the interests of the planting community, members of the association and others having dealings with the association in relation to their activities as members of the planting community.
Sri Lanka Tea Factory Owners' Association (SLTFOA)	SLTFOA aims to promote, foster and protect the tea manufacturing industry and the tea smallholders. It interacts with many industry associations and contributes actively to their discussions and decisions, with the aim of uplifting Ceylon tea whilst pursuing the best interest of its members.
Tea Small Holders Development Authority (TSHDA)	The Vision of TSHDA is the creation of a sustainability developed independent tea smallholdings sector and the mission is the effective coordination of support services, development of individual entrepreneurship of tea smallholders and inclusion of the smallholder community into business inclined farmer organisations.
Sri Lanka Federation of Tea Small Holder Development Societies	This federation is formed to represent the smallholders.

⁵³ The information in Appendix 5 is a summary of the mapping of the tea supply chain in Sri Lanka conducted by Dushy S. Perera on April 26, 2019.

5. APPENDIX

Key Stakeholders in the Tea Industry in Sri Lanka

Stakeholder	Description
Janatha Estates Development Board (JEDB)	JEDB was created in 1976 to manage 263 plantations covering 140,000 hectares, vested to state under the land reform act in 1972 after 109 years from the establishment of the first commercial tea plantation in Sri Lanka in 1867. At present, JEDB manages 19 estates across the country which consists of tea, rubber, and coconut plantations. The vision of JEDB is to be an integrated locally recognised player in the plantation industry and the mission is, whilst utilising the available resources with utmost care and dedication by developing skills of personnel, to achieve the desired goals with teamwork, towards a sustainable progress in the industry and for the benefit of the country at large.
Sri Lanka State Plantations Corporation (SLSPC)	Sri Lanka State Plantations Corporation is a government institution currently entrusted with the management of 12 estates out of the 55 Mid Country Estates. It also owns 6 tea factories. Its objective is to a) manage agricultural and estate lands vested in, transferred or alienated to the Corporation; (b) to coordinate and manage agricultural crops by rehabilitating existing crops or diversifying crops; (c) to raise livestock; d) to process and sell agricultural products; (e) to provide a comprehensive management service in respect of plantation business.
Tea Research Institute (TRI)	TRI is the only national body in Sri Lanka responsible for generating and disseminating new technologies related to tea cultivation and processing. They aim to achieve excellence in tea research and to provide technological guidance to the tea industry, in order to make Sri Lankan tea the most preferred tea in the world, at a competitive price.
Tea Commissioners Department	All regulatory functions connected with the cultivation, manufacture and quality development of tea are the responsibility of the Tea Commissioner's Division.
Colombo Brokers Association (CBA)	CBA represents the 8 registered tea brokers who operate at the Colombo Tea Auction.
Tea Exporters Association (TEA)	Was set up in 1989 to represent the interest of the tea exporters.
Employers Federation of Ceylon (EFC)	The Employers' Federation was established in 1929 as an organisation of employers dealing with labour and social issues in Sri Lanka. It is today the principal organisation of employers, promoting employer interests at the national level, especially focusing on industrial relations and labour law. The unique feature of this organisation is that it provides a wide range of direct services to its member employers. The vision of this federation is to promote social harmony through productive employment.
Ceylon Estate Staff Union (CESU)	CESU was first known as 'Estates Staff Association of Ceylon'. It looks into matters pertaining to estates staff.
Ceylon Workers Congress	CWC is a political party in Sri Lanka that has traditionally represented Sri Lankan Tamils of Indian origin working in the plantation sector of the economy.
Lanka Jathika Estate Workers' Union	One of the largest plantation unions in Sri Lanka, formed in 1958. They aim to advance economic interests of the tea worker community and to advocate the cause of their human development, defending labour rights.
Plantation Human Development Trust (PHDT)	The PHDT is a tripartite organisation consisting of the Government of Sri Lanka (GOSL), Regional Plantation Companies (RPCs) and Plantation Trade Unions (TU) formed by the GOSL to implement social development programmes to enhance the quality of life of the plantation community in the estates managed by the RPCs.

6. APPENDIX

Sri Lanka Laws Related to Children

No.	Law	Description
1.	The Constitution (1978)	<p>The constitutional safeguards afforded to children in Sri Lanka are contained in the chapter on fundamental rights (chapter III) which recognises, inter alia, the freedom of thought, conscience and religion, freedom from torture, right to equality, freedom from arbitrary arrest, detention and punishment, freedom of speech etc. which are equally applicable to children as well as adults. Taking affirmative actions for children as a special category that needs protection has also been made possible by the Constitution wherein it is specifically set out that the right to equality would not prevent making special provision by law, subordinate legislation or executive action for the advancement of children as well as women and disabled persons.</p> <p>Moreover, in chapter VI of the Constitution dealing with Directive Principles of State Policy and Fundamental Duties, the responsibility of the State to promote with special care the interests of children and youth, so as to ensure their full development, and to protect them from exploitation and discrimination, has been recognised. The State has to recognise and protect the family as the basic unit of society and ensure complete eradication of illiteracy and the assurances to all persons of the right to universal and equal access to education at all levels.</p>
2.	National Policy on Child Protection (2017 Draft)	<p>The National Policy on Child Protection 2017-2027 provides the overall framework of goals, guiding principles and values, policy goals and main strategies that can be adopted to ensure that all children in Sri Lanka are protected from abuse, exploitation, neglect and other forms of violence and harm, and affected children receive appropriate care and support as they develop into adulthood.</p> <p>This policy outlines the vision of the Sri Lankan government in relation to the critical need to ensure the protection of children, and establishes specific goals for this to be achieved. The policy will be implemented through multi-sectoral, multi-level, coordinated interventions across government and also involving civil society, private sector and media stakeholders. This policy aims to harmonise the activities of all relevant stakeholders to prevent and respond to children protection issues.</p> <p>The policy sets out the guiding principles that must inform all child protection interventions as well as other relevant policies, programmes and actions that have implications for child protection. Recognising that incorporation of child protection considerations in other sectors will require time, resources and technical engagement, the policy also provides a means by which its goals and principles will be progressively realised, through the mechanism of 5-year National Action Plan for Child Protection.</p> <p>Guiding principles and values:</p> <ul style="list-style-type: none"> Right to Life, Freedom, Wellbeing and Development Equality, Diversity and Non-Discrimination The Best Interests of The Child Participation of Children Family as a Primary Unit of Care and Protection of Children Prevention, Promotion and Response Approaches to Protection of Children Multi-Sectorial, Multi-Stakeholder Responsibility Requiring Coordination and Cooperation Life-Cycle Approach Privacy of Children and the Media Evidence Based Practice and Policy Accountability and Professionalisation of Child Protection Services Accessibility

6. APPENDIX

Sri Lanka Laws Related to Children

No.	Law	Description
		<p>Conceptual Framework for Child Protection Activities:</p> <p>Level 1: Universal Programmes to Promote Safety and Resilience</p> <p>Level 2: Prevention Policies & Programmes to Address Key Socio-Economic Determinants and Risk Factors at Family and Community-level</p> <p>Level 3: Targeted Services for At-Risk Families and Children (including Child Victims/Survivors)</p> <p>Level 4: Services for Child Victims/Survivors</p>
3.	National ECCD Policy	<p>Vision of the National Policy on Child Day Care Centres: “Ensure the availability of quality, affordable and accessible day care services in Sri Lanka to protect the rights and well-being of all children that are placed in day care centres, and also to encourage parents (particularly mothers) to take-up or return to employment by the availability of Day Care services.”</p> <p>Mission of the National Policy on Child Day Care Centres: To enable and promote the establishment of day care centres within a sound normative framework To establish standards of care for all children placed in day care To guide, regulate and monitor the operations of all day care centres, including the training of caregivers</p> <p>National Policy for Child Day Care Centres aims to provide a long-term vision for quality, accessible, and affordable day care services in Sri Lanka in order to protect the rights of children in their most vulnerable and formative years. The National Policy is intended to develop, guide, and regulate day care centres effectively to improve the quality of child care delivered through such facilities and to ensure easy and improved accessibility to day care services, in order to encourage more mothers to enter or return to the labour force.</p> <p>The responsibilities of the State include: Implementing the National Guidelines for Child Day Care Centres Ensuring Quality of Day Care Services through Regulation Ensuring Availability of Quality Caregivers Accessibility through Regional Perspectives Affordability through support in Resources and Funding</p> <p>The National Policy also recognises that the Plantation Human Development Trust (PHDT) has a unique role to play providing and promoting child day care services and that the State shall strengthen the PHDT in improving the quality, accessibility and affordability of child day care services under its programmes. The PHDT shall through private and public partnerships, and with the assistance of State and non-State institutions, endeavour to implement the National Policy and the National Guidelines in its Child Development Centres, specifically to cater to the needs of families with children in plantations.</p> <p>The rights and needs of children in day care shall be considered in relation to the following age groups: prior to attending preschool (from 3 months to 3 years) preschool children, placed in day care after end of the preschool day (from 3-5 years) school children placed in day care after school (from 5-10 years)</p>

6. APPENDIX

Sri Lanka Laws Related to Children

No.	Law	Description
4.	National Guidelines for Child Day Care Centres	<p>National Guidelines for Daycare Centers was prepared by the Department of Probation and Child Protection Services and the Children’s Secretariat under the leadership of the National Child Protection Authority.</p> <p>The main objectives of the formulation of a national guideline for children’s day care centres were to provide guidelines to ensure the establishment of children’s day care centres which have the ability to achieve prescribed minimum standards and improve the standard of existing day care centres; to ascertain that proper care is provided to children, overall child development needs are fulfilled and that they are in line with the child development objectives; to promote the provision of safe and professional day care services for children between the ages of 04 months and 12 years; and to ensure that all day care centres island wide are following the same quality assured procedure.</p> <p>Main Principles Governing Child Day Care Centres: Non-discrimination of children based on age, gender, ability, ethnicity, religion, socio-economic status, family background and circumstances, etc. Ensuring the protection of children and preventing all forms of violence. Ensuring the best interests of the child at all times. Enabling meaningful participation of the child. Prioritizing holistic development of the child while promoting bonding with primary caregivers. Ensuring accountability towards the child’s well-being. Undertaking social responsibility towards better realization of the rights of children.</p>
5.	National Plan of Action for Children in Sri Lanka 2016-2020	<p>The National Plan of Action for Children 2016-2020 (NPA) is the key strategic document for the Government of Sri Lanka, which aims to guide the national and provincial efforts to ensure the rights and protection of all children in accordance with the national and international obligations of the country. The Plan aims to facilitate every child’s right to grow and develop in a safe and enabling environment, which promotes child’s best interests, development of full potential and protection from violence.</p> <p>The present NPA is relevant to children which constitute approximately 34.2 percent. Married women of child bearing age are covered by this NPA since the health status of pregnant women influences the growth and development of the unborn child. It has also taken into consideration weaknesses experienced in implementing the previous NPA 2004-2008. The overall strategy set out in the NPA is to ensure universal access to services that children require for their holistic development in a safe and enabling environment. It aims to satisfy identified short-term urgent needs and to provide a long-term development perspective for children up to 18 years of age.</p> <p>The specific objectives of present NPA are as follows: Promote early childhood care and development Improve access, quality and relevance in education Enhance skills, competencies of children Improve quality of health care and nutritional status for children Promote protection and Care of Children and Provide reliable water supply and sanitation for children Develop and strengthen of mechanisms and human resource to address child issues efficiently and effectively.</p>
6.	National Guidelines for Village Child Development Committees	<p>The Village Child Development Committee (VCDC) is a village level structure that is located in each Grama Niladhari (GN) Division. Its remit and the overview and supervision of its work is the responsibility of the Department of Probation and Child Care Services (DPCCS). The VCDC is comprised of key community actors and government officers working together to promote and ensure the developmental needs and rights of children in the village. The intention of strengthening the VCDC is to ensure an engaged, proactive and community-based process in promoting children’s development and an effective protection system at the village level in Sri Lanka.</p> <p>This National Guideline emphasises the need for a child-friendly environment in the village and strategies that ensure children’s care, protection and wellbeing with special attention to the roles and responsibilities of parents and communities.</p>

6. APPENDIX

Sri Lanka Laws Related to Children

No.	Law	Description
7.	Children & Young Persons Ordinance	<p>The Children & Young Persons Ordinance (CYPO) is the principal legislation governing the administration of juvenile justice in Sri Lanka. This act is applicable to two categories of children, namely (i) children in conflict with the law and (ii) children in need of care and protection who are under the age of 16 years. As more fully discussed below, although it is now perceived that this law is now outdated, it has provided a valuable framework for the children of Sri Lanka for several decades in the area of juvenile justice.</p> <p>Some of the salient features of the CYPO are as follows:</p> <ul style="list-style-type: none"> Recognizing the need for a special procedure for children in conflict and in contact with the law and the establishment of special courts for children Recognising the confidentiality of proceedings in court (Section 11 and 20) Recognising the welfare principle (section 21) Separation of children from adults (Section 13) Need to summons parent /guardian to attend court (Section 16(1)) Need to notify the Probation officer and the preparation of social report (sections 17(1) and (2)) Not sending children for adult remand prison except young persons in exceptional circumstances (Sections 15 (1) and (2)) Establishment of Remand Homes, Approved Schools and Certified Schools (Part III) Appointment of fit persons (Section 57) Identifying offenses related to cruelty to children and exposing them to moral and physical danger (Part V)
8.	Employment of Women, Young Persons and Children (Amendment) Act (No. 24 of 2006)	<p>Employment of Women, Young Persons, and Children Act has strengthened child labour law by increasing the minimum age of employment from 12 to 14 years, and prohibiting the employment of children under 14 while enhancing the sentence for violation of this provision.</p> <p>According to this Act, a child may work in light agricultural or horticultural work before the commencement of regular school hours or after the close of school hours, by his or her parent(s)/ guardian(s); or in any school or other institution supervised by a public authority that imparts technical education or other training for the purpose of any trade occupation.</p> <p>In terms of the amendment No. 24 of 2006 to the said Act and the regulations framed thereon under section 20A of the Act, employment of a male or female under 18 years in hazardous work has been prohibited. By Gazette No. 1667/47 dated 20.08.2010, 51 types of work have been published which are hazardous to both the physical and mental health as well as the safety of persons under 18 years.</p>
9.	Hazardous Occupations Regulations 2010	<p>This regulation states that no person shall employ a person under eighteen years of age in any kind of hazardous occupations, such as: involving physically heavy or dangerous work that would harm the health; engage with hazardous material/chemical or dangerous tool/machine; engage with circumstance or material that would negatively affect their moral wellbeing or harm their safety.</p> <p>A person below eighteen years old should not be allowed to work within a port or harbour; in deep waters or underground; in any location where height is above 1.5 metres (each side); between 8.00 p.m. in the night and 6.00 a.m. in the morning; or any type of work involving the lifting, carrying or moving of any load over 8 kg in weight in the case of males, and over 5 kg in weight in the case of females, for distances exceeding 50 metres and for continuous periods exceeding 10 minutes in duration without an interval of at least 3 minutes, and for an aggregate period (inclusive of intervals) exceeding 4 hours in a day.</p>

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No.	Law	Description
10.	Education ordinance No. 31 of 1939 (As Amended)	The national law on education in Sri Lanka is contained in this ordinance. The establishment of the Department of Education and other administrative structures, specifying powers and functions of officers attached to those structures, special provisions on estate schools and general provisions such as prohibition of fees for admission to or education in government and assisted schools are contained in this Ordinance.
11.	Regulation on Compulsory Education	The Children's Charter (1992) and the regulations for compulsory education (1997) provide a strong legal base for the child's right to education. Compulsory school age continues to be 5-14 years.
12.	International Covenant on Civil and Political Rights (ICCPR) Act No. 56 of 2007	This Act provides that the best interests of the child shall be of paramount importance in all matters concerning children whether undertaken by courts, administrative authorities, legislative bodies or public or private social welfare institutions, and strengthened protection for children in respect of birth registration, name and nationality and legal assistance.
13.	Penal Code (Amendment) Act (No. 16 of 2006)	<p>Criminal offenses in Sri Lanka are specified in the Penal Code. In respect of child protection, the amendments made to the Penal Code by Acts No. 22 of 1995, 29 of 1998 and 16 of 2006 are of paramount importance. The penal code amendment of 1995 introduced new offenses related to children and redefined existing offenses whilst also increasing the applicable punishments. The offenses introduced/redefined by the 1995 amendment include obscene publication and exhibition relating to children, cruelty to children, grievous hurt, sexual harassment, procuration, sexual exploitation of children, trafficking, rape (including statutory rape), incest, acts of gross indecency between persons and grave sexual abuse. Another important provision introduced by the 1995 amendment is making publication of matters relating to offenses specified therein, which would result in identifying the victim, a punishable offense (Sec. 365c). The offenses specified includes sexual harassment, sexual exploitation of children, rape and incest and grave sexual abuse.</p> <p>The amendment made in 1998 to the Penal Code introduced further more offenses related to children and accordingly causing or procuring children to beg, hiring or employing children to act as procurers for sexual intercourse and hiring or employing children to traffic restricted articles such as opium, poisons or dangerous drugs were made punishable offenses.</p> <p>The Penal Code (Amendment) Act, No. 16 of 2006 extended the duty to prevent and report child abuse and made debt bondage, serfdom, forced or compulsory labour, slavery and recruitment of children for used in armed conflict a punishable offense. Moreover, the 2006 amendment redefined the offense of trafficking, introduced offenses related to adoption and made soliciting a child for the purposes of sexual abuse of a child a punishable offense.</p>
14.	Code of Criminal Procedure (Amendment) Act (No. 7 of 2006)	The criminal procedure is set out in the Code of Criminal Procedure Act. When amendments are made to the Penal Code relevant amendments are also made to the Code of Criminal Procedure Act. The Act no. 7 of 2006 has amended the Act no. 15 of 1979. This Act provides regulation (imprisonment, fine, compensation) regarding offenses against children such as abuse, sexual abuse, kidnapping, abduction, procuration, sexual exploitation of children, trafficking, debt bondage, serfdom, forced or compulsory labour, slavery, recruitment of children for use in armed conflict, offenses related to adoption and soliciting a child.

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No.	Law	Description
15.	Prevention of Domestic Violence act (No. 34 of 2005)	This Act provides for protection orders to be urgently obtained to safeguard those suffering and at risk of domestic violence including both women and children.
16.	The Convention on Preventing and Combating Trafficking in Women and Children for Prostitution Act (No. 30 of 2005)	<p>SAARC (South Asian Association for Regional Cooperation) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution is the first regional treaty dealing specifically with trafficking. The Convention was adopted by the Governments of Bangladesh, Bhutan, India, Maldives, Pakistan and Sri Lanka in January 2002. Nepal ratified the Convention in 2005 and Afghanistan adopted the Convention upon joining SAARC in 2007. The Convention lists state obligations for prevention and prosecution of trafficking and protection of victims.</p> <p>Convention on Preventing and Combating Trafficking in Women and Children for Prostitution Act (No. 30 of 2005) defines:</p> <p>“child” as a person who has not attained the age of eighteen years;</p> <p>“persons subjected to trafficking” as women and children victimised or forced into prostitution by the traffickers by deception, threat, coercion, kidnapping, sale, fraudulent marriage or any other unlawful means;</p> <p>“prostitution” as the sexual exploitation or abuse of persons for commercial purposes;</p> <p>“repatriation” as return to the country of origin of the persons subjected to trafficking across international frontiers;</p> <p>“traffickers” as any person, agency or institution engaged in any form of trafficking;</p> <p>“trafficking” as the moving, selling or buying of women and children for prostitution within and outside a country for monetary or other considerations with or without the consent of the person being subjected to trafficking.</p> <p>This act combined with Penal Code (Amendment) Act No. 16 of 2006 has strengthened the law against child trafficking in Sri Lanka.</p> <p>The High Court of Sri Lanka shall, notwithstanding anything in any other law, have exclusive jurisdiction to hear, try and punish the offenses under this Act. Where an act constituting an offense under this Act is committed outside Sri Lanka, the High Court shall have jurisdiction to try such offense as if it were committed within Sri Lanka, if-</p> <p>the person who committed such an act is present in Sri Lanka;</p> <p>such an act is committed by a citizen of Sri Lanka or by, a stateless person who has his habitual residence in Sri Lanka; or</p> <p>the person in relation to whom the offense is alleged to have been committed is a citizen of Sri Lanka.</p> <p>The Sri Lankan Extradition Law No. 8 of 1977 (as amended by Act 48 of 1999) states that an ‘extradition offense’ is an act or omission which falls within any of the descriptions set out under the Schedule in the Law. The Schedule does include ‘rape’, ‘carnal intercourse with a female between twelve and fourteen years’, ‘procuring a girl or a woman to become a common prostitute’, and ‘an offense covered by the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution Act, No. 30 of 2005’.</p>

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No.	Law	Description
17.	Corporal Punishment (Repeal) Act (No. 23 of 2005)	This Act repealed the Corporal Punishment Ordinance and also omitted the sentence of whipping where it is included as part of a sentence to be imposed by courts in respect of any offense committed under any written law.
18.	The National Child Protection Authority Act (No. 50 of 1998)	This Act provides for the establishment of the NCPA for formulating a national policy on the prevention of child abuse and the protection and treatment of children who are victims of such abuse and for coordinating and monitoring of action against all forms of child abuse.
19.	Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act (no. 20 of 1998)	This Act was enacted to eliminate ragging and other forms of violent and cruel inhuman and degrading treatment from educational institutions. According to the Act, any person who commits or participates in ragging, within or outside an educational institution upon conviction is liable to rigorous imprisonment for a term not exceeding two years. Such convicts may also be required to pay compensation. If the ragging relates to sexual harassment or grievous hurt, the offender will have to undergo rigorous imprisonment for a term not exceeding 10 years.
20.	Assistance to and protection of victims of crime and witness act (NO. 4 of 2015)	The Assistance to and Protection of Victims of Crime and Witnesses Act No. 4 of 2015 provides significant and high level protection and relief to both victims and witnesses including children. This Act sets out the rights and entitlements of victims of crime and witnesses and provides for a mechanism to promote, protect, enforce and exercise such rights and entitlements. These entitlements include the guarantee of prompt, fair and equal redress such as restitution, compensation, reparation and rehabilitation of survivors of crime. The Act also outlines the duties and responsibilities of judicial and public officers toward rights violations and associated penal sanctions. The Act also provides a mandate for authorities to adopt and implement best practices relating to the protection of witnesses – including the facilitation of audio-visual testimonies.

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