

Committee on the Application of Standards

Date: 10 May 2024

Governments appearing on the preliminary list of individual cases have the opportunity, if they so wish, to supply on a purely voluntary basis, written information before 20 May 2024.

► Information on the application of ratified Conventions supplied by governments on the preliminary list of individual cases

Sri Lanka (ratification: 1994)

Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

The Government of Sri Lanka transmitted a series of communications related to a pending representation under article 24 of the ILO Constitution and which are being addressed within the framework of that procedure. The Government also refers to a related case filed by the Free Trade Zones and General Services Employees' Union (FTZ and GESU) against the non-selection of their union for the year 2023 and indicates that the hearing is ongoing in the Court of Appeal (CA 321/2023). The reasons for non-selection were explained within the framework of the article 24 representation and the main reason for non-selection was that four unions did not meet the selection criteria. In the meantime, the term of the said National Labour Advisory Council (NLAC) ended in December 2023. The Government has already selected new members for the NLAC for the year 2024 based on the most representative criteria. The list has been sent to the Attorney General's Department to obtain clearance for appointment since there is a case ongoing in the court. Once the Honourable Attorney General clears it, the Government will immediately appoint members to the NLAC for the year 2024 and continue social dialogue. The Government has no intention to discredit the tripartite process and understands the benefits of the tripartite process as well. During the COVID-19 period, the Government brought trade unions and employers together which were able to reach historic agreement on wages.

While the NLAC was not functioning due to reasons beyond the control of the Government, social dialogue with trade unions is continuing. For example, the Government continuously arranges meetings between plantation companies and plantation unions to reach conclusions on wage increases. There have been ten meetings facilitated by the Government so far. In addition, the Government appointed a tripartite committee to formulate a Labour Market Recovery and Transformation Strategy. The report, prepared with the support of the ILO, will be launched on 21 May 2024. Additionally, the Government appointed a high-level committee to be chaired by the Secretary, Ministry of Labour and Foreign Employment, on the advice of the Cabinet of Ministers, to develop a comprehensive Social Security Policy for Sri Lankan workers in the context of the recent economic crisis and COVID-19. This committee

also includes representation from trade unions and employers. In addition, the Government took steps to conduct district level Labour Advisory Committees consisting of trade unions and employers. These committees, presided over by the Assistant Commissioner of Labour, have been established to address labour issues at the lowest level. As of the conclusion of the year 2023, a total of 73 committee meetings were conducted. Furthermore, the Department of Labour has taken substantial initiatives to establish social dialogue mechanisms at the enterprise level. This has been achieved through the establishment of Occupational Safety and Health Committees within the workplace. By the end of 2023, a total of 435 committees have been successfully established. These actions clearly demonstrate the commitment of the Government in social dialogue and protecting the rights of the workers.