

A REVIEW OF SRI LANKAN CHILD LAW IN THE LIGHT OF THE CONVENTION ON THE RIGHTS OF THE CHILD

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Dr. J. A. L. Cooray was a pioneer in the field of Human Rights and I consider it a privilege to contribute an article on children and their rights in this felicitation volume of the Sri Lanka Journal of International Law.

The concept of Children's Rights is a relatively recent phenomenon and Dr. Cooray's work did not extend to this field. His pioneering spirit and love for humanity would however, I am sure, approve of this new development in the law and I dedicate this article to him for paving the way for all those of us engaged in working in the field of human rights.

On 12th July 1991 Sri Lanka ratified the Convention on the Rights of the Child. A short time thereafter a Childrens Charter was promulgated *inter alia* because of Sri Lanka's accepted commitments under the Convention. The ratification of the Convention without reservations and promulgation of a Childrens Charter reflect a will on the part of the state to promote the interests of children and youth and to ensure their full physical, mental, moral, religious and social development. This review examines the various sources of the law relating to the child in Sri Lanka namely, the constitutional provisions, the General Law, the Special Laws and the Statute Law with a view firstly, to ascertaining to what extent the principles embodied in the Convention are reflected in the existing laws and secondly, to highlight the short-comings of the law relating to the child in the light of these principles.

FUNDAMENTAL RIGHTS AND THE DIRECTIVE PRINCIPLES OF STATE POLICY

Chapter three of the Sri Lankan Constitution embodies provisions relating to fundamental rights. This chapter does not expressly state that these rights are applicable to children. Certain rights conceived of as universal are applicable to 'persons'. Other rights perceived of as not quite so 'fundamental' to man are applicable only to 'citizens'.

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