



PERMANENT MISSION OF THE DEMOCRATIC SOCIALIST  
REPUBLIC OF SRI LANKA TO THE UNITED NATIONS

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The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations in New York presents its compliments to the Office of the Special Representative of the Secretary General (SRSG) for International Migration and has the honor to refer to the latter's Note bearing reference number SRSG Migration/2017/21/7 dated 21 July 2017 requesting inputs from Member States to the UN Secretary General's report on the global compact for safe orderly and regular migration and has the further honor to transmit Sri Lanka's inputs at **Annex A** under the thematic areas of (1) Human Rights of all migrants (2) Drivers of Migration (3) Governance (4) Development and Diaspora (5) Smuggling of migrants, trafficking in persons and (6) Irregular migration. The information in **Annex A** may be made available on the official website.

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations in New York avails itself of this opportunity to renew to the Office of the Special Representative of the Secretary General (SRSG) for International Migration, the assurances of its highest consideration.

New York, 02 October 2017

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Permanent Mission of  
Sri Lanka to the  
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Thematic area	Related existing policies and regulations	Challenges	Recommendations/ good practices	Any other remarks
<p>1. Human rights of all migrants, social inclusion, cohesion and all forms of discrimination, including racism, xenophobia and intolerance</p>	<ul style="list-style-type: none"> <li>• Equality of all men and women protected by the Constitution of Sri Lanka</li> <li>• National Labour migration Policy of Sri Lanka (2008) is the Gender responsive, human rights –based policy which gives policy directions and guidance for Sri Lanka Labour migration.</li> <li>• Decent Work Policy of Sri Lanka (2006) and the Action Plan</li> </ul>	<p>The violations of human rights/ ill treatments/ human trafficking etc., which are experienced in the destinations.</p> <p>Difficulties faced by the Countries of origin to change the discriminatory laws/ regulations/ policies of countries of destinations. Eg: Kafala System/ Labour law / substitution of labour contracts.</p> <p>Inadequate Policy coherence among the line ministries and institutions working for Human rights. Inadequacy Human resources and capacities in implementing programmes related to Labour migration.</p> <p>Inadequacy of public awareness on responsibilities and accountability.</p>	<ul style="list-style-type: none"> <li>• All policies and procedures related to Labour migration in Sri Lanka are inclusive of human right based policies.</li> <li>• Included human right based considerations in all projects and programmes of the Ministry and the SLBFE at all four stages of the labour migration</li> <li>• Empowered all male and female migrant workers prior to departure for foreign employment through mandatory pre-departure training programmes to prevent from exploitation, Xenophobia etc.</li> <li>• All migrant workers are provide service Contract under the close supervision by</li> </ul>	<p>International and National Human Rights policies and Institutions should ensure access to health, education, justice and other relevant services</p> <p>Need for coordinated migration policies to reduce the Vulnerable situations faced by the migrants and human rights violation.</p> <p>International migration by its nature is a multi-layered, multi- stakeholder issue covering more governments. Hence better governance of migration requires a global/ international cooperation.</p> <p>GCM should establish a framework for better governance of migration with a long-term vision.</p>

		<p>Delays in including provisions /recommendations of International Conventions ratified by Sri Lanka in to local legislations.</p>	<p>the Govt Authority, SLBFE and the Diplomatic Missions of the Destination countries.</p> <ul style="list-style-type: none"><li>• All recruitment agents recruiting Sri Lankans for foreign employment are registered and licensed by the Govt and they have to abide the rules and regulations of the SLBFE. All foreign recruitment agents /employers recruiting Sri Lankan nationals must be registered with the Diplomatic Missions and each and every job order and placements should be approved by the relevant Diplomatic Mission</li><li>• All migrant workers registered with the SLBFE are provided with free-insurance coverage by the Govt.</li></ul>	
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			<ul style="list-style-type: none"> <li>• Temporary shelters for especially distressed female migrant workers have been established in the destination countries under the supervision of the Diplomatic Missions.</li> <li>• Distressed female Returnees are provided with temporary shelter operated by the Govt.</li> </ul>	
<p>2. Drivers of migration, including adverse effects of climate change, natural disasters and human-made crises, through protection and assistance, sustainable development, poverty eradication, conflict prevention and resolution</p>	<ul style="list-style-type: none"> <li>• Ratified and effectively implement existing international law, including the Convention on Migrant Workers and Their Families</li> <li>• Ratify eight core-conventions related rights of workers of the International Labour Organization (ILO)</li> <li>• Given due regard to the gender dimension of drivers of migration, including by applying gender responsiveness at all stages of the migratory process.</li> <li>• Return and Reintegration policy was introduced as a sub policy of the National Labour Migration Policy</li> </ul>	<p>Political and economical interferences and ethnic crisis.</p> <p>Climate changes and natural disasters.</p> <p>Work place/ cultural adjustments</p>	<ul style="list-style-type: none"> <li>• Returnees are subjected to skill assessment under programme on Recognized Prior Learning (RPL).</li> <li>• Returnees who have gained significant human, financial or any other capital are strengthened with necessary assistance, under the reintegration programme.</li> <li>• Those who affected climate-induced displacement are recognized under</li> </ul>	<p>Integrate migration into national and regional development plans.</p> <p>Need policies to take full advantages of the economic potential of migrants.</p> <p>Review the impacts of the migration policies regularly vis-a-vis other national policies.</p> <p>Fully integrate migration into development polices and national development plans and strategies, including at the local level, with an emphasis on economic growth and employment</p>

	<ul style="list-style-type: none"> <li>• Policies are in operation to settle the displaced persons in their original places</li> </ul>		<p>human rights laws, the Guiding Principles on Internal Displacement.</p>	
<p>3. Governance</p>	<ul style="list-style-type: none"> <li>• Dedicated institutions were established to govern labour migration of Sri Lanka such as the Ministry of Foreign Employment, Sri Lanka Bureau of Foreign Employment, Labour sections of the Diplomatic Missions in destinations.</li> <li>• SLBFE Act No. 21 of 1985 and subsequent amendments. Currently, reviewing process of this existing Act is going on.</li> <li>• Code of ethical conduct for Licensed Foreign Employment Agents.</li> <li>• Manual of operations to labour officials of the Diplomatic Missions in Destination countries to streamline and standardize the processes of the Labour Sections.</li> <li>• Empower all migrant workers before departure through pre-departure training especially for female migrant workers have to undergo country-specific</li> </ul>	<p>No comprehensive study conducted to identify gaps in governance of migration.</p> <p>Need capacity building in migration governance</p> <p>Less effective nature of the existing Bi-lateral Agreements and MOUS between Destination countries</p>	<p>Establishment of the National Advisory committee on labour migration and Project advisory committee by the Ministry in charge of Labour migration to enhance policy coherence between the key stakeholders in Labour migration</p> <p>Actively engaged with Regional Consultative Processes, Colombo Process and Abu Dhabi Dialogue and collectively working towards better governance of migration.</p> <p>Entered 21 MOUs and bi-lateral -agreements with major destination countries. Consular assistance for migrant workers through the 16 Labour Sections of the Sri Lanka Diplomatic Missions in Labour receiving countries.</p> <p>Established a "Workers' Welfare Fund" to cater the protection and welfare needs of the Migrant workers.</p>	<p>Make use of best practices identified by the RCPs.</p> <p>System to monitor progress of migration related targets such as the IOM Migration Governance framework and the Index.</p> <p>Provide financial facility for migration and improve coordination between existing financing mechanisms of the institutions such as World Bank, IMF etc.</p> <p>Include provisions of capacity buildings in migration governance in to Bi-lateral and Regional agreements among States.</p> <p>Provide opportunity to share data with both sending and receiving countries to make evidence based policies on labour migration.</p>

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departure.

- Provide information to prospective migrant workers, their left behind family members, general public providing hot lines and 24/365 days operated migrant resource center of the SLBFE.
- SLBFE circulars to Licensed Foreign Employment agents and migrant workers on pre-departure formalities departure approvals / pre-departure training welfare / dispute settlements.
- Sri Lanka Ratify UN Convention on Migration in 1996, CEDAW and eight core-Conventions of the ILO relevant to the labour migration.
- Enter in to MOUs with major destination countries to enhance cooperation between country of origin and country of Destination.

report with disaggregated data on Labour migration by the SLBFE.

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	<ul style="list-style-type: none"> <li>Actively engaged with Regional Consultation Process such as Colombo Process and the Abu Dhabi Dialogue for the betterment of migrant workers at all three stages of the migration</li> </ul>			
<p>4. Development &amp; Diaspora</p>	<ul style="list-style-type: none"> <li>National Labour Migration policy section migration and Development provided the guidance in this regard.</li> <li>Govt. has approved in 2015 and implementing the "Return &amp; reintegration sub policy"</li> </ul> <p>Human Resource Development and Employment Policy for Sri Lanka in 2010</p>	<p>Inadequacy of cooperation among the key stakeholders both Govt and Non-Govt.</p> <p>Not adequately recognized return migrant workers as "agents of Development" and not adequately take the full advantages of the economic potential of the returnees.</p> <p>Inadequate recognition from the general public for returnees due to lack of proper information on their contribution. Many instances, the underlying causes that motivated people to migrate remain unchanged.</p>	<p>Identified the important contribution of labour migration to the human resource development in the country and to the economy</p> <p>In the Human Resource Development and Employment Policy of Sri Lanka.</p> <p>Developed a sub policy and action plan with a holistic approach on return and re-integration of the Sri Lankan migrant workers and currently implementing programmes accordingly.</p> <p>Established a grass root level administrative mechanism by the Ministry of Foreign Employment by appointing Migration Development officers to all Divisional Secretariat to collect information on migrant workers and their left behind</p>	<p>Need for a better dialogue and cooperation between sending and receiving countries to ensure dignified and sustainable return providing assistance for reintegration.</p> <p>Consider the long term needs of returning migrant workers as the guiding principle of the policies on return and re-integration.</p> <p>Ensure that returns and readmissions are carried out safely and effectively in compliance with the International Human Rights Laws and the other relevant Laws.</p> <p>Provide social security benefits for migrant workers and ensure the portability of such benefits.</p>



		<p>Lack of accurate data and information on return migrant workers.</p> <p>As the present practice of the receiving countries, Providing Short term Incentives to return is not the solution for successful return and re-integration of migrant workers.</p>	<p>families to identify their needs/ relevant programmes for their well-being.</p> <p>Under this programme "Development Plans" and "Care Plans" is being developing to identify needy families and vulnerable children.</p> <p>At this programmes following areas economic, psycho-social, reintegration aspects of the returnees will be covered to enhance the quality and the effectiveness of the above programmes.</p> <p>Implementing a welfare measures for families of the migrant workers such as low interest loans for housing, self-employment and scholarship programme for children of the migrant workers and free life and health insurance benefits for all registered migrant workers throughout the contract period.</p> <p>Planned to provide social security benefits in the way of a Pension Scheme for return migrant workers.</p>	<p>Promote Standard labour contracts.</p> <p>Promote Mutual Skill recognition Frameworks.</p> <p>Need Wage protection systems</p>
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<p>5. Smuggling of migrants, trafficking in persons.</p>	<p>Actively involved with Presidential Anti-trafficking Task-force in Sri Lanka.</p> <p>Establishment of Anti human trafficking unit at the SLBFE Head office to raise awareness among the prospective migrant workers on Human trafficking /receive complaints /refer to the relevant authorities for further investigations etc.</p> <p>Planning to introduce a mechanism to regularize the recruitment intermediaries and include such provisions in to the migration related legislations.</p>	<p>Inadequate cooperation between institutions involved in border management.</p> <p>Lack of capacity of the officers to handle vulnerable situations.</p>	<p>Include special module on trafficking in persons and smuggling in to all training programmes conducted by the SLBFE for prospective migrant workers, staff of the Ministry, SLBFE, Development Officers and the Diplomatic officers in labour sections of the Missions.</p> <p>Provide consular assistance for victims at the destination countries through our Diplomatic Missions and sheltering facilities for female victims.</p>	<p>Exchange of information on border control measures is must.</p> <p>Need Capacity building of relevant officials engaged with border management to identification of victims, protection needs, protocols to handling issues related to trafficking and smuggling. More investment and technical assistance are needed to establish integrated border management system for the country.</p> <p>Implement the guidelines developed by the GLOBAL MIGRATION GROUP (GMG) on protection of migrants in vulnerable situations.</p>
<p>6. Irregular migration</p>	<p>Decent work policy for Sri Lanka (2006) Human Resource Development and Employment Policy (2012)</p>		<p>Implemented Skill recognition programmes with collaboration of the Destination countries Eg- UAE.</p> <p>Providing skills Development and skills upgrading programmes for prospective migrants and</p>	<p>Humanitarian dimension is needed to address in managing complex migratory movements.</p> <p>International responsibility on sharing information related to labour mobility must be taken into account.</p>

			return migrant workers.	Flexible visa regulations and border control measures should be introduced by destinations to minimize illegal migratory movements.
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