



UNITED NATIONS MIGRATION NETWORK IN SRI LANKA

TERMS OF REFERENCE

1. BACKGROUND

Sri Lanka is a South Asian country with a population of 21.7 million,¹ which is home to 1.8 million international migrants.² In Sri Lanka remittances added up to 7.8 per cent of the Gross Domestic Product (GDP) in 2019.³ Migration for employment purposes is a dominant feature in Sri Lanka, driven by economic and labour market differentials. Most migrant workers from Sri Lanka seek employment in other sub-regions in the Gulf Cooperation Council (GCC) countries where they are typically concentrated in low- or semi-skilled positions, with most men employed in the construction and hospitality sectors, and women in domestic work. Sri Lanka sent migrant workers to 108 countries in 2017 and almost 90 per cent of migrant workers are employed in the Middle East, which continues to be the dominant migrant destination.⁴ Despite many positive outcomes of labour migration, there are high individual and social costs including but not limited to lack of decent work, forced labour, debt bondage, exposure to violations of labour and human rights, exposure to health risks and other forms of exploitation. Most of these exploitations are rooted in exploitative recruitment practices of labour recruiters.

The novel coronavirus (COVID-19) pandemic disproportionately impacts Sri Lankan migrants presenting itself as a health crisis, socio-economic crisis and a protection crisis. As of 16 June 2020, 52,401 migrants from 117 countries remain to be repatriated due to COVID-19 and as of 25 June 2020, 10355 migrants have been repatriated to Sri Lanka.⁵ On 9 July 2020, COVID-19 related deaths of Sri Lankan migrants in the Middle East was reported as 35.⁶ Many Sri Lankan migrant workers have lost their jobs and/or have not received their wages as a result of the economic downturn in countries of destination. In May 2020, the remittance inflows reduced by 23.3 per cent negatively affecting the livelihoods of beneficiaries and the Sri Lankan economy as a whole.

Irregular migration is commonly taken place in Sri Lanka. Trafficking of persons remains a serious concern, although data and information are scarce. Sri Lanka is placed under Tier 2 Watchlist in Trafficking in Persons Report for 2020.⁷ Under the pretense of high-paying employment opportunities Sri Lankan migrant workers are highly vulnerable to forced labor, experiencing excessive working hours, confiscation of passports, withheld wages, denial of food and medical care, and physical and psychological abuse. 13 trafficking victims were identified with 18 female victims of forced labour in domestic work in Gulf States.⁸

¹ Migration Data Portal: https://migrationdataportal.org/data?t=2019&i=stock_abs &cm49=144

² Ibid.

³ Ibid.

⁴ Annual Statistical Report of Foreign Employment 2017: www.slbfe.lk/file.php?FID=487

⁵ Role of foreign employment in Sri Lanka's economic revival: Challenges and opportunities: www.ft.lk/opinion/Role-of-foreign-employment-in-Sri-Lanka-s-economic-revival-Challenges-and-opportunities/14-702756

⁶ COVID-19: Death toll of Lankan migrant workers in the Middle East rises to 35: www.newswire.lk/2020/07/09/death-toll-of-lankan-migrant-workers-in-the-middle-east-rises/

⁷ Trafficking in Persons Report 2020: www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf

⁸ Ibid.



Sri Lanka is particularly vulnerable to rapid-onset and slow-onset natural disasters, climate change, and environmental degradation. Further long-standing conflict, political instability, violence and repression can be identified as significant sources of displacement. In 2019, Sri Lanka recorded 87,000 new displacements as a result of disasters, and 1,700 new displacements and 27,000 internally displaced persons in total as a result of conflict and violence.⁹ Migration and mobility are particularly important coping strategies in response to environmental change events in Sri Lanka – including earthquakes, flooding, and storm surge – all of which pose considerable challenges. It is estimated that an average of 20,548 displacements are likely to occur annually due to rapid-onset natural disasters.¹⁰

Recently Sri Lanka has witnessed an influx in inward migrants¹¹ in response to labour shortages in construction, hospitality, manufacturing, education and services sectors. While demographic, social attitudes, expansion of the economy and labour emigration are factors contributing to the labour shortage, it is exacerbated by the lack of interest in certain types of jobs, insufficient remuneration, and poor terms and conditions of the job. Inward migration involves economic and social costs including, the loss of job opportunities to Sri Lankan nationals - due to the availability of immigrants willing to work for lower wages, increased burden on national healthcare system, issues of identity, social cohesion, social interaction and national security.

Sri Lanka reinforces international cooperation on migration through bilateral and regional partnerships such as the South Asian Association for Regional Cooperation (SAARC),¹² Regional Consultative Process on Overseas Employment and Contractual Labour for Countries of Origin in Asia (Colombo Process),¹³ and the Ministerial Consultation on Overseas Employment and Contractual Labour for Countries of Origin and Destination in Asia (Abu Dhabi Dialogue)¹⁴, and Global Forum on Migration and Development (GFMD)¹⁵ at the global level. Sri Lanka has chaired SAARC, Colombo Process and the Abu Dhabi Dialogue and contributed to these partnerships actively.

Against this background, Sri Lanka endorsed the Global Compact for Safe, Orderly and Regular Migration (GCM)¹⁶ as a multilateral framework that complement national development plans on ensuring safe, orderly, regular and dignified migration for all. GCM was developed to protect the safety, dignity and human rights, and fundamental freedoms of all migrants, integrate migrants – addressing their needs and capacities – in humanitarian and development assistance frameworks and planning, combat xenophobia, racism and discrimination towards all migrants, and strengthen governance of migration. GCM provides a blueprint on how States can best manage migration, and cooperate more effectively with one another and with other stakeholders, for the decades to come, while acknowledging the space and flexibility States have to do so, on the basis of their own migration realities and capacities. On 19 December 2018, recalling the New York Declaration for Refugees and

⁹ Internal Displacement Monitoring Centre, country information: www.internal-displacement.org/countries/sri-lanka

¹⁰ Ibid.

¹¹ Inward migrants: Migrants entering into Sri Lanka for employment purposes

¹² South Asian Association for Regional Cooperation: <http://saarc-sec.org/>

¹³ Regional Consultative Process on Overseas Employment Management and Contractual Labour for Countries of Origin in Asia: www.colomboprocess.org/

¹⁴ Abu Dhabi Dialogue: <http://abudhabidialogue.org.ae/>

¹⁵ GFMD: www.gfmd.org/

¹⁶ Global Compact for Safe, Orderly and Regular Migration: www.iom.int/global-compact-migration



Migrants¹⁷ and determined to make an important contribution to enhanced cooperation on international migration in all its dimensions, United Nations (UN) Member States endorsed the GCM.

GCM is the first inter-governmentally negotiated cooperation framework prepared under the auspices of the UN. GCM comprises of 23 objectives which covers all aspects related to migration, their implementation, and follow-up and review, and these objectives are rooted in the 2030 Agenda for Sustainable Development Goals (SDGs).¹⁸ GCM's 23 objectives and their associated commitments and actions provide a comprehensive approach to addressing the challenges, and reaping the benefits of international migration.

To this end, the UN established a Network on Migration at the global level to ensure effective, timely and coordinated system-wide support to its Member States. In carrying out its mandate, this UN Network on Migration will prioritize the rights and wellbeing of migrants and their communities of destination, origin, and transit. It places emphasis on those issues where a common UN system approach would add value and from which results and impact can be readily gauged. In 2019 in line with the global UN Network on Migration, UN Country Team in Sri Lanka took the initiative to establish a UN network (herein after referred to as UN Migration Network in Sri Lanka) at the national level.

2. MISSION STATEMENT

The UN system in Sri Lanka, with its 23 affiliate agencies, is committed to supporting the implementation, follow-up and review of the GCM in Sri Lanka.

To this end, the UN system in Sri Lanka establishes the UN Migration Network in Sri Lanka to ensure effective, timely and coordinated UN system-wide support to the Government of Sri Lanka. In carrying out its mandate, the UN Migration Network in Sri Lanka will prioritize the rights and wellbeing of migrants and their communities of destination, origin, and transit. It will place emphasis on those issues where a common UN system approach would add value and from which results and impact can be readily gauged.

In all its actions the UN Migration Network in Sri Lanka will respect the guiding principles of the GCM by taking a human rights-based approach while placing individuals at the core, and be guided, inter alia, by the United Nations Charter,¹⁹ international law, and the Agenda 2030 for sustainable development. Due regard, too, will be given to the importance of the Secretary-General's prevention agenda.²⁰

3. OBJECTIVES

Whilst being tailored to local needs and priorities, the terms of reference of the UN Migration Network in Sri Lanka are fully aligned with the terms of reference²¹ of the global UN Network on Migration.

The objectives of the UN Migration Network in Sri Lanka are to:

¹⁷ New York Declaration for Refugees and Migrants: <https://refugeesmigrants.un.org/declaration>

¹⁸ 2030 Agenda for Sustainable Development Goals: <https://sustainabledevelopment.un.org/post2015/transformingourworld>

¹⁹ Charter of the United Nations: www.un.org/en/charter-united-nations/

²⁰ Secretary General's prevention agenda: www.un.org/sg/en/priorities/prevention.shtml

²¹ Terms of reference of the Network: www.un.org/en/conf/migration/assets/pdf/UN-Network-on-Migration_TOR.pdf



- Ensure effective, timely, coordinated UN system-wide support to the Government of Sri Lanka (GoSL) in implementation, follow-up and review of the GCM, for the rights and wellbeing of all migrants and their communities of destination, origin, and transit;
- Support coherent action by the UN system in Sri Lanka with support from relevant regional and global UN entities in support of the implementation the GCM, where such action would add value, while ensuring well-defined linkages with UN structures at all levels;
- Act as a source of ideas, tools, reliable data and information, analysis, and policy guidance on migration issues, including through the capacity-building mechanism established in the GCM;
- Ensure actions of the UN Migration Network in Sri Lanka promote the application of relevant international and regional norms and standards relating to migration and the protection of the human rights of migrants, and engagement with UN human rights mechanisms relating to migration;
- Provide leadership to mobilize coordinated and collaborative action on migration by the UN system in Sri Lanka, including by speaking with one voice as appropriate, in accordance with the UN Charter, international and national laws, and mandates and technical expertise of relevant UN entities;
- Ensure close collaboration with other existing UN system coordination mechanisms, including the United Nations Sustainable Development Cooperation Framework (UNSDCF), addressing migration-related issues, actively seeking out synergies and avoiding duplication;
- Provide support to the capacity building mechanism, as outlined in the GCM;
- Engage with external partners, including migrants, civil society, migrant and diaspora organizations, faith-based organizations, local authorities and communities, the private sector, employers' and workers' organizations, trade unions, parliamentarians, National Human Rights Institutions, the International Red Cross and Red Crescent Movement, academia, the media and other relevant stakeholders at global, regional and national levels;
- Report to the Secretary-General as required on the implementation of the GCM, the activities of the UN system in Sri Lanka in this regard, as well as the functioning of the institutional arrangements, and contribute the Secretary-General's biennial reporting to the General Assembly, as called for in the GCM.

4. WORKING PRINCIPLES

UN Migration Network in Sri Lanka, in its work, will be guided by the following principles:

- **Accountability:** The UN Migration Network in Sri Lanka and its members have the responsibility to implement their decisions as agreed and will be accountable to the Resident Coordinator who, in turn, is accountable to the General Assembly, including through the annual progress reporting at the country level and biennial reporting requested by the GCM, and other follow-up mechanisms of the GCM;
- **Human rights-based, gender-responsive and child-sensitive approach:** The UN Migration Network in Sri Lanka will uphold and advocate the laws and principles to respect, protect, and fulfil the human rights of all migrants and their communities, especially those in the most vulnerable situations;
- **Coherence:** The UN Migration Network in Sri Lanka will draw from the mandates, technical expertise and experience of relevant entities within the UN system in supporting the implementation of the GCM, and promoting the overall coherence of the system's work on migration;



- **Unity of purpose:** All members of the UN Migration Network in Sri Lanka will be jointly committed to its success, placing emphasis on the added value of their coordinated work and of collaborating to achieve common goals;
- **Efficiency:** The UN Migration Network in Sri Lanka will be fully aligned with existing UN system coordination mechanisms and will adopt a streamlined and efficient approach in all its activities;
- **Inclusivity:** The UN Migration Network in Sri Lanka, in its own working methods and in engaging others, will operate in an inclusive, systematic, predictable and transparent manner;
- **Results-oriented:** The UN Migration Network in Sri Lanka will focus on supporting the progress of Member States towards achieving implementation of the GCM;
- **Agility:** The UN Migration Network in Sri Lanka will regularly review – both formally and informally – and where necessary recalibrate its methods and the focus of its work to ensure its impact is maximized.

5. ORGANIZATION

The organization of the UN Migration Network in Sri Lanka is aligned to the global UN Network on Migration where the International Organization for Migration (IOM) assumes the roles and responsibilities of the Coordinator and provides Secretariat support. In line with this global arrangement, the UN Migration Network in Sri Lanka is chaired by IOM, represented by the Chief of Mission of IOM country office in Sri Lanka, unless delegated to another IOM official in his/her absence. The Chair of the UN Migration Network in Sri Lanka serves as the Secretariat and its responsibilities are as follows:

1. Convene and run regular meetings, including preparing the agenda, drafting and disseminating meeting minutes, inviting government officials and other stakeholders when necessary, reporting to the Resident Coordinator, maintaining an up-to-date list of participants, and following up on action points with relevant counterparts.
2. Support coherent action by the UN system in Sri Lanka in support of GCM implementation, where such action would add value, while ensuring well-defined linkages with UN Sustainable Development Cooperation Framework outcome groups.
3. Support mapping migration-related interventions of UN agencies represented in Sri Lanka with recommendations on ways each of them can support the GoSL in the implementation, follow-up and review of GCM.
4. Facilitate the identification of priority thematic areas supported by the UN Migration Network in Sri Lanka through available resources such as the Migration Governance Indicators assessment.²²
5. Based on the priority thematic areas identified, establish focused and results-oriented Thematic Working Groups that will provide technical inputs to the UN Migration Network in Sri Lanka.
6. In consultation with the Members, develop an Action Plan for a period of two years for the UN Migration Network in Sri Lanka, optimizing the comparative advantage of each agency, through joint and/or complementary initiatives.
7. Liaise with the UN Country Team on all matters related to migration and represent the UN Migration Network in Sri Lanka at relevant meetings, along with other relevant agencies.

²² Country Report for Sri Lanka, Migration Governance Indicators:

https://srilanka.iom.int/sites/srilanka/files/documents/MGI%20Country%20Report_2018%20New.pdf



8. Liaise with the Secretariat of the UN Network on Migration in Geneva to inform on developments in Sri Lanka, information and updates from the Secretariat, and share priorities with the UN Migration Network in Sri Lanka.
9. Foster and coordinate joint-UN responses to local migration realities and multi-agency proposals for the Migration Multi-Partner Trust Fund (MPTF).
10. Identify opportunities for joint and multi-disciplinary programmes on migration and facilitate the development of relevant project proposals.

6. MEMBERS

The UN Migration Network in Sri Lanka will consist of those members of the UN system who wish to be a part of it and for whom migration is of relevance to their mandates. Within the UN Migration Network in Sri Lanka, an Executive Committee will be established, comprised of those entities with clear mandates, technical expertise and capacity in migration-related fields.

Government interlocuters will be invited as guest speakers and observers to ensure the alignment of the UN Migration Network in Sri Lanka with the priorities of the GoSL and to support the exchange of information.

International development partners, migrants, diasporas, local communities, civil society, academia, the private sector, parliamentarians, trade unions, national human rights institutions, the media and other relevant stakeholders in migration governance will be given the opportunity to participate in UN Migration Network in Sri Lanka meetings upon the invitation of the Chair.

7. MEETINGS

The UN Migration Network in Sri Lanka will meet on a quarterly basis and will be convened by the Chair. Ad-hoc meetings can be called if the situation requires increased coordination or information sharing.

8. REPORTING

The UN Migration Network in Sri Lanka will produce a progress report on an annual basis on the main achievements and key points identified and advocated through the UN Migration Network in Sri Lanka. This report will be shared with the Resident Coordinator and the UN Country Team and made available to the relevant government interlocuters and other relevant stakeholders, upon request. If particularly sensitive information is contained in the annual progress report, a separate internal report will be made available for the UN Country Team.