

Question 1 : Ensuring that migration is voluntary, orderly and regular

GCM Objectives: 2, 5, 6, 12, 18

Objective:2. Minimize the adverse drivers and structural factors that compel people to leave their country of origin

Sri Lanka has not directly identified any nexus between migration, environmental degradation, and Climate Change (MECC) **as a driver of migration** and it is not reflected in National Action Plans (NAPs) or Nationally Determined Contributions (NDCs) as well. Based on this context, IOM Sri Lanka is assisting the Sri Lankan Govt. Ministry of Environment / Climate Change Secretariat to establish a road map to develop a policy by identifying this nexus based on an in-depth research evidence on MECC. In Feb 2021, IOM managed to include migration as a cross cutting theme to the NDC review of Sri Lanka moving beyond the urbanization goals indicated in the primary document.¹

The National Action Plan for the Protection and Promotion of Human Rights 2017-2021 aims to strengthen these existing legal and institutional mechanisms, in order to ensure that they comply with international standards and best practices with respect to the protection and promotion of human rights. In addition, the adoption of the National Action Plan focuses on the protection of the rights of vulnerable communities, including the rights of migrant workers and Internally Displaced Persons (IDPs)².

Objective 5. Enhance availability and flexibility of pathways for regular migration

The Sri Lanka Bureau of Foreign Employment mission is to "create efficient and equitable pathways for people to benefit from their skills in overseas employment markets securing interests of all stakeholders while contributing to economic growth."³

- The Government of Sri Lanka promotes the signing of labour contracts and agreements as a mean to ensure the protection of rights of migrant workers with a standard set of guidelines for inclusion such as details on monthly wages, rest days, annual and casual leave, medical benefits, salary deductions, rest days, welfare benefits, dispute settlement, repatriation and airfare cost and termination details.
- Country specific recruitment projects are implemented by entering into MoUs and Agreements with relevant counterparts. Some such recruitment projects implemented by the SLBFE include Specific Labour Market Sectors in the State of Israel, Technical Interns to Japan and Specified Skilled Workers to Japan.
- The streamlining of recruitment of Sri Lankan female domestic workers to Oman was discussed at the 3rd Joint Committee Meeting held under the MoU signed in the Field of

¹ IOM

² National Action Plan for the Protection and Promotion of Human Rights, Sri Lanka - 2017-2021

³ SLBFE Act

Labour and Training held in Colombo on 03.07.2018. It was noted that many Sri Lankan domestic workers seek employment in Oman through a Third Country and this said pattern has displayed many negative outcomes. As a follow up under agenda Item- 2 of the said meeting, a “No Objection Certificate” (NOC) is being issued by the Sri Lanka Embassy in Oman as a prerequisite for the issuance of employment visas for female Sri Lankan domestic workers w.e.f. 01st October 2020 with a view to reduce irregular migration between the countries.

Objective 6 : Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work.

Sri Lanka ratified the most comprehensive UN instrument on ‘The protection of the Rights of All Migrant Workers and Members of their Families ‘ on 11th March 1996 which draws upon a number of key Conventions including Two ILO migrant worker Conventions C97 and C143. Most of these recommendations are implemented by the SLBFE, which is the regulatory authority on outward labour migration. Sri Lanka has not yet ratified the Supplementary Provisions of the ILO Migrant Workers Convention. But the major recommendations of the ILO Convention especially on the ethical recruitment practices and regulatory measures are implemented according to the SLBFE Act No. 21 of 1985 as amended. In practice these recommendations have been translated into diverse regulations, programmes and activities that support labour migration and facilitate governance of the labour migration process and the protection of migrant workers.

A legislative framework is in place to regulate emigration of Sri Lankans for foreign employment under the authority of the dedicated statutory body, the Sri Lanka Bureau of Foreign Employment (SLBFE) established under the Sri Lanka Bureau of Foreign Employment Act No. 21 of 1985 and the overall policy direction of the Minister in charge of Foreign Employment. The Sri Lanka Bureau of Foreign Employment continues to have numerous regulatory measures introduced throughout the migration cycle including strict screening and licensing system for recruitment agencies to promote ethical recruitment. The Sri Lanka Bureau of Foreign Employment also regulates recruitment fees and sets minimum wages for certain categories of jobs.

A Code of Ethical Conduct for Licensed Foreign Employment Recruitment Agencies (2013) and the Operational Manual for Labour Sections of Sri Lankan Diplomatic Missions in Destination Countries (2013), which was later updated in 2019 has been introduced to effectively streamline the protection of migrant rights and welfare as well as the ethical recruitment practices, with the technical assistance of the ILO Colombo office.

- A Code of Ethical Conduct Committee has been established comprising members of the subject Ministry and the Sri Lanka Bureau of Foreign Employment to hold inquiries on complaints referred by the Association of Licensed Recruitment Agencies in respect of violation of the Code of Ethical Conduct by licensed recruitment agents.

All first time departing female migrant workers must undergo the pre-departure training to empower them with required knowledge and skills as well as their rights and all departing workers have to follow the mandatory requirement of registration with the SLBFE to provide protection and security during their period of employment.

The Draft National Policy on Migration for Employment for Sri Lanka and National Action Plan, 2020-2023 includes as part of the overall policy commitments to pay "greater attention to gender based vulnerabilities of migrant workers and recognizes the significant contribution made by women migrant workers to the national economy" One key policy area is the secure and protection of migrant workers' rights and the wellbeing of their families, with special attention to the protection of low-skilled workers, particularly low-skilled domestic female workers.⁴

The Sri Lanka Bureau of Foreign Employment Act No. 21 of 1985 (amended in 1994 and 2009), gives power to arrest recruiters who commit offences under certain sections of the SLBFE Act or against whom reasonable suspicion exists, without a Warrant/Court order. Such arrested individuals will be produced before a Magistrate to be dealt with according to law. Section 15 of the act sets out the objectives of the SLBFE which includes the provision of welfare and protection of migrant workers.⁵

In addition, since 2017, the Ministry of Foreign Employment and the SLBFE has taken progressive action to amend the existing SLBFE Act to strengthen the regulatory measures on recruitment sector and identified the areas that need to be amended.

Sri Lanka's National Labour Migration Policy (2008) – Section Two on Protection and Empowerment of Migrant Workers and their Families, recognizes the conditions for vulnerable migrants in the migrant labour force, especially in the low skilled sector. The National Policy further recognizes the Government's duty towards the welfare and protection of migrant workers including their children and families.⁶

A review of the implementation of the Labour Migration Policy (2008) conducted in 2019, and the Ministry of Foreign Employment has taken steps to update the National Policy taking in to account the findings of the review and the recently developed global, regional and local frameworks on labour migration as SDGs and GCM. Under the core area of 'effective Governance of migration', the updated policy includes strategies and activities on strengthening regulatory institutions such as SLBFE and to streamline the recruitment process within ethical recruitment systems, as well as regulations on recruitment intermediaries. At present the draft of the updated National Policy on Migration for Employment and the National Action Plan is waiting for final approval from the Cabinet of Ministers.⁷

⁴ SMFE&MD- www.mfe.gov.lk

⁵ SLBFE Act 21/1985

⁶ National labour Migration Policy (2008)

⁷ Draft of the updated national Policy on Migration for Employment and national Action Plan 2020-2023

- Social Media has now become the new way of sharing information and reaching out to people to grab their attention. The authenticity of the information shared and moral responsibility of account holders on information / posts they share is debatable. At present without the prior approval of the Sri Lanka Foreign Employment no individual person or organization is able to publish any advertisements on foreign job vacancies in print and electronic media. Necessary legal actions are initiated in those who publish fabricated details or inaccurate information. Given the recent trend seen is sharing information through Social Media, it was made mandatory to obtain the prior approval of SLBFE to publish advertisements in Social Media too w.e.f. 01.03.2021.

Objective 12. Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral

- Awareness programmes are conducted for Government Officials, Police Officers and other relevant stakeholders on safe migration
- The updated Operational Manual of the Labour Sections of the Diplomatic Missions in Labour Receiving Countries consists of a new section with guidelines on handling cases related to human trafficking.
- Training programmes are conducted to officers appointed to the Labour Sections of Diplomatic Missions in Labour Receiving Countries. Some sessions are facilitated by UNWOMEN, ILO and IOM and covers areas such as Sexual and Gender Based Violence and Human Trafficking.

Awareness programmes aims on providing knowledge on the subject areas and also skills on handling such cases while being sensitive and compassionate towards migrant workers.

Objective 18. Invest in skills development and facilitate mutual recognition of skills, qualifications and competences.

One of the projects on qualification mapping for the construction industry, focusing for the Gulf Cooperation Council (GCC) was not materialized though there were some initial deliberations made at that time. However, with the support of ILO, Sri Lanka participates in the developing of a Regional Qualification Framework (RQF) for countries in the South Asian Association for Regional Cooperation (SAARC). This was conceived as part of the SAARC Action Plan on Labour Migration 2016⁸

- Three MoUs are under consideration on Skills Development and Mutual Recognition of Qualifications with three Labour Receiving Countries from the Government Sri Lanka side and it is expected to materialize the same with the concurrence of relevant counterparts.

⁸ www.ilo.org/asia/media-centre

- A project proposal is underway to enhance the existing Recognition of Prior Learning programme. The project proposal under consideration aims to provide provision of full or partial Government subsidy to the applicants on the cost of receiving NVQ certificates through the RPL process and thereby increase the number of assessment test. Qualified persons will receive a “Skill Passport” subsequent to the final assessment based on National Competency Standards. It is expected to develop a “Skill Pool” with the implementation of the said project.
- The migration of youth sector in relation with foreign employment under the various profiles and categories are now been strengthen as impact of youth migration for foreign employment on economic development in the country, since youth generation represents more than 1/5 from total population in the country.

2. Question 2 : Protecting migrants through right -based border governance measures.

GCM Objectives 4, 8,9,10,11,13,21

Objective 4 : Ensure that all migrants have proof of legal identity and adequate documentation

Standard employment contract for departing migrant workers is a mandatory requirement for registering them with the SLBFE (SLBFE Act - Section 40). This is for the protection of the migrant workers. Educating Migrant workers about the terms and condition of a standard contract is conducted at the pre-departure orientation by the SLBFE. SLBFE regulates Licensed Foreign Employment Agents (LFEAs) in the country to protect Sri Lankan migrant workers from labour exploitation and abuse and are liable to take legal action against perpetrators if required. In addition, SLBFE conducts pre-departure training for migrant workers, which empowers migrant workers with their rights and obligations at a country of destination.⁹

- Sri Lanka Diplomatic Missions in Labour Receiving Countries assist in renewing passports and registering birth and marriage certificates overseas. For those who don't have a passport, identity is verified and temporary passports are issued during repatriation. Mechanism is already in place to issue death certificates upon receiving death reports of deaths occurred overseas to family members in Sri Lanka through the relevant Ministries.

⁹ SLBFE Act No 21/1985 , www.slbfe.lk

Objective 8 : Save lives and establish coordinated international efforts on missing migrants

- Lack of communication complaints are registered separately and special attention is given to provide redress to the families through relevant Sri Lanka Missions/Posts abroad. In the event of death of migrant workers, the message is conveyed upon receiving confirmation from the relevant Sri Lanka Mission. In case a DNA test is required for identification necessary assistance is extended locally by sending samples for testing.
- The seriousness of the change of workplace of female domestic workers after departure was widely discussed and it was decided to introduce a mechanism to which ensures continuous verification of whereabouts of each and every female domestic worker at regular interval until they return to Sri Lanka after completion of the contract period w.e.f. 01.02.2021. Accordingly, Licensed Foreign Employment Agencies (LFEAs) are required to submit for each six months period during the period of employment contract confirming the whereabouts of female domestic workers recruited by them. If the worker continues the employment at the same workplace or at a different workplace the same should be reported with documentary proof. The list of names that require confirmation is displayed for the respective LFEA in the web based system to update the confirmation.
- At present necessary preliminary arrangements are being done to launch a “Mobile App” for migrant workers. Migrant workers will have the facility to lodge complaints directly through the app and also provide details related to their current employer and whereabouts if the employer has changed after departure.

Objective 9 : Strengthen the transnational response to Human Trafficking & smuggling of migrants

- Special emphasis is placed on the inclusion of clause on joint collaboration for prevention of human trafficking and Human Smuggling during revision of bilateral MoUs and Agreements as well as when entering into new bilateral MoUs wherever possible.

Objective 10 : Prevent, combat and eradicate trafficking in persons in the context of international migration

The new National Strategic Action Plan (NSAP) to Monitor and Combat Human Trafficking (2021-2025), has been developed through a participatory and consultative process and builds on the 2015-2019 Action Plan. Its development process involved the active participation of stakeholders from the National Anti-Human Trafficking Task Force. In addition, this Action Plan has been developed in conformity with the aspirations of the Palermo Protocol of 2000, Penal Code

(Amendment) Act No. 16 of 2006 and other relevant legislation. It is predicated on 4 pillars – namely, prevention, protection, prosecution, and partnership and will be guiding tool for implementing actions to combat trafficking in persons in Sri Lanka.¹⁰

In line with the Cabinet decision dated 19.07.2021, by which the chairmanship of the National Anti Human Trafficking Force (NAHTTF) has been shifted from the Ministry of Justice to the Ministry of Defence together with the associated obligations. The Secretary of Defence has appointed a Board of Officials headed by the Chief of National Intelligence to coordinate, and monitor all the matters pertaining to the aforesaid Task Force. The country's National Anti-Human Trafficking Task Force comprises of 18 government agencies including the SMFE&MD and the SLBFE led by the Ministry of Justice. The National Anti-Human Trafficking Task Force share annual progress reports with the Ministry of Justice which are compiled to develop the US Trafficking In Persons (TIP) Report for Sri Lanka.

In addition, in 2016, a special unit of Anti- Trafficking was established at the Head office of the SLBFE, providing access to make complaints related to trafficking. Deployed trained staff from SLBFE and Department of Immigration and Emigration are placed at the checking counters at the two International Airports to minimize illegal migration without proper registration with the SLBFE and also to observe vulnerable migrants who could potentially be escorted by traffickers.

- The SLBFE implement various awareness programs for SLBFE Staff and public officers on the areas of exploitation within the recruitment process. The purpose of these programs is to prevent and provide necessary skills for screening in order to facilitate in investigating cases of trafficking in persons for which the prospective job seekers are vulnerable.

On September 2017, Sri Lanka and Australia signed a Memorandum of Understanding (MOU) enabling even closer cooperation between the two countries on counter-people smuggling. The agreement will facilitate the return to Sri Lanka of people who are involved in people smuggling activities. It also paves way for enhanced information sharing on methods for tracking, intercepting, and investigating people smugglers.¹¹

In addition, under the Bali Process, Sri Lanka is a member of the Working Group on Disruption of Criminal Networks Involved in People Smuggling and Trafficking in Persons.

"In 2005, Sri Lanka signed a bilateral agreement with the European Union (UN) on the "Readmission of persons residing without authorization", to strengthen cooperation amidst member states to combat illegal immigration effectively and to address and prevent activities of organized criminal groups in the smuggling of migrants and other related criminal activities. In

¹⁰Government of Sri Lanka, National Strategic Plan to Monitor and Combat Human Trafficking, 2021-2025

¹¹ The High Commission of the Democratic Socialist Republic of Sri Lanka, Canberra Australia, Sri Lanka and Australia sign MOU enabling closer cooperation on counter people smuggling, 08 September 2017, <http://www.slhcaust.org/sri-lanka-and-australia-sign-mou-enabling-closer-cooperation-on-counter-people-smuggling/>

addition, the readmission agreements between Sri Lanka and the United Kingdom (UK) and Australia are underway, but are yet to be signed.¹²

Objective 11 : Manage borders in an integrated, secure and coordinated manner

There is no institution to oversee the overall migration in the country. The Ministry of Foreign Employment, the Sri Lanka Bureau of Foreign Employment , the Dept of Immigration and Emigration and the Foreign Ministry) are partially responsible for different aspects of migration. For instance, The Ministry is in charge of creating and implementing policies related to gainful foreign employment to Sri Lankans, to ensure the right of migrant workers and to provide their welfare needs.

- With the assistance of IOM, in June 2018, Sri Lanka published an “Integrated Border Management (IBM) Strategy” with a view to provide direction for enhancing border management within multi-agency integrated environment. The IBM Strategy sets foundation for agencies to operate in an integrated manner to enhance national security, while facilitating travel and trade to increase the economic prospects of Sri Lanka.

Objective 13 : Use migration detention only as a measure of last resort and work towards alternatives

Not relevant to local context

However, there are 10 temporary alternative detention centers maintained by Sri Lanka Missions/Posts for female domestic workers seeking temporary shelter due to various reasons in 08 Labour Receiving Countries. Cost of food, medicine, necessary items are also provided to those shelters in these temporary alternative detention centers in addition to legal and other support services and repatriation cost. The total costs related to the maintenance of these centers, repatriation, medical and legal assistance are borne under the Workers Welfare Fund of SLBFE established to extend such welfare measures.

Objective 21 : Cooperate in facilitating safe and dignified return and readmission, as well as sustainable *reintegration*.

The Sub Policy and National Action Plan on Return and Reintegration of Migrant Workers (2015), remains to be the action plan which includes strategies on social reintegration of returnees; economic reintegration of returnees; physical and psychological wellbeing of returnees and their family members; mobilization and empowerment of migrant returnees; and effective management of return and reintegration processes. The National Action Plan on Return and

¹² Migration Governance Unit (MGU), IOM Colombo, personal interview, 05 July 2021 (ANONYMOUS)

Reintegration of Migrant Workers has also specified that reintegration needs to commence at the stage of pre-departure and continue throughout the migration cycle.¹³ A special reintegration unit has been established in the SLBFE to implement the National Return and Reintegration policy.

In post crisis situations, protecting the rights of migrant workers and their entitlements such as unpaid wages, social security entitlements and compensation also comes under Section 15, item (m), (n)(s) of the SLBFE Act 1985.

In addition, the National Policy Framework of Vistas of Prosperity and Splendour (2020-2025) has also outlined several strategies regarding the reintegration of returning migrants, mechanisms to encourage the return and reintegration of nationals who have emigrated for foreign employment, such as: (a) exemption of workers' remittances as well as the earnings and saving of Sri Lankans domiciled abroad from income taxes; (b) exemption of taxes on foreign currency bank accounts; (c) introduction of a special loan scheme to enable those who return to Sri Lanka after foreign employment to commence tax-exempt enterprises; and (d) provision of low-interest bank loans etc.¹⁴

In line with the COVID-19 Response Plan for Migrant workers and the Sub-Policy and National Action Plan on Return and reintegration (2015), IOM in collaboration with ILO initiated a project in April 2021 to support the socio-economic reintegration of Sri Lankan Migrant workers repatriated due to the COVID-19 outbreak. The project aims to assist all target beneficiaries to recover from the impact of COVID-19 and to sustainably engage in income generation activities in Sri Lanka or abroad by 2022.¹⁵

Air tickets are provided for the return of migrant workers in vulnerable situations utilizing government funds or local insurance coverage in case the employer does not or unable to bear the same. The SLBFE maintains a special center called “Sahana piyasa” close proximity to Bandaranaike International Airport (BIA) to provide assistance for migrant worker, especially for returnees who need financial and non-financial assistance. This center operates around the clock. If the worker is returning to Sri Lanka with an illness or injury special assistance is provided at the Airport through this special unit and if required ambulance service is provided to accompany the worker to a Government hospital. The worker also has the ability to claim the medical charges in Sri Lanka from the insurance he/she obtained before departure.

¹³ Sub Policy and National Action Plan on Return and Reintegration of Migrant Workers, November 2015, http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-colombo/documents/publication/wcms_497323.pdf

¹⁴ Government of Sri Lanka, National Policy Framework Vistas of Prosperity and Splendour, <http://oldportal.treasury.gov.lk>

¹⁵ ILO, Supporting the socio-economic reintegration of Sri Lankan Migrant Workers repatriated due to the COVID-19 outbreak (IOM-ILO collaboration), accessed on 01 July 2021, https://www.ilo.org/colombo/whatwedo/projects/WCMS_794035/lang--en/index.htm

As a pilot project assistance was provided through a regional center to returnees to establish a local restaurant named “Helabojun” where meals were cooked by returnees. Vegetables were provided by returnee vendors through transportation obtained through returnees. The project was created as an introductory programme to link returnees in establishing their own self-employment through networking with each other, however due to COVID 19 pandemic it was not able possible to expand the programme to other regions.

Question 3: Supporting the integration migrants and their contribution to development

GCM Objectives 14, 15, 16, 19,20,22

Objective 14: Enhance consular protection, assistance and cooperation throughout the migration cycle

Consular assistance is provided through 16 Employment and Welfare Sections in 14 Diplomatic Missions in major destination countries and 10 shelters for female migrant workers have been established to assist victims from abuse, exploitation, and other issues. In 2019, an update of the existing Operational Manual was done to streamline the protection of migrant rights and welfare as well as the ethical recruitment practices, with the technical assistance of the ILO Colombo office after broad-based consultation of the key stakeholders, Ministry of Foreign Employment, Ministry of Foreign Affairs, SLBFE, Heads of Diplomatic Missions/Posts in Key destination countries. This updated manual is currently being used by the Employment and Welfare Sections of the Sri Lanka Diplomatic Missions/Posts.

All migrant workers registered with the SLBFE are provided with free medical insurance coverage by the Government to cover the service period. Further, the Conciliation Division of the SLBFE manages the web-based complaint management system to receive grievances and complaints from migrant workers in respect of foreign employment, providing accessible and free services to migrant workers & their family members.

- The fully automated web-based Complaint Management System (CMS) in respect of handing grievances related to foreign employment is linked with the Diplomatic Missions and local agents and therefore action taken by either party can be updated into the system which assist in providing timely information to the complainant.
- The facility to lodge complaints has been decentralized through the regional offices of the SLBFE established throughout the country. In addition, migrant workers or their family members can contact the SLBFE through a 24 hour hotline for assistance.
- The said facility is also extended through the Consular Division of the Foreign Ministry specially during imprisonment and death.

- In addition to the current procedure available migrant workers and family members are facilitated to lodge complaints online via a complaint receiving platform in the official website of the SLBFE. The online complaints are accepted into the main Complaint Management System and are forwarded to relevant Divisions or regional centres for action.
- Action was taken to improve efficiency of the Complaint Management System in a more customer friendly manner by facilitating the conciliation process through video conferencing w.ef. 23.03.2020. The complainant and the licensed recruitment agents are connected through “Google Hangout” into the conciliation process. Complainants are assisted to join the meeting through branch offices located island wide.
- The Missions take action according to the prevailing labour laws of host country and keep close official relationships with the authorities there in finding settlements for such complaints. Some complaints are referred to the SLBFE to take action with the respective local recruitment agent. The Mission officers summon the foreign recruitment agents and employers to the Mission for inquiries and to find mutual settlements before referring them to relevant authorities in the host country.

The provision of a transit home /shelter - “Sahana Piyasa”- managed by SLBFE for returnees in need of care and support, located near the airport.

Mechanism such as the provision of bilateral labour agreements/MOUs are signed between subject Ministry and other key destination countries to mainly focus on the protection of rights and provision of welfare measures to Sri Lankan workers abroad. The Labour Agreement recently signed (Feb 2020) with Govt .of Israel and Govt of Sri Lanka emphasized responsibility of both parties to ensure fair recruitment practices and protection of rights of Sri Lankan workers.

Regular Joint Committee Meetings are being held with the Government of Oman, Qatar and K.S.A. under the respective MoUs/Agreements signed with the countries.

Objective 15 : Provide access to basic services for migrants

Sri Lanka is making some efforts to enhance vertical policy coherence. The existing public service structure under the Ministry of Public Administration provides a sound platform for evidence-based policy coherence in consultation with decentralized provincial administration. (e.g. government agents, divisional secretaries, Grama niladari and migration development officers)

Labour is not a devolved subject to local government sector, but for some aspects of labour migration, line ministries have utilized the existing administrative structure to deliver services to the public. Accordingly, Ministry of Foreign Employment, Sri Lanka Bureau of Foreign Employment, Ministry of Foreign Affairs and Dept of Immigration have decentralized their some

functions at local levels establishing their regional offices giving authority to disseminate their services to facilitate general public at local level.

State Ministry of Foreign Employment, Promotions and Market Diversification appointed Migration Development officers to each Divisional Secretary's office to implement welfare programmes/activities of the National Policy on Labour Migration under the supervision of the State Ministry of Foreign Employment, Promotions and Market Diversification and in coordination with the Divisional level Govt officials/administrators. The SLBFE provides several functions through their 08 provincial offices and district centers.

Objective 16 : Empower migrants and societies to realize full inclusion and social cohesion

A pre-departure training programme is conducted for migrant workers. SLBFE has applied the National Vocational Qualification (NVQ) Level 3 qualification standards for domestic housekeeping sector while improving the other pre-departure training programs including orientation for non-domestic sector. The NVQ level 3 training program & other training programs include a common competency module & safe migration module which covers all aspects of labour migration. Basic language training is also included in all training courses relevant to the country.

During the orientation sessions at pre-departure stage migrant workers are made aware on,

- ❖ host country law and culture
- ❖ the SLBFE complaint handling mechanism after departure (facility to lodge their complaints over the phone with the passport number or National Identity Card number to any Diplomatic Mission or to the 24 hour Call Centre of SLBFE or by visiting a regional center or Head Office during violation of right or terms and conditions of employment or any other problematic situation).
- ❖ before departure complaint handling mechanism through the Special Investigation Division on misconduct, abuses, violation of rights and rules and regulations of SLBFE etc.
- ❖ the services provided by the SLBFE and the services of the Labour Sections of the Diplomatic Missions

The pre-departure training programmes for prospective migrant workers are facilitated through training centers located island-wide.

Given the difficulties in conducting training programmes owing to the COVID 19 pandemic, series of video clips on safe labour migration were developed and uploaded to the official Facebook page as an alternative for the two day Training programme provided for prospective migrant workers. Confirmation is received from the local recruitment agents if recruits have followed the online session prior to issuing final approval.

Objective 19: Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries

The National Labour Migration Policy (NLMP) 2008 has included a strategy on "engaging transnational communities " to country's development and Updated NLMP 2020 has also included a strategy on Overseas Sri Lankans' (OSL) engagement as development partners of the country.

With the aim of encouraging migrant workers to save their earning better interest rate for Fixed Deposits of 6 months or 12 months are offered for migrant workers who maintain a Special Deposit Account (SDA) in a local commercial bank for earnings abroad. At the end of their migration journey they will have some savings for sustainable reintegration and gain financial stability through investment or entrepreneurship. Separate awareness sessions are conducted by commercial banks by promoting Non – resident Foreign Currency (NRFC) accounts and financial management.

Migrant workers are made aware at the pre-departure training on self - employment opportunities and financial management. In addition family members are also made aware on financial management at training programmes. The sustainable reintegration is facilitated by assisting in self-employment programmes and proving self-employment loans. Sustainable reintegration is facilitated by assisting in self-employment programmes and providing self-employment loans.

Objective: Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants

The Government of Sri Lanka continues to be actively involved in the promotion of formal remittance schemes. The National Policy Framework of Vistas of Prosperity and Splendour (2020-2025) outlined strategies to promote formal remittance transfer mechanisms through tax exemptions and several other incentives.¹⁶

National Labour Migration Policy for Sri Lanka (NLMP) 2008 was updated after ten years of implementation and the new (draft) National Policy and the Action Plan 2020-2023 was formulated, which includes a strategy with specific activities to introduce remittance backed financial services by State Banks to encourage Migrant workers towards legal remittance transfers.¹⁷

¹⁶ The National Policy Framework of Vistas of Prosperity and Splendour (2020-2025

¹⁷ (draft) National Policy on Migration for Employment and the Action Plan 2020-2023

Sri Lanka Bureau of Foreign Employment (SLBFE) pre-departure orientation course for prospective migrant workers provides ample information to migrants on formal services. At present this pre-departure training programme is mandatory for first time departing female workers. During the pre-departure training programme, one day is allocated to family members to educate them on family welfare financial management, protection of children and other social issues etc. in the absence of the spouse.

When registering with the SLBFE, all departing migrant workers (both males and females) are advised to open a Non-Resident Foreign Currency (NRFC) account with a bank. In addition, financial institutions offer various incentives for migrant workers to access formal channels, and to save money - including the provision of housing and self-employment loans at low interest, credit card facilities, over draft facilities, lottery schemes, etc.

According to ILO 2020, "Sri Lanka is committed to reduce cost of remittance to below 3 percent in line with target 10.c. of Sustainable Development Goals (SDGs) of Agenda 2030 of the United Nations and eliminate remittance corridors with cost higher than 5 per cent" p.13. To achieve this, the ILO 2020 study recommends, among other actions: To improve interaction between banks and MTOs; Adopt FinTech in remittance service delivery; Promote Mobile Money; Factor in gender dimensions in remittance management education; improve timing and frequency of remittance education, etc.¹⁸

Under the amended Income Tax Act No. 10 of 2020, foreign earned income remitted through a commercial bank of Sri Lanka has been made tax free. The recent decision expect to encourage migrants to use formal channels to remit foreign exchange while give them the benefit of tax free transaction.

In recognition to the contribution made by migrant workers and adding value to the same, as per the Budget Proposal of 2021, an additional 2 rupees is paid for every US Dollar remitted by the Sri Lankans employed in foreign countries w.e.f. 28th December 2020.

Awareness programmes are conducted through Sri Lanka Missions abroad to remit earnings through formal channels.

Objective 22 : Establish mechanisms for the portability of social security entitlements and earned benefits

Sri Lanka has signed an MoU with the the Republic of Korea under the Employment Permit Scheme. Sri Lankan workers undertaking work in the Republic of Korea under that MoU are eligible to receiving some benefits. The Ministry of Employment and Labor under the Employment Permit System, provides four major social insurances, namely: Industrial Accident Insurance; Employment Insurance; Health Insurance; and National Pension (Old-Age, Pension,

¹⁸ ILO 2020 study, A comprehensive analysis of remittances Sri Lanka 2020

Disability Pension, Survivor Pension). As per the MoU under the 'Employment Permit System', application for payment of lump-sum refund is simplified. Sri Lankan workers who have returned can apply for a lump-sum refund, lump-sum death payment, as well as unpaid benefits regarding one of the two, to the Ministry of Foreign Employment, Sri Lanka. The application must be sent to the Korean National Pension Service, which will pay the benefit and send a notice of payment directly to the Sri Lankan worker.¹⁹

Question 4 : Improving value driven and evidenced-based policy making and public debates and enhancing co-operation on migration.

GCM Objectives : 1,3, 7, 17, 23

Objective 1: Collect and utilize accurate and disaggregated data as a basis for evidence-based policies

The Sri Lanka Bureau of Foreign Employment collects the data of all registered out bound migrant workers and publishes annual statistics on Sri Lankan migrant workers employed abroad (disaggregated by age, sex, destination country, job category and in other more aspects).²⁰

Additionally, the Annual Report of the Central Bank of Sri Lanka (2020) contains a chapter that includes foreign employment statistics. The report provides information on departures for foreign employment by skills, sex, and source (agents or others).²¹

The Census of Population and Housing (last dated from 2011) includes the population living abroad temporary by country of original residence, age and sex, and foreign-born population by country of birth, age and sex.²²

The Labour Market Information Bulletin, a bi-annual publication of the Tertiary and Vocational Education Commission (TVEC) from the State Ministry of Skills Development, Vocational Education, Research & Innovation, presents the labour market information such as demand for labour, labour force, employment, unemployment, wages and vocational training school and university performance in the Sri Lankan labour market. The data is disaggregated by gender and reflects the characteristics, current trends, and patterns of the Sri Lankan labour market. Section 2.2. Employment (foreign) provides information on emigration trends (departures of Sri Lankans for foreign employment disaggregated by different variables such as sex and skill level) (1)²³

¹⁹ ILO - Migrant Access to Social Protection under Bilateral labour agreements: A review of 120 countries and nine bilateral arrangements, 2017

²⁰ Annual Statistical Report of Foreign Employment-2018

²¹ Central Bank of Sri Lanka (2020)

²² Census of Population and Housing Report (2012)

²³ Tertiary & Vocational Education Commission - Bi- annual Labour market Information Bulletin , 2020, <https://www.tvec.gov.lk>

Objective 3 : Provide accurate and timely information at all stages of migration

Information on services provided by SLBFE is published in the official website of the SLBFE (training programme schedules, details of registered recruitment agents, welfare facilities, mechanism to follow to lodge a complaint etc.).

In additional statistical reports could be accessed through the official web-site of SLBFE.

Objective 7 : Address and reduce vulnerabilities in migration

Objective 17 : Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration

Not relevant

Objective 23: Strengthen international cooperation and global partnerships for safe, orderly and regular migration

"Sri Lanka participates in official RCPs such as the Abu Dhabi Dialogue (ADD) and the Colombo Process (CP) .

The first meeting of the Colombo Process was in Sri Lanka in 2003. Sri Lanka was Chair-in-Office of the Colombo Process during the period 2014-2017. As the Chair of the Thematic Area Working Group (TAWG) on Skills and Qualifications Recognition Processes, Sri Lanka, convened the following TAWG meetings (3rd meeting on 28 August 2017 as a webinar; 4th meeting on 23-24 January 2018 in Colombo as a joint meeting with TAWG on Labour Market Analysis; and, 5th meeting on 23 October 2018 as a webinar and the Sixth Meeting on 20 May 2021. Achievements of this thematic area documented as follows:²⁴

The exchange and compilation of good practices and lessons; Participation in the Inter-Regional Expert Forum on Skills and Migration in the South Asia- Middle East Corridor to showcase the work of the Colombo Process; Co-hosting a joint meeting with the labour market analysis TAWG to strengthen linkages between the supply and demand of migrant labour as well as migrant mobility; Exploration of a Regional Qualification Framework to complement initiatives of the Association of Southeast Asian Nations and Abu Dhabi Dialogue; and, Discussions on the Recognition of Prior Learning for migrant workers and models for up-skilling migrant workers.

In addition Sri Lanka has been actively involved in the other thematic area working groups of the CP to exchange views, best practices etc.

²⁴ Thematic Area Working Group on Skills and Qualifications Recognition Processes gather to review its priorities and the way forward <https://www.colomboprocess.org/media-centre/29-meetings/entry/43-sixth-meeting-on-skills-and-qualifications-recognition-processes> .

Sri Lanka was the Chair-in-Office of the Abu-Dhabi Dialogue in 2017 and hosted the Senior Official's Meeting of the Abu Dhabi Dialogue in May 2018. Recent meeting of the Abu Dhabi Dialogue was held online from 06th to 13th July 2020 and officials from the Ministry has participated in this forum holding the co-chairmanship of the inaugural session held on 06.07.2020 and the final session held on 13.07.2020, and the also participated in the categorized meeting on 09.07.2020 under category III. The main three categories of this meeting were: The governance of labour migration in the context of changing employment landscapes; Leveraging technology to empower migrants; fostering partnerships to realize migration-related goals in the Sustainable Development Agenda and managing the future of human mobility.

To improve and streamline the intra-regional labour mobility, new programmes are ongoing in coordination with the Colombo Process and Abu Dhabi Dialogue (ADD) member countries including Sri Lanka.

The programme of the regional Comprehensive Information and Orientation Programme (CIOP) initiated to strengthen the labour market integration and protection of foreign workers in Abu Dhabi Dialogue (ADD) Member States and the overall objective of CIOP is that ADD Member States are better equipped with the necessary tools and mechanisms to operationalize a management system for tailored and coordinated PEO, PDO and PAO to address the information needs of temporary contractual workers. Sri Lanka's TOT Manuals for PEO and PDO has been officially validated and IOM is currently coordinating to commence the training of SLBFE master trainers.²⁵

Sri Lanka is also a participant of the GFMD as well as the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime.

The GOALS programme (2020 - 2023) responds to the current context, achievements, gaps and challenges relating to safe, orderly and regular labour migration from Asia. The programme will ensure that all interventions identify and address the barriers facing gender equitable labour migration at the regional level through the Colombo Process. It is a three-year joint regional programme between the International Labour Organization (ILO), the International Organization for Migration (IOM) and The United Nations Entity for Gender Equality and the Empowerment of Women (UN Women).²⁶

²⁵ ADD - Comprehensive Information and Orientation Programme- Background
<http://abudhabidialogue.org.ae/projects/comprehensive-information-and-orientation-programmes-ciop>

ADD Comprehensive Information and Orientation Programme - Phase II and Phase I Plus: Brief on Next Steps
<http://abudhabidialogue.org.ae/sites/default/files/document-library/2018>

²⁶ ILO Governance of Labour Migration in South and South-East Asia (GOALS) Project Background
https://www.ilo.org/newdelhi/whatwedo/projects/WCMS_762667/lang--en/index.htm

"Sri Lanka is also an active member of the South Asian Association for Regional Co-operation (SAARC), an economic and geopolitical organization of eight countries: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka . In 2014 during the 18th SAARC Summit, the Organization's leaders agreed to collaborate and cooperate on safe, orderly and responsible management of labour migration from South Asia to ensure safety, security and wellbeing of their migrant workers in the destination countries outside the Region. SAARC has included labour mobility in its Agenda item (21) but has made very little progress in labour mobility issues .

Sri Lanka has MOUs with migration receiving countries. Sri Lanka has signed MOUs/Agreements with the Republic of Korea, Malaysia, the United Arab Emirates, Libya, Jordan, Japan, Israel, K.S.A., Kuwait, Oman, Qatar and Bahrain to achieve varied objectives including better regulate the recruitment processes and procedures for protection of rights of migrant workers in these countries of destination, promotion of manpower sector, human capacity development, international social security programme, training programme, legal affairs and mutual relationships. At present, eighteen (18) such Agreements/MoUs are actively implemented.²⁷

There are new MOUs signed in the following years on labour migration related subjects:

(ii) 25.07.2017 - Memorandum of Understanding on the Technical Intern Training Programme for Sri Lanka Technical Interns in Japan.

(iii) 29.11.2017 -MOU between the Democratic Socialist Republic of Sri Lanka and the Ministry of Employment and Labour of the Republic of Korea on the sending and Receiving of Workers Under Employment Permit System (EPS)

(iv) 01.02.2018 - Memorandum of Cooperation on the Technical Intern Training Programme between the Ministry of Justice, the Ministry of Foreign Affairs and the Ministry of Health Labour and Welfare of Japan and the Ministry of foreign employment of Sri Lanka.

(v) 15.02.2018 - MOU between The Government of the United Arab Emirates and the Government of the Democratic Socialist Republic of Sri Lanka in the field of Manpower.

(vi) 19.06.2019 - Memorandum of Cooperation between the Ministry of Justice, The Ministry of Foreign Affairs, The Ministry of Health, Labour and Welfare and the National Policy Agency of Japan and The Ministry of Telecommunication, Foreign Employment and Sports of Sri Lanka on A basic framework for information partnership for proper operation of the system pertaining to Foreign Human Resources with the status of Residence of "Specified Skilled Worker".

(vii) 24.02.2020 - Agreement between the Government of the State of Israel and the Government of the Democratic Socialist Republic of Sri Lanka on the Temporary Employment of Sri Lankan Workers in Specific Labour Market Sectors in the State of Israel.

²⁷ State Ministry of Foreign Employment Promotions and Market Diversification - Annual Performance Report 2020

The State Ministry of Foreign Employment and key destination countries which have signed MOUs and Agreements have established Joint Committees and meet annually to follow-up the progress of implementation especially on matters related to protection and welfare of migrant workers. Recent joint committee meetings with Oman (in 2020 Dec) and Qatar (June 2021) was held to follow-up the agreed provisions and the Joint Committee meeting with the UAE also will take place during this year.

Questions 5 - 9

5. What steps has the Government taken to integrate the vision and cross-cutting and interdependent guiding principles of the Global Compact for Migration (see paras 8 to 15 of the Global Compact (see General Assembly resolution 73/195)) into its implementation? How was this accomplished? (please check against the principles that have been integrated)

Guiding Principle – Whole-of Government Approach

Sri Lanka always follow the principle of Whole-of Government Approach acknowledging that migration is a multidimensional reality that different Ministries and Departments should work together to achieve. The SLBFE obtains necessary inputs and assistance during the formulation and implementation of Pre-departure training programmes and other such programmes from the Tertiary and Vocational Education Commission (TVEC). The country's National Anti-Human Trafficking Task Force comprises of 18 government agencies including the SMFE&MD and the SLBFE led by the Ministry of Justice. When exploring new markets under specific sectors such as medical professionals the observations of relevant Ministries are obtained. The line Ministry work closely with the Foreign Ministry and Labour Ministry for policy level activities. Programmes/activities of the National Policy on Labour Migration are implemented by Development Officers appointed by the line Ministry to each Divisional Secretariat. The Foreign Ministry ensure their cooperation and provide observations related to new MoUs/Agreements as well those being under consideration for revision. The line Ministry requests the participation and the submission of inputs to improve strategies / activities sharing responsibility among relevant Government authorities during or prior to implementation of projects/programmes related to migrant workers. The Board of Directors of the SLBFE has been appointed as per the Section 5 of the SLBFE Act No. 21 of 1985 which also consist of one member from the Ministry of Finance, one member from the Ministry of Foreign Affairs, one member from the Ministry of Women Affairs, four members from licensed recruitment agencies.

Guiding Principle – Whole-of Society Approach

National Advisory Committee on Labour Migration chaired by the SMFE&MD consists of key govt partners in the labour migration sector and it is actively engaged in implementation of policies, programmes in the Labour Migration sector. During implementation / designing / implementing national policies and programmes, the participation of the civil societies, NGOs, recruitment agencies, research institutes are encouraged by the Government and the representatives are included to sub committees/advisory committees to get their inputs. For example a broad stakeholder consultations on updating the existing National Labour Migration Policy (2008) (NLMP) was conducted by the MFE with the participation of key govt partners and all key stakeholders during the period of 2017-2019 after having the review of the existing policy in 2017. The working group formation on core-policy areas which include the key govt Ministries and, Departments and authorities related to the labour migration sector and coordination was done by the MFE. The final workshop on validation of the draft National Policy and the National Action Plan was held in 2019 with the participation of the key govt partners of the LM sector. Before submission to endorsement of the Cabinet of Ministers, MFE called for the public opinions on the draft in 2020. The updated policy is named as National Policy on Migration for Employment (NPME). Currently It is at the stage of pending endorsement of the Cabinet of Ministers.

Sri Lanka formally engages with the social partners and the private sector and in agenda setting and implementation of migration-related issues. A broad stakeholder consultation was conducted including Civil society organizations working on labour migration in the recent process of updating of the NLMP (2017-2019) and they served as the members of the working groups in core areas of the policy. Leading civil society organizations working on migration represented the National Advisory Committee on labour Migration chaired by the State Ministry of Foreign Employment giving opportunity to CSOs to present their inputs for formulating programmes and to obtain their support in implementing programmes for migrant workers at grass root level.

Further, the national multi-stakeholder consultations on the Global Compact on Migration, which was held in 2017, included migration partners from non-governmental organizations, civil society, trade unions, academia and media. This includes organizations such as IOM, UNODC, ILO, Asia Foundation etc.

The updated National Policy on Migration for Employment (NPME) and the National Action Plan contemplates the participation of the social partners, academia and the private sector as permanent members of the monitoring mechanism that will help to implement the policy and National Action Plan (NAP). More specifically, they will be part of the Provincial Level Coordinating Committee, which oversees of submitting quarterly progress reports to the Steering Committees (integrated by sectoral ministries and agencies)

Following a series of consultations, and considering recommendations from Civil Society Organizations, Trade Unions and Association for Licensed Foreign Employment Agencies (ALFEA), the National COVID-19 Response Plan for Migrant Workers was prepared by a working group

comprising of the State Ministry of Foreign Employment, SLBFE, ILO, and IOM. The process ensured that views and observations of all stakeholders, i.e. government officials, migration experts, LFEAs, and international organizations were all taken into due consideration.

Guiding Principle - Human rights

The National Action Plan for the Protection and Promotion of Human Rights 2017-2021 aims to strengthen these existing legal and institutional mechanisms, in order to ensure that they comply with international standards and best practices with respect to the protection and promotion of human rights. Prepared in consultation with a broad range of stakeholders including those in government, independent institutions including the Human Rights Commission of Sri Lanka and the Election Commission, civil society actors and the general public, the plan envisions Sri Lanka's vision for human rights during the next five years under the following 10 areas, namely; civil and political rights, prevention of torture, rights of women, rights of internally displaced persons and returning refugees, rights of migrant workers, rights of persons with disabilities, economic, social and cultural rights, rights of children, labour rights and environmental rights of Migrant workers. IDPs and women are included as specific categories to implement programme activities to protect the from abuse, exploitation, discrimination and torture etc.²⁸

Guiding Principle - Gender-responsive

Sri Lanka has ratified the ILO four key Conventions that aim to promote gender equality in the world of work, and they are namely: the Equal Remuneration convention (No. 100) Convention, Discrimination (Employment and Occupation) (No. 111), convention, Workers with family Responsibilities (No. 156) convention, and Maternity Protection Convention (No. 183). In addition, Sri Lanka ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1981.

Accordingly, gender responsiveness and gender sensitiveness are considered as guiding principles in policy formulation for outward Labour migration. In line with the draft national policy on migration for employment for Sri Lanka and its National Action Plan, an additional activity is included in one of the core area for the SLBFE to include specific procedures to address GBV, abuse and exploitation of women within the existing grievance handling and dispute resolution mechanism on GBV. Through the pre-departure orientation necessary awareness is provided for female migrant workers. In addition, the National policy Framework-Vistas of Prosperity and splendour has included several strategies towards empowerment of women , such as: regulate, standardize and expand child care facilities for increasing women participation in the labour force; introduce flexible working arrangement for young mothers; introduce home-based enterprise with required assistance for rural women; reduce all kinds of sexual and gender-based violence for women and set up a 24-hour emotional support and advisory help line etc.

²⁸ National Action Plan for the Protection and Promotion of Human Rights 2017-2021

6. How is the Global Compact for Migration contributing to realizing the achievement of the 2030 Agenda for Sustainable Development? What has your Government done to integrate the implementation of the Global Compact objectives into SDG implementation?

The process of updating the National Labour Migration Policy (NLMP) began with a review of the implementation of the existing NLMP 2008, analysis of the current and future trends and opportunities for migration for employment, investigation into the National policy provisions that contribute to this sector, and consideration of the national commitment to international conventions, regional process and endorsement of the Sustainable Development Goals with the integrated of GCM Objectives. Updating the existing policy has four (04) core areas focusing on the individual migrant workers as well as members of the migrant workers family. The rights and obligations of the migrant workers form the foundation of the policy which is formulated in accordance with national and international legal policy frameworks. The two approaches, namely “ Whole of Government approach “ and “ whole of society approach” were applied in developing the strategies under the above 04 core policy areas and are covered in all stages of the migration cycle. The four core policy areas together with integrated SDG Targets and GCM objectives are given below.

01. Governance of labour migration to promote decent and productive employment.

SDG Target No. 5.2, 8.5, 8.7, 8.8, 10.7, 16.3, 16.6, 16.7, 16B, 17.14

GCM Objective No. 5, 6, 7, 8, 9, 10, 11, 14, 17, 23

02. Secure rights and protection of migrant workers and ensure wellbeing of their families.

SDG Target No. 1.4, 3.8, 4.1, 4.3, 8.5, 8.8, 10.2, 10.7, 13.7

GCM Objective No. 2, 3, 14, 15, 16, 22

03. Promotion of employment opportunities for skilled and semi-skilled migrant workers in local and global economy.

SDG Target No. 4.3, 4.4, 4.5, 4a, 8.3, 8.6, 8.8, 8.9, 8b, 9.2, 9.3, 10.7

GCM Objective No. 13, 18, 16, 17, 19, 23

04. Enhance benefits of migration and its nexus with national development.

SDG Target No. 8.3, 8.8, 17.17

GCM Objective No. 1, 16

The National Policy Framework Vistas of Prosperity & Splendour (NPF) of the government constitutes of 10 key policies aimed at achieving the fourfold outcome of a productive citizenry, a contented family, a disciplined and just society and a prosperous nation. Ten key

policies, giving due consideration to socio, economic, environmental and political aspects are; Priority to National Security , Friendly, Non-aligned, Foreign Policy , An Administration free from corruption , New Constitution that fulfills the People"s wishes , Productive Citizenry and a vibrant Human resource, People Centric Economic Development , Technology Based Society, Development of Physical Resources , Sustainable Environmental Management , Disciplined, Law Abiding and values based society. This policy framework has integrated the GCM objectives too.

7. From the Government's perspective, are there any objectives of the Global Compact for Migration that are of particular importance in the national context? Please name the objectives that the Government has prioritized and explain why.

Answer for this question same as above for the answer submitted to question No. 06

8. From the Government's perspective, how and to what extent have regional plans and strategies incorporated the objectives of the Global Compact for Migration? What are the main achievements, gaps and challenges to existing regional approaches, strategies and implementation plans?

Sri Lanka has contributed regional processes such as Colombo Process, Abu Dhabi Dialogue. As a member of the Colombo Process, and Chair of the Thematic Area Working Group (TAWG) on Skills and Qualifications Recognition Processes, Sri Lanka has put forward to gain the specific goals and key achievements such as Sending more skilled workers from Colombo Process Member States to Countries of Destination , Promoting mutual recognition of skills and qualification frameworks within Colombo Process Member States, and between Colombo Process Member States and Countries of Destination and Promoting higher wages for workers with higher skills from Colombo Process Member States. Also Sri Lanka has contributed by giving inputs for the other four Thematic Areas as well as under the Colombo Process.

As a member of the Abu Dhabi Dialogue Sri Lanka also contributed to Comprehensive Information and Orientation Programme (CIOP) which aims to strengthen labour market integration and protection of foreign workers in Abu Dhabi Dialogue (ADD) member states. This will be achieved by tailoring and harmonizing orientation for migrant workers at key stages of the migration cycle. The Government of the United Arab Emirates has funded to CIOP – Phase II Plus to support to ADD member states to operate a coordinated management system of Pre- employment orientation (PEO), Pre- departure orientation (PDO) and Post-

arrival orientation (PAO). Also Sri Lanka has contributed to ADD Thematic Workshops namely Building Technological Solutions to Migration Governance Challenges, Skills Mobility Partnerships and the Sharing of Data, Employment Opportunities for Women in a Changing Employment Landscape and Regional and Inter-regional Cooperation and Coordination.

As we moved to challenges of Regional Dialogues, for the Skills recognition requires support from national and sub national government authorities in countries of origin and destination. Upskilling should also be based upon accurate and up to date information on skills gaps in the labour markets of countries of destination. Regional qualification referencing framework should be encouraged and Regional consultative processes such as the Colombo Process and the Abu Dhabi Dialogue for a significant role to play in leading on this work. The need to strengthen the Inter-Regional Corporation is the most important factor that will hold the effectiveness or applicability of whatever the new innovative technology being used.

9. What methodology was adopted for completing this voluntary GCM review; how was a whole-of-government approach applied through engaging the various relevant ministries and other sectors of government; what mechanisms were used to engage civil society and other relevant stakeholders for a whole-of-society approach?

Sri Lanka always follow the principle of Whole-of Government Approach acknowledging that migration is a multidimensional reality that different Ministries and Departments should work together to achieve. In the event of that prepared draft answer has been shared with all government ministries and departments which are relevant to foreign employment sector to get their views and observations. Considering that, final answer has been updated with all their recommendations.

10. Given the outbreak of COVID-19 which has affected all countries in the region, what challenges has the Government identified in implementation of the Global Compact for Migration as part of the COVID-19 response, and what has the Government done to address the specific situation of migrants and their families?

The National COVID 19 Response Plan for migrant workers was developed to prepare a response plan to the COVID 19 pandemic and its aftermath on Sri Lankan migrant workers with the assistance of the International Labour Organization and International Organization for Migration in Colombo and including proposals and recommendations from Civil Society Organizations, Trade Unions and Association for Licensed Foreign Employment Agencies (ALFEA). The Response Plan considers measures to be taken at five stages namely; Measures to be taken at Country of Destination; Measures to be taken for return to Sri Lanka; Measures to be taken at point of entry and immediate post arrival; Measures to be taken in Sri Lanka for reintegration, and Measures to be taken for re-migration.

In line with this plan, the following measures have been put in place to facilitate the safe return of Sri Lankan workers: (a) assist to expedite issuance of travel documents for return and extension / renewal of passports of migrant workers wishing to remain in the Country of Destination (CoD); (b) assist to expedite obtaining exit clearances, especially for undocumented/overstayed migrant workers and to receive unpaid wages and other dues with the assistance of authorities of CoD (e.g. social security claims, insurance claims, compensation etc.); (c) facilitate repatriation of Sri Lankans (including assistance with transportation to the airport, air travel and personal belongings /luggage); (d) conduct pre departure medical screening/assessment if facilities are available; (e) provide personal protection gear and sanitary items as required; (f) provide airport assistance in coordination with CODs; and (g) Measures to be taken to conduct COVID-19 testing and medical screening on all migrant workers upon arrival and provision of food, refreshment, clothing etc. In addition, welfare programmes of the SLBFE provide disaster relief assistance to the families of Sri Lankan migrant workers affected by crises.

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In addition, ILO, TVEC and other key partners launched a project in 2021 to facilitate returnees who are affected by the COVID-19 pandemic, by way of recognizing their employability skills, facilitating upskilling and reskilling processes to make them ready for employment or qualification/certification, self-employment opportunities.

In view of overcoming the existing challenges related to foreign employment, the Government introduced several policy initiatives in Budget 2021. It includes to pay Rs. 2 per US dollar above the normal exchange rate for the foreign exchange remittances converted at licensed banks. In addition, Government together with the cooperation of other relevant stakeholders has established a Task Force to propose recommendations aiming at improving remittances. Further, the Government in consultation with the Monetary Board of the Central Bank, introduced a Special Deposit Account scheme in 2020 which is free from taxes and foreign exchange regulations and a higher interest rate than the normal rates offered to foreign currency deposits.

Similarly, the recent UN Advisory Paper on the immediate socio-economic response to COVID-19 in Sri Lanka (2020), which has provided immediate, medium and long term recommendations for immediate socio-economic response, has effectively captured migratory status of both inbound and outbound migrants under its five key strategic priorities, namely: Health First: Protecting Health Systems and Services during the Crisis; People first: social Protection and basic Services; Economic Recovery: Protecting Jobs, Micro, Small and Medium Sized Enterprises (MSMEs) and Informal Economy Workers; Social Cohesion and Community Resilience; and Macroeconomic Response and Multilateral Cooperation.³⁰

A few research material have been published by State and Non-State parties including the impacts of the Covid-19 epidemic on the local labour market, worker remittances and foreign employment industry.

²⁹ Covid-19 Response plan for Migrant workers, 2020

³⁰ UN Advisory Paper on the immediate socio-economic response to COVID-19 in Sri Lanka (2020)