

SRI LANKA



AMV Map by Boyet Rivera III

A. Total Stock (Number) of Migrants, as of 2005

MIGRANTS ABROAD		
ESTIMATED STOCK: MIGRANTS OUTSIDE THE COUNTRY		
TOTAL		
a. By visa status	Documented migrant workers*	1,221,763
	Emigrants/residents	-
	Undocumented migrants**	-
	Refugees***	108,139
b. By sex	Male	-
	Female	-
c. Top destination countries	1. Saudi Arabia (380,786)	6. Jordan (50,927)
	2. Kuwait (202,127)	7. Oman (40,026)
	3. UAE (171,558)	8. Bahrain (31,387)
	4. Lebanon (93,376)	9. Cyprus (17,445)
	5. Italy (60,219)	10. Maldives (16,911)

* Non-resident, temporary, or contract workers.

** Includes illegal entrants, overstayed or "jumped" visas, trafficked/smuggled people

MIGRANTS IN SRI LANKA		
ESTIMATED STOCK: MIGRANTS IN THE COUNTRY		
TOTAL		
a. By visa status	Documented migrant workers*	-
	Emigrants/residents	-
	Undocumented migrants**	-
	Refugees***	106
b. By sex	Male	-
	Female	-
c. Top countries of origin (%)	1.	6.
	2.	7.
	3.	8.
	4.	9.
	5.	10.

*** As defined by the government, or in accordance with the UN refugee convention.

B. Annual Socio-Economic Data and Migration Flow

Annual indicators	2005	2004	2003	2002	2001	2000
Population (million; mid-year estimate)	20.06	19.90	19.70	19.58	19.41	19.24
% population living in rural areas					76.9	
Economic growth: real GDP (%)	4.7	5.5	3.2	3.0	(1.5)	6.0
Per capita GDP (US\$)			948		849	
Per capita GDP: purchasing power parity (US\$)	4,300	3,700	3,700		3,180	
Inflation rate: CPI (%; annual ave.); capital city only	11.2	6.30	9.60		14.2	6.2
Exchange rate: (SL rupee per US\$; annual ave.)	100.19	96.51	95.60	93.38	89.38	77.01
International reserves (US\$ billion; yearend)		2.27			...	1.04
Foreign direct investments: actual (US\$ million; yearend)						172.90
Trade balance (US\$ billion; yearend)						
Foreign (total external) debt (US\$ billion; yearend)	11.590	10.552	9.800			9.066
Foreign (total external) debt as % of GNP						55.4
Budget balance (US\$; yearend)						
Budget deficit as % of GDP						
Labor force (million)	8.08	7.17	6.60			7.00
Women as % of labor force			36			
Number unemployed (thousand)						493
Unemployment rate (% of labor force)	8.4	8.4	8.0		7.70	7.70
Underemployment rate (% labor force)						
Women as % of total unemployed			12.80			
Average income (US\$/month)						
Average income: women (US\$/month)						
Adult literacy rate (% of age 15 & above who can read/write)			92.3		91.9	
Net migration rate (net # of migrants per 1,000 popn)	(-1.27)			(1.39)		(1.47)
Annual outflow/deployment of MWs: documented (000)						
% women in the annual outflow (%)						
Annual inflow of MWs						
% women in the annual inflow						
Annual migrants' remittance (US\$ billion/yr)						1.05
Reported # of migrant deaths during the year						
Estimated # deported during the year						
Jailed/detained during the year						
HIV/AIDS adult prevalence rate (adult PLHA as % of adult popn)	< 0.10			< 0.10		
# People living with HIV/AIDS (thousand)		4,800.0				
# AIDS deaths during the year (adults+children)			< 200			
Cumulative #: HIV/AIDS cases among migrants (living+died)						

Sources: CIA World Factbook, UN/ILLO/UNDP statistical yearbooks/websites.

AMV Information Bank



Courtesy of ACTFORM

Friendship House staff and volunteers pass out flyers to raise awareness on laws and regulations related to trafficking. Koggala, Katunayake and Biyagama, Sri Lanka. August 2005.

SRI LANKA

This report was contributed by Manori Witharana, Action Network for Migrant Workers (ACTFORM).

Political and Economic Update

While the end of 2004 brought the devastating Boxing Day Tsunami and the termination of the Multi-Fiber Agreement, Sri Lanka was able to weather the adversity. Unfortunately, however, the year 2005 saw escalating conflict between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE), which would continue to affect the overall stability of the country.

The tsunami that struck on 26 December 2004 killed over 40,000 people in Sri Lanka, destroyed over 99,000 homes, displaced over 300,000 people, damaged natural ecosystems

and left behind widespread destruction. The tsunami put approximately 400,000 people out of work in Sri Lanka's fishing and tourism industries, pushing unemployment up to 20% from 9.2%. Apart from hitting already comparatively poor coastal communities, the tsunami compounded previously existing vulnerabilities resulting from civil conflict, as the North East region was the hardest hit.

The international community came to Sri Lanka's aid with unprecedented levels of financial assistance, particularly from private donors. Migrant workers also provided aid by stepping up remittances, which increased by 23% in the first half of 2005. The devastating tsunami left the country's peace process even more fragile than before, however, with disputes between the government and the LTTE over the distribution of aid. Although the two groups eventually signed a pact to share the aid in mid-2005, the agreement caused a split amongst the

government, with the Marxist party pulling members from the ruling coalition.

Later in the year, Sri Lanka's Supreme Court determined that the country would need to have yet another presidential election – the fifth since 1999 – which would be held before the end of November 2005. Leading candidates were the existing Prime Minister Mahinda Rajapakse and opposition leader Ranil Wickramasinghe. Wickramasinghe's campaign promises included a tax-free vehicle for returning migrant workers.¹ Part of Rajapakse's campaign platform was to take a hard line in dealings with LTTE, including rejection of the LTTE's demands for self-government and autonomy, and reforming the ceasefire agreement to eliminate clauses harmful to national security. The LTTE expressed outrage, and ultimately discouraged Tamils in the North and East from voting in the election. Rajapakse won by a slight margin, with little over 50% of the popular vote.

Violence between the government and the LTTE increased during the year, and although the 2002 ceasefire held, the conflict clearly escalated. In August 2005, Lakshman Kadirgamar, Sri Lanka's Minister of Foreign Affairs, was assassinated at his home. Kadiragama was a Tamil opposed to the LTTE's tactics, and purportedly high on their hitlist. In



Staff and volunteers from workers' centers in Sri Lanka paste informative stickers on preventing trafficking. Katunayake and Biyagama, June 2005.

PRIVATE REMITTANCES (RS. MILLION) 2000 – 2005*

Year	Remittances		Middle East as % of total remittance
	Middle East	Total	
2000	55,252	87,697	63.00
2001	62,680	103,180	60.75
2002	75,579	123,183	61.36
2003	77,579	136,475	56.84
2004	86,800	156,400	55.50
2005*	108,900	191,800	56.78

* Provisional

Source: Central Bank Annual Reports 2000 - 2005

response, then-president Kumaratunga declared a state of emergency.

Sri Lanka's candidate, Ambassador Prasad Kariyawasam, Permanent Representative of Sri Lanka to the United Nations was re-elected to the UN Committee on Migrant Workers at the elections held in New York. This UN committee monitors the application of the UN Convention on the protection of the rights of all migrant workers and members of their families. Ambassador Prasad Kariyawasam is the current Chairperson of the Committee, having been elected as the first Chair of the Committee in 2003. In the 2005 election, five members to the Committee were elected from Sri Lanka, Turkey, Philippines, Guatemala and Azerbaijan, out of nine candidates.

Despite the tsunami and the termination of the Multi-Fiber Agreement in December 2004, Sri Lanka's economy grew 5.4% in 2005. Aid and private remittances continue to play a large role in Sri Lanka's economy; the 23% increase in remittances in the first half of 2005 in part helped turn the country's balance of payments from a USD223 million deficit into a USD174 surplus by August 2005.² In 2004, Sri Lankans abroad remitted USD1.5 billion; unofficial totals including amounts remitted through informal channels were probably even higher

Sri Lanka Significant Events July 2004 - December 2005

2004

July

(2) The Women's Empowerment and Social Welfare Ministry announces a pilot project to address problems faced by families of female migrant workers. The project will offer counseling services, financial assistance, assistance in seeking medical advice, among other services.

(7) A suspected Tamil Tiger suicide bomber kills five people and injures eleven others inside a police station in Colombo. This is the first major incident since the 2002 cease-fire agreement between the Government of the Democratic Socialist Republic of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE).

October

(2) Representatives from the United Nations High Commission for Refugees (UNHCR) and the Eminent Persons Group on Refugees and Migratory Movements (EPG) meet in Sri Lanka to launch the South Asian Declaration on the Rights of Refugees, the Sinhala and Tamil translations of the 1951 Refugee Convention and the 1967 protocol.

December

(14) A grenade detonates in Colombo at Sri Lanka's largest annual music festival attended by more than 10,000 people. Two are killed, and more than ten are injured.

(21) Godagan Deniyalage Prema, a domestic

worker from Sri Lanka, is awarded USD10,000 to compensate her for the 19 days she spent in jail on false charges of theft. Her employer and employment agency had conspired to accuse her of stealing a pair of sandals.

(26) The Indian Ocean tsunami kills more than 30,000 people, and hundreds of thousands more lose their homes. The Sri Lankan government declares a national disaster.

2005

February

(11) E. Kaushalyan, the LTTE's Batticaloa-Amparai district political head, dies in an ambush while returning to Batticaloa from a meeting in Kilinochchi. Three of his convoys are also killed. He is the most senior member of the LTTE to be killed since the 2002 cease-fire agreement.

April

(12) Sri Lanka's Labor Ministry announces that in June it will begin a scheme to raise the minimum wage of domestic workers working abroad from \$100 to \$150. The Ministry says it will not provide insurance coverage for women working below the new minimum wage.

(27) Dharmaratnam Sivaram, a senior journalist and editor of the pro-Tamil news website www.tamilnet.com, was abducted and shot by four unidentified assailants in Colombo.

(estimated at USD2.2 billion).³

According to the Central Bank of Sri Lanka, Sri Lanka's economy grew by 5.1% in the first half of 2005, overcoming the setback caused by the tsunami and benefiting from favorable weather and healthy international economic developments. GDP growth was projected at 5.3% for 2005, a slight decrease from the 5.4% growth in 2004. The rising trend in inflation reversed at the end of the first half of 2005 due to falling food prices, but a substantial demand pressure prevails. While monetary policy is

being effectively directed at containing the demand pressure on prices, at end year inflation was expected to be around 10-11%, a significant increase over the estimated 7.9% in 2004.

International trade improved significantly with a 12.7% growth in exports and 11.3% growth in imports, while services and remittance increased substantially during the first eight months of 2005. The prices of major exports improved but the terms of trade deteriorated by 2.2% in the first eight months due to the relatively higher price of oil and other imports.

June

A deal is reached with Tamil Tiger to share tsunami relief among Sinhala, Tamils and Muslims. Sinhala nationalists threaten to pull out of the ruling coalition, saying that this deal would lead to a separate Tamil state.

July

(2-12) United National Party (UNP) organizes a 10-day march from Devundara to Colombo with over one million participants to protest the government's failure in decreasing the costs of living and solving the country's ethnic tensions.

(11) The United Arab Emirates has raised the minimum wage of Sri Lankan domestic workers from Dh100 to Dh 500.

August

(12) A state of emergency is declared after the assassination of Foreign Minister Lakshman Kadirgamar, who is known to have been outspoken against LTTE. He is shot at his home in Colombo by gunmen.

(26) Sri Lanka's Supreme Court rules that President Kumaratunga's term will end in December 2005 and that presidential elections will take place between 22 October and 22 November.

September

Since January, there has been a total of 483 documented cases of child recruitment by the LTTE. 146 children have also been released from the LTTE

during this period.

(6) The Locomotive Operating Engineers Union (LOEU) broke up a seven-day strike by 300 railway workers. The workers demanded adjustments to wages and repairs to the rail system, which have not been upgraded for ten years.

October

(10) Sri Lanka's Ambassador in Doha requested Qatar authorities to release Sri Lankan and Nepalese drivers arrested in a recent strike. This is the first documented instance a Sri Lankan senior diplomat has made a plea on behalf of workers from his country.

(12) K. Rajadorai, president of Jaffna Central College, and a critic of LTTE, is shot and killed by a suspected LTTE member.

November

(11) Sri Lanka's Prime Minister Mahinda Rajapakse wins the country's fifth presidential elections.

December

(16) At elections held in New York, Ambassador Prasad Kariyawasam, Permanent Representative of Sri Lanka to the United Nations, was re-elected Chairperson to the UN Committee on Migrant Workers.

Sources: BBC News, Scalabrini Asian Migration News, Human Rights Watch, outlookindia.com, www.dailynews.lk

The fiscal consolidation process continues and the budgetary performance is in line with the revised estimates made in the 2005 budget. Meanwhile, the growth in monetary and credit aggregates is being contained with the tightening of monetary policy stance.

In part to compensate for the rising inflation/increased cost of living, both public and private sector workers were granted pay increases. A SLR1,000 salary increase became effective for private sector workers effective 1 August 2005, while public sector workers were also

given an increase. President Rajapaksa also announced an SLR1,000 increase for public workers beginning January 2006. The State sector employs over 12% of Sri Lanka's total employed workforce with over one million workers.

Migration Update

There is both internal and international migration in Sri Lanka, and there are also said to be

DEPARTURES FOR FOREIGN EMPLOYMENT BY COUNTRY AND SEX 2001 – 2005*

Country	2003		2004		2005	
	Male	Female	Male	Female	Male	Female
Saudi Arabia	25,812	50,283	24,198	47,099	24,426	51,687
Kuwait	6,770	31,853	7,100	29,682	6,956	29,143
U.A.E.	14,362	17,955	15,593	17,310	18,814	17,492
Lebanon	356	12,851	380	17,472	360	16,029
Jordan	520	6,562	1,179	7,728	836	7,439
Qatar	18,700	5,098	25,010	5,005	30,584	5,348
Oman	1,546	2,585	1,641	1,833	1,767	1,754
Bahrain	1,179	2,552	969	2,858	898	2,845
Cyprus	625	2,418	501	2,637	254	1,973
Maldives	2,090	1,103	2173	359	2,442	277
Singapore	85	984	125	865	96	922
South Korea	1,798	238	1,182	122	4,635	214
Hong Kong	6	222	8	155	5	162
Malaysia	30	209	30	211	889	278
Mauritius	73	112	57	296	65	997
Egypt	10	108	14	147	8	168
Israel	21	37	34	72	52	122
Greece	25	30	54	31	10	15
Kenya	21	3	8	3	3	1
U.K.	12	20	4	25	4	20
Syria	7	20	8	30	11	11
Seychelles	119	9	43	9	589	7
Pakistan	18	9	27	14	20	5
Ireland	25	6	9	1	13	2
Italy	1	5	15	1	10	54
North Yemen	11	5	6	-	5	3
South Yemen	35	3	6	8	4	1
Africa	14	3	73	11	25	3
Libya	54	4	34	1	34	3
Brunei	5	5	4	1	4	-
United States	1	2	2	3	-	1
China	9	2	5	1	3	-
Thailand	1	1	2	1	1	-
Madagascar	13	-	2	-	4	1
Spain	-	-	-	-	-	-
France	-	-	1	-	1	-
Japan	1	-	3	1	-	-
Botswana	5	2	2	-	6	2
Vietnam	12	-	-	-	-	-
Uganda	16	6	-	-	-	-
Switzerland	1	-	12	-	-	-
Other	119	33	185	18	131	19
Total	74,508	135,338	80,699	134,010	93,965	136,998

*Provisional

Source: Information Technology Division-SLBFE



Courtesy of ACT/FORM

Raising awareness on prevention of trafficking is considered an extremely important activity in Sri Lanka, a Tier 2 country.

approximately 10,000 irregular foreign migrant workers in the country.⁴ This report, however, will focus on international migration.

Sri Lankan Migrants Overseas

The government of Sri Lanka continues to promote overseas employment as a solution to the country's unemployment problem, highlighting the phenomenon as a growing "industry". Migrant workers are one of Sri Lanka's main pillars of foreign exchange earnings, with remittances estimated at USD1.5 billion per year. At any given time, at least 10% of the Sri Lankan workforce is employed outside the country. Moreover, the current civil conflict in the country has led to a noteworthy increase in the outflow of refugee migrants. The destinations for refugees are mostly India and developed countries of the West. However, since many refugee migrants do not go through the conventional exit points of ports and airports they are not reflected in the statistics.⁵ In year 2005 a considerable increase was evident in migration for professional, mid-level and clerical & related jobs.

The number of Sri Lankan migrants in

employment abroad was estimated by the Sri Lanka Foreign Employment Bureau (SLFBE) at 1.5 million in 2005.⁶ According to SLBFE, approximately 230,000 people went abroad to work in 2005, out of which over 80% went to the Middle East. Other destinations for migrant domestic workers included Hong Kong, Singapore and Cyprus. 55% of the USD1.5 billion in private remittances sent in 2004 came into Sri Lanka from the Middle East. The SLBFE highlights that this "industry" is growing steadily under the present favorable international labor market conditions. The total number of people who migrated overseas for employment grew by 7.57% during the year 2005, up from 2.2% in 2004.

As per the directions of the Presidential Task Force, compulsory registration for foreign employment began in 1995. According to the Annual Statistic Report of Foreign Employment published by the Research Division of the SLBFE (2005)⁷ the male participation rate has increased by 3% in 2005. This continues the trend of increasing numbers of men departing Sri Lanka for foreign employment, which has been ongoing since 2001, albeit slowly.

The latest statistics show a gradual decrease in female migration; the report above found that female migration decreased by 3% in 2005. In early stages of the industry, male migrants were predominant, however this gradually changed into female dominance since 1988. Currently, out of Sri Lanka's migrant worker population, over 60% are women, most working as domestic workers. Sri Lanka is the only Asian country where the number of female labor migrants far exceeds male migrant workers. Due to Sri Lanka's labor law structure, women in the local labor force are paid less than the minimum wage and generally work beyond the legal maximum of hours prescribed by law. This may contribute

MALE DEPARTURES FOR FOREIGN EMPLOYMENT BY MANPOWER LEVELS 2000-2005*

Year	Professional Level	Middle Level	Clerical & Related	Skilled	Unskilled	Total
2000	897	3354	4828	24344	26370	59,793
2001	1125	3205	4631	25262	25584	59807
2002	1297	3924	5604	30567	29130	70522
2003	1410	5281	5342	31638	30837	74508
2004	1722	5388	5830	33947	33812	80699
2005*	2481	7148	6978	38833	38525	93965

*Provisional

Source: Information Technology Division-SLBFE

to their desire to seek work overseas.

Despite their hopes for fair treatment abroad, however, many women still face discrimination and exploitation; particularly those working in Middle Eastern countries where existing labor laws tend to favor men and fail to recognize domestic work as work. Core labor standards are largely absent both in legislation and in practice in the Middle East. A number of reports show that Sri Lankan women abroad face physical abuse, sexual harassment, and worse.

Once outside the borders of Sri Lanka and away from their family and community support system, female migrant workers become especially vulnerable to exploitation. The exploitation can be in the form of confiscated travel documents, debt-bondage due to exorbitant fees, non-payment or underpayment

of wages, forced overtime work, physical/sexual abuse by employers, or other coercive schemes. Bonded labor is a reality when women depend on the recruiter for their tickets; moreover, when these female workers reach their destination, they are often forced to surrender their passports and other important documents to prevent them from leaving their places of employment. Such conditions are illegal and tantamount to forced labor. Unreported significant numbers of Sri Lankan women have been stranded in these countries and many continually seek refuge in Sri Lankan missions. One study found that 10% of all Sri Lankan female migrant workers are subject to some form of sexual harassment while abroad.⁸ Another study estimated that 15 – 20% of the Sri Lankan women who leave for the Middle East each year have returned home

FEMALE DEPARTURES FOR FOREIGN EMPLOYMENT BY MANPOWER LEVELS 2000 – 2005*

Year	Professional Level	Middle Level	Clerical & Related	Skilled	Unskilled	Housemaid	Total
2000	38	427	997	12131	9389	99413	122395
2001	93	571	1384	11501	7801	102850	124200
2002	184	631	1635	14911	7355	108535	133251
2003	131	2226	1437	16106	13427	102011	135338
2004	105	1173	849	11979	9392	110512	134010
2005*	197	892	753	6757	3345	125054	136998

*Provisional

Source: Information Technology Division-SLBFE



Migrant workers' children perform a drama on the 'Travails of Illegal Migration', September 2006.

prematurely, faced abuse or nonpayment of salary, or have become trafficking victims.⁹

SLBFE statistics for men and women who died while working abroad show a gradual increase over the past three years. The number of deaths rose from 211 in 2001, 228 in 2002, 217 in 2003, and 245 people in 2004. Last year's deaths included 153 natural deaths, 75 accidental deaths, 8 homicides and 9 suicides. Victims of sudden death are primarily Sri Lankan women working in Middle Eastern countries as domestic workers. In 2005, the SLBFE recorded 8,108 complaints regarding migrants' working conditions, including notifications of deaths. The most common complaints were about not being paid the agreed wages, not being allowed to communicate with families back home, physical and sexual harassment, and not being allowed to return home upon completion of the contract. Most cases go unreported. Many provisions of the Sri Lanka Bureau of Foreign Employment, Act No. 21 of 1985, have been found inadequate and too outdated to respond to the numerous abuses committed against migrant workers.

Voting Rights

Currently Sri Lankan migrant workers have no access to the electoral process, which is not only a denial of their fundamental political rights, but also a denial of electoral representation. Discussions and debates amongst government officials and law enforcement authorities are taking place on amending election laws but currently there is disinclination to move forward.

Approximately 10% of the voting base cannot vote at Sri Lankan elections because they are working abroad. The election laws make no provisions for these people to vote, and the system of postal voting does not apply to people living outside the country. There is no mechanism to allow registered Sri Lankan voters to vote through Sri Lankan embassies in other countries. Sri Lanka signed the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (MWC) in 1996, which became an international law in 2003. But ten years after signing the convention, Sri Lankans working abroad still can't vote. The Migrant Services Center (MSC) in Sri Lanka

has been continuously lobbying the government of Sri Lanka for over a period of eight years to amend election laws to enable absentee voting. In August 2005, the Ceylon Workers Congress (CWC), a trade union which is also a political party, brought a private members motion in Parliament for legal changes to allow migrant workers to vote.

Simply ratifying conventions will not be of any use unless the local laws are changed, amended or new laws are introduced when and where appropriate. Local laws should be amended to fall in line with the MWC. Sri Lanka still has not ratified ILO conventions 97,¹⁰ 132,¹¹ and 181.¹²

Trafficking in the Process of Migration

Trafficking and migration are often distinguished from one another due to the common insight that migration is characterized by choice, and trafficking by coercion, deception, or force. However, the fact is that in today's global economy, migration and trafficking are intrinsically connected with each other. Women and children in particular often start out migrating in search of work but end up being coerced or deceived into begging, unpaid labor and prostitution. Trafficked women in Sri Lanka, like in most other cases in the region, are frequently young, single and from rural areas and have been sent to work in urban centers or abroad to provide income for their families. Children who are trafficked often come from communities where they are expected to contribute to family income and have little say in decisions that affect them. These women and children may eventually become trapped in a cultural environment that stigmatizes victims of rape, abuse and exploitation.¹³

Trafficking in Sri Lanka takes two forms; international and domestic. International trafficking often masquerades as migrant work.



A drama depicting health testing at a clinic helps inform prospective migrant workers.

Courtesy of MSC

Although international migrant labor represents one of the largest work forces, Sri Lanka's regulations have been ineffective in curtailing exploitation of such workers by traffickers. Unknowing women and youth meet "agents" who entice potential migrants with stories of high-paying jobs and exotic lifestyles. A significant number of Sri Lankan migrant workers utilize illicit channels to work in other countries. It is estimated that about 40,000 to 50,000 workers per year migrate undocumented. Most of them, again, are young and single women who are often smuggled. They lack the formal clearance, records, and insurance and are the most vulnerable to exploitation and abuse once they are abroad.

The Trafficking in Persons report released of the Office to Monitor and Combat Trafficking in Persons (US Department of State),¹⁴ points out that Sri Lanka¹⁵ is a source and destination country for men, women, and children trafficked for sexual exploitation, and domestic labor, especially to the Middle East, China, and South Korea. The report highlights that internal trafficking of women, girls, and boys for commercial sexual exploitation also occurs. It further points out that an unsubstantiated

DEPARTURES FOR FOREIGN EMPLOYMENT 2002 – 2005*

Year	Male	Female	Total
2002	70,522	133,251	203,773
2003	74,508	135,338	209,846
2004	80,699	134,010	214,709
2005*	93,965	136,998	230,963

* Provisional

Source: Central Bank Annual Reports 2000 - 2005

number of women from Thailand, China, Russia, and other former Soviet Union countries are trafficked to Sri Lanka for commercial sexual exploitation. The report further emphasizes that the Government of Sri Lanka is making significant efforts to comply with the minimum standards for the elimination of trafficking.

The Sri Lankan government has ratified the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution. In September 2005, Parliament approved an Act to give effect to the regional instrument, which limits its scope to trafficking for prostitution purpose only, though it does not prevent domestic legislation to adopt a broader legal framework, as the Sri Lanka example



NGO staff present some of the findings of the State of Health of Migrants report by CARAM-Asia.

proves. The government also dedicated human resources to the Anti-Human Smuggling Investigation Bureau and the Ministry of Foreign Affairs continued to assign Welfare Officers to Sri Lanka missions abroad to aid and assist women who are victims of trafficking.

Responses

Government

Many provisions of the Sri Lanka Bureau of Foreign Employment, Act No. 21 of 1985, have been found inadequate and too outdated to respond to the numerous abuses committed against migrant workers. An initiative by the Sri Lanka government to consider a new Act is a positive step to redressing these abuses. However, for this initiative to be all-inclusive it will require the full participation of civil society, migrant workers, and even the job recruiters to ensure that the gaps in governance, non-accountability of recruiters, and the various forms of exploitation are addressed in the new legislation.

In August 2005, the Human Rights Commission of Sri Lanka appointed a Committee to study ways and means of protecting the rights of migrant workers. The main responsibility of the committee will be to make recommendations for improving the optional modes of the principal state agencies involved in the facilitation of migration and protection of migrants' rights. The government is proposing a new Sri Lanka Bureau of Foreign Employment Act to replace inadequate and outdated legislation. A network of NGOs working on human rights of migrants; the Action Network for Migrant Workers (ACTFORM),

DEPARTURES FOR FOREIGN EMPLOYMENT BY COUNTRY & MANPOWER LEVEL 2005*

Country	Professional Level	Middle Level	Clerical & Related	Skilled	Unskilled	Housemaid	Total
Saudi Arabia	314	1802	1432	12411	10063	50091	76113
Kuwait	58	470	410	4395	2203	28563	36099
U.A.E.	408	2269	3014	8179	8790	13646	36306
Qatar	339	1414	1723	13028	14570	4858	35932
Lebanon	1	50	14	73	273	15978	16389
Jordan	16	99	163	2917	221	4859	8275
South Korea	1086	641	3	31	3086	2	4849
Oman	109	469	307	704	381	1551	3521
Bahrain	53	180	156	890	322	2142	3743
Maldives	163	305	374	921	802	154	2719
Cyprus	3	36	6	50	195	1937	2227
Malaysia	1	9	-	417	501	239	1167
Mauritius	7	3	11	1034	2	-	1057
Singapore	7	34	31	31	150	765	1018
Seychelles	27	42	29	240	258	-	596
Egypt	-	1	2	164	-	9	176
Israel	6	126	4	8	7	23	174
Hong Kong	-	7	1	4	16	139	167
Italy	-	1	1	4	4	54	64
Libya	1	3	11	18	1	3	37
Africa	7	10	2	4	4	1	28
Pakistan	15	2	1	3	-	4	25
Greece	1	4	1	5	4	10	25
United Kingdom	1	22	-	1	-	-	24
Syria	1	-	-	2	8	11	22
Mongolia	-	3	-	19	-	-	22
Swaziland	-	16	-	-	-	-	16
Ireland	2	-	13	-	-	-	15
Denmark	-	1	-	11	-	-	12
Ethiopia	3	5	-	2	-	-	10
North Yemen	2	-	-	3	-	3	8
South Yemen	-	3	-	-	1	1	5
Botswana	7	-	-	1	-	-	8
Madagascar	4	-	-	-	-	1	5
Malawi	3	1	-	-	-	-	4
Kenya	3	-	-	-	-	1	4
Brunei	-	3	-	1	-	-	4
China	-	1	2	-	-	-	3
Saipan	-	-	-	1	-	-	1
United States	1	-	-	-	-	-	1
Others	29	8	20	18	8	9	92
Total	2678	8040	7731	45590	41870	125054	230963

*Provisional

Source: Information Technology Division-SLBFE



Courtesy of MSC

Migrant workers' children attend a health lecture, March 2005.

identified key problems of the present bill and prepared an alternative bill which will be presented to the government for consideration. A panel of legal experts drafted the alternative bill with the assistance of members. The Sri Lankan government has also formed a joint committee to study procedures for the protection of women migrant workers.¹⁶

In addition, a number of government organizations are considering further initiatives to protect migrant workers, including a pension scheme. In July 2004 there were reports that the Women's Empowerment and Social Welfare Ministry planned to implement a pilot project offering counseling services, financial assistance, and other types of assistance to the families of female migrant workers in the Moneragala region.¹⁷

A new minimum wage structure (from July 01, 2005) was fixed at AED 550 (approximately USD150) for Sri Lankan domestic workers arriving on employment in the UAE.¹⁸ Accordingly, all recruitment agents in the UAE have been informed to comply with the new minimum wage rule while recruiting Sri Lankan

domestic workers for the UAE market. The new salary structure has been implemented on a proposal made earlier by Sri Lanka's Labor Minister who said that most Sri Lankan workers in the Middle East have been receiving a monthly pay of around USD100 for over 18 years. As such, all new labor agreements will hence be approved by the SLBFE and attested by the Sri Lankan missions in the UAE, only if the workers receive a minimum salary recently stipulated by the Sri Lankan government. The media also

ESTIMATED STOCK OF SRI LANKAN OVERSEAS CONTRACT WORKERS BY MANPOWER LEVELS 2005*

Manpower Level	Male	Female	Total
Professional Level	7,445	2,136	9,581
Middle Level	22,380	5,628	28,008
Clerical & Related	34,833	7,870	42,703
Skilled	184,768	72,689	257,457
Unskilled	171,500	52,094	223,594
Housemaid	-	660,420	660,420
Total	420,926	800,837	1,221,763

* Provisional

Source: Central Bank Annual Reports 2000 - 2005

ESTIMATED STOCK OF SRI LANKAN OVERSEAS CONTRACT WORKERS BY COUNTRY 2005			
Country	Male	Female	Total
Saudi Arabia	141085	239701	380786
Kuwait	35267	166860	202127
U.A.E.	68889	10269	17158
Lebanon	7168	86208	93376
Italy	15007	45212	60219
Jordan	8333	42594	50927
Oman	9025	31001	40026
Bahrain	6810	24577	31387
Cyprus	3960	13485	17445
Maldives	12288	4623	16911
Singapore	2682	13209	15891
South Korea	6176	1718	7894
Hong Kong	304	2649	2953
Malaysia	2507	1049	3556
Mauritius	392	930	1322
Greece	391	424	815
Egypt	88	500	588
Seychelles	525	55	580
Libya	391	52	443
Africa	186	55	241
Pakistan	115	87	202
Israel	108	230	338
Syria	86	113	199
United States	107	32	139
China	110	31	141
Ireland	119	33	152
South Yemen	111	30	141
U.K.	61	114	175
Kenya	88	79	167
Others	1970	325	2295
Total	420,926	800,837	1,221,763

Source: Information Technology Division-SLBFE

reported that the Sri Lankan mission in Dubai was planning to start a database of Sri Lankan workers in the UAE in order to help the mission provide services to Sri Lankan workers.¹⁹

Sri Lanka's higher wage ceiling for maids working abroad from USD100 to USD150 has

been rejected by Saudi Arabia, however. Saudi officials said the decision was taken unilaterally by officials in Colombo. There are over 350,000 Sri Lankans in Saudi Arabia, of whom 250,000 are domestic workers. While the UAE employs the second highest number of Sri Lankans in the Gulf, at around 160,000, it is Saudi Arabia who tops the list with 3,500,000 Sri Lankans working within its borders.

IGOs

UNIFEM conducted an analysis of policies and programs relating to the safe migration of Sri Lankan women; recommendations were presented to the Minister of Women Affairs.

In addition to providing post-tsunami relief, IOM carries out programs involving migrants' health, counter-trafficking, and migration management and capacity building.

UNDP has done research on HIV/AIDS and mobility in Sri Lanka.

NGOs

The Solidarity Center (ACILS) collaborated with and financially supported ACTFORM to prepare a "Sri Lanka Shadow Report" on the implementation of the MWC in Sri Lanka, which will serve as an alternative civil society version of the government's report to the UN Committee. This alternative report contains a critical assessment of the status of Sri Lankan migrant workers with special focus on Articles 41 and 84. Shortcomings of the implementation and enforcement of the MWC was highlighted and recommendations were proposed.

The Migrant Service Center (MSC) and the Migrant Worker Associations (MWAs) organized educational and awareness raising programs to advocate for the elimination of all barriers that keep migrant workers (including government employees) locked out of the political process. Participants were potential and returned migrants, civil society organizations, media and the government.

Mass campaigns through rallies, media

NUMBER OF LICENSED AGENCIES (2000 – 2005)

Year	No. of Licenses issued	Stock as at end of the year
2000	74	445
2001	99	528
2002	59	538
2003	49	524
2004	110	581
2005*	66	582

* Provisional

Source: License Division – SLBFE Information Technology Division – SLBFE

(press and electronic) publications and discussions, written petitions and open debates were organized by the MSC and ACTFORM at local and international level to lobby the government and responsible agencies to protect and promote human rights of migrant workers. Information and educational material (booklets, pamphlets, stickers, posters) for capacity building of trade unionists and migrants' activists in this regard were developed and disseminated.

MSC held workshops to lobby and follow-up with various stakeholders on migrants' rights issues with special focus on the MWC.

MSC organized programs to raise public awareness on migrant workers' human rights, to change attitudes, practices, and perceptions; to sensitize and mobilize the media, judiciary, law enforcement officers, job agents, government and the civil society. The programs focused on promoting greater protection for the rapidly increasing number of women migrant workers, upholding their dignity and basic human rights and the importance of organizing and forming unions to advocate for labor protection.

The Solidarity Center (ACILS) produced a series of five short educational video clips in local languages (Sinhala and Tamil) on prevention of trafficking, in collaboration with Young Asia Television (YA-TV), one of Sri Lanka's leading private TV stations and production houses and which has experience in

developing similar types of education materials. These video clips were used by volunteers and trainers as training and awareness raising tools at awareness raising sessions in local level training programs. The educational video clips produced were aired on national television channels.

The Solidarity Center (ACILS) also developed awareness raising material such as booklets, pamphlets and fact sheets, posters, stickers and flyers in Sinhala and Tamil. Materials were simple and user friendly, focused on the basics of trafficking prevention. 25,000 copies from each were printed and distributed widely, especially in tsunami affected areas.

Writer's note

The writer appreciates the contribution of Ms. Violet Perera (Coordinator - ACTFORM) and Mr. David Soysa (Director – Migrant Services Center) in compiling this report.

Endnotes

- ¹ As reported in "Tax-free vehicles for Sri Lankan expat workers?" *The Peninsula*, 19 October 2005, "Opposition politicians said that if United National Party presidential candidate Ranil Wickremesinghe wins in the 17 November elections, all migrant workers returning home would be entitled to a new tax-free vehicle. The offer is the latest in a list of campaign promises by candidates."
- ² AFP, "Sri Lanka balance of payments swings to surplus on tsunami aid," *ReliefWeb*, last accessed at: <<http://www.reliefweb.int/rw/RWB.NSF/db900SID/EVIU-6FLJFY?OpenDocument>>.
- ³ As reported in: "Price of work," *Lanka Business Online*, 5 December 2005, "Remittances from overseas Sri Lankans are expected to reach \$1.7 billion this year, up from the \$1.5 billion sent to the country last year. The actual total, however, is estimated to be about \$2.2 billion, if the amount remitted through informal channels is also factored in. Studies showed that remittances have raised the income not only of households with migrants but of non-migrant households as well. However, as pointed out by Nandaisri Thenuwara, director of economic

research of Sri Lanka's Central Bank, overseas labor migration also comes with a huge social cost, including the exploitation of female migrant workers and health risks."

- 4 AFP, "Sri Lanka says 10,000 illegals must leave or face arrest," 24 December 2004; AP, "Sri Lanka says it will repatriate 10,000 illegal Asian workers," 24 December 2004; "Sri Lanka orders amnesty for 10,000 foreign illegal workers," *India Daily*, 24 December 2004; AFP, "10,000 told to leave Lanka," *Dawn*, 25 December 2004; as cited in Scalabrini *Asian Migration News*.
- 5 Principled position of the government of Sri Lanka on the High Level Dialogue on Migration and Development – A joint IOM-ILO paper, August 2006.
- 6 *SLBFE: Annual Report*, 2005
- 7 SLBFE, "Annual Statistical Report of Foreign Employment – 2005", last accessed at: <http://www.slbfe.lk/feb/statistics/stat_cont.html>.
- 8 "Female Migration from Sri Lanka", *The South Asian*, 23 December 2003, last accessed at: <http://www.thesouthasian.org/archives/2003/female_migration_from_sri_lank.html>.
- 9 Amy Waldman, "Sri Lankan women pay a high price for jobs," *International Herald Tribune*, 9 May 2005, as cited in Scalabrini *Asian Migration News*.
- 10 *C97 Migration for Employment Convention (Revised)*, 1949.
- 11 *C132 Holidays with Pay Convention (Revised)*, 1970.
- 12 *C181 Private Employment Agencies Convention*, 1997.
- 13 "Trafficking in the Process of Migration – The Sri Lankan Scenario" – Paper presented by the Action Network for Migrant Workers (ACTFORM) at the Women's Forum on Migration, September 24-29, 2005, Seoul Korea.
- 14 U.S. Department of State, *Trafficking in Persons Report*, December 2006, last accessed at: <<http://www.state.gov/g/tip/rls/tiprpt/2006/index.htm>>.
- 15 *Ibid*, *Tier placement – 2*.
- 16 "Committee to review procedures for women migrant workers' protection", *Daily News*, 11 February 2005, as cited in Scalabrini *Asian Migration News*.
- 17 Nadira Gunatilleke, "Pilot project for migrant worker families welfare", *Daily News*, 2 July 2004, as cited in Scalabrini *Asian Migration News*.
- 18 Rizvi, Meraj, "Minimum wage for Sri Lankan domestic help is now in force", *Khaleej Times*, 11 July 2005, last accessed at: <http://www.khaleejtimes.com/DisplayArticle.asp?xfile=data/theuae/2005/July/theuae_July266.xml§ion=theuae&col=>>.

- 19 Sunita Menon, "Sri Lankan mission in bid to protect overseas workers," *Gulf News*, 15 August 2004, as cited in Scalabrini *Asian Migration News*.

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