

COVID-19: Immediate steps to be taken and subsequent course of action recommended to the Government of Sri Lanka to minimize the impact of the Covid-19 Pandemic on Sri Lankan migrant workers.

Women and Media Collective

Introduction

The ongoing COVID- 19 pandemic has impacted global economies, the health of billions of people and re-defined social behaviors at an unparalleled level. The impact on labour markets both within countries and across the world has been sharp with hundreds of thousands of workers having their wages reduced, being laid off, or asked to return to their homes or, for overseas migrant workers, to their home countries. Migrant workers employed overseas are among the most vulnerable in terms of lack of security of employment, lack of access to health care and access to safe living conditions. There are an estimated 1.8 million Sri Lankans employed overseas. These workers contributed US\$ 6.7 billion to the Sri Lankan economy in 2019.¹ A recent study details how estimates show that one in every 11 households received international remittances, migrants normally remitting once a month, and the average amount remitted being LKR 40,000 per month.²

The pandemic led to many migrant labour destinations instituting lockdowns which has had a serious impact on the earning capacities and living conditions of these workers. The knock-on effects were immediate in Sri Lanka at two levels: the drastic fall in foreign exchange earnings for the national economy and, households' incomes of those who depended on remittances from family members employed in the Middle East.³ With the spread of the pandemic across countries, the workers stuck in other countries and their families in Sri Lanka are now among those very much at risk of becoming impoverished as a result of the crisis.

This policy brief is intended to highlight key concerns relating to the safety and wellbeing of Sri Lankan migrant workers. This brief contains a proposed set of guidelines and actions that should be taken by the government to address the urgent needs of the Sri Lankan migrants.

¹<http://www.ips.lk/talkingeconomics/2020/04/17/covd-19-and-foreign-exchange-woes-can-sri-lanka-find-a-way-out/>

²<http://www.ips.lk/talkingeconomics/2020/04/17/covd-19-and-foreign-exchange-woes-can-sri-lanka-find-a-way-out/>

³<https://www.cbsl.gov.lk/en/news/the-government-and-the-central-bank-of-sri-lanka-introduce-furthermeasures-to-preserve-the-foreign-currency-reserve-position-of-sri-lanka>

Sri Lanka Government Interventions

In mid-April 2020, the Sri Lanka Ministry of Foreign Relations with the Sri Lanka Bureau of Foreign Employment (SLBFE) held video conferences with their offices in Bahrain, Kuwait, Jordan, Lebanon, Oman, Saudi Arabia, UAE, Qatar, Iran and Israel.⁴ Issues such as increasing cases of unemployment, loss of contracts, non-extension of work permits, and halting of temporary freelance work were noted. The impact on living conditions of families in Sri Lanka was recognized.

Despite these facts, the government prioritized the repatriation of members of the Tri Forces undergoing training and students registered at universities from China and South Asia in March and April.

The Sri Lankan government has, through the Ministry of Foreign Relations, engaged in a number of interventions with regard to the repatriation of Overseas Sri Lankans (OSLs) since the outbreak of the pandemic in March 2020. The government set up the 'Contact Sri Lanka' web portal on 26 March 2020 to enable those OSLs who wished to return to Sri Lanka to register their details in order for repatriation measures to be planned. By 29 May 2020, a total of 42,000 persons from 123 countries had registered. A 34,881 were migrant workers of whom 20,893 were those living and working in the Middle East.⁵

The Sri Lankan government has been clear that despite the large volume of Sri Lanka migrant workers requesting repatriation, these workers should be cautious about returning to Sri Lanka. In mid-May, the Ministry of Foreign Relations stated that those persons who have valid work visas should reconsider requests to return. Rather, the government would look to assist those who do not have visas, who are illegal migrant workers in the country of destination because they are more likely to not have access to health facilities etc.⁶ The government's position at this time disregards the dire situation of many of its citizens who are facing increasing financial constraints due to non-payment of wages, reduction of wages, lack of access to the healthcare required, all issues that had been raised by its missions in destination countries in April. Instead of acknowledging the complexities remaining in a foreign country with little to no income or providing solutions for said problems, the government offered that it would 'try and provide dry rations and where necessary medicines' for those who stay back.⁷

While the Government of Kuwait had in April 2020 offered an amnesty to Sri Lankan workers who did not possess valid visas to register to be repatriated, out of approximately 100,000, less than 500 had done so. Sri Lankan airspace was closed to incoming flights due to the lockdown in the country in April and hence it was mid-May by the time the government of Kuwait

⁴<https://www.mfa.gov.lk/foreign-ministry-and-slbfe-assist-sri-lankans-in-the-middle-east/>

⁵<https://www.mfa.gov.lk/reassures-continued-repatriation/>

⁶<https://www.mfa.gov.lk/osls-to-rethink-repat/>

⁷<https://www.mfa.gov.lk/osls-to-rethink-repat/>

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repatriated 460 Sri Lankans to the country.⁸ On their return and being moved to quarantine centers in Sri Lanka, it was found that 412 of the returnees were infected with the virus.

Quarantine Centers: Tri Forces vs Sri Lanka government health services

The Sri Lankan government was quick to recognize the need to set up quarantine centers for returnees within a few weeks of the pandemic. However, it is of concern that it is the Sri Lankan military and not the Ministry of Health that sets up or directs these quarantine centers. The Sri Lankan Army Commander issues statements with regard to the health conditions of the number of returnees in quarantine centers, as opposed to a representative of the Ministry of Health. It is the Sri Lankan Tri Forces that are highlighted on the clearance certificates that are given to those who have completed the required 2-week period of quarantine.

At present, the tri forces run 44 quarantine centers which have 4386 persons undergoing assessments.⁹ It has to be also noted that the focus on repatriating Sri Lankans from South Asia focused sharply on members of Tri Forces who were undergoing military training in the region.

There are two issues of concern in the management of the COVID-19 spread in Sri Lanka. One is the seemingly subservient role of the excellent health service sector in the country treating those who are afflicted with the virus as well as those who may be asymptomatic and would need to have follow-up and monitoring. The other is valorizing members of the Tri Forces over the 'Rata Virowo' migrant workers especially employed in the Middle East whose remittances have been the foundation of the country's economy.¹⁰

PCR Tests for Sri Lankans requesting repatriation

One of the requests that the Sri Lankan government is making to governments of countries employing Sri Lankan migrant workers who wish to be repatriated is to conduct free PCR tests prior to leaving their host countries. The Kuwait government declined this request when it repatriated 466 Sri Lankans in May. In June 2020, the governments of Lebanon and the United

⁸<https://www.mfa.gov.lk/repatriation-from-kuwait/>

⁹<https://alt.army.lk/covid19/content/4386-persons-are-still-quarantine-44-island-wide-qcs-nocpco>

¹⁰<https://alt.army.lk/covid19/content/4386-persons-are-still-quarantine-44-island-wide-qcs-nocpco> 'By this evening (1600 hours), 05 more new COVID-19 positive cases were reported among heroic sailors. In the meantime, 04 more heroic sailors recovered and left hospitals today (14). As of now, heroic sailors of the Navy confirmed positive to the COVID-19 virus stand at 882 in total'; <https://www.mfa.gov.lk/ta/4339-promotional-seminar-on-remittances-organised-for-the-sri-lankan-migrant-community-in-israel/>

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Arab Emirates (UAE) have now agreed to conduct this test without cost to Sri Lankan migrant workers who are to be repatriated.¹¹

Critical Living Conditions of Migrant Workers

The situation of migrant workers both blue-collar and undocumented continues to be of serious concern. Many blue-collar workers who had received steady monthly incomes that paid for the rent for accommodation, food, schooling for children, healthcare have seen their salaries greatly reduced. This has meant that they are unable to pay their cost of living much less support their families. Prolonged periods of lock downs also severely restrict their ability to obtain basic necessities.

Undocumented or unregistered migrant workers have become one of the most at-risk groups. With the implementation of lockdowns and lay-offs, these workers are facing much hardship with no income to pay for food or lodging; some have been compelled to seek shelter in camps when Sri Lankan missions have been unable to provide them with shelter. Reports on the conditions of women who are pregnant in Gulf countries have revealed the extreme conditions of vulnerability they face.¹² The Sri Lankan government has initiated a programme of providing support in some countries such as dry rations to migrant workers who are stranded or unable to return.¹³ While this is commendable in the current context, this has to be recognized as a short-term measure which is only reaching a relatively small number of migrant workers in a few countries. We also note that the government has been able come to an agreement with the government of Italy to facilitate the regularise visa status of Sri Lankans through a special amnesty.¹⁴ Such discussions must necessarily be undertaken for the benefit of such workers in other countries where Sri Lankans who migrated for employment are without legal documentation.

Returnee Migrant Workers

At present, it is reported that at least 50,000 migrant workers have requested repatriation to Sri Lanka. The issue that needs to be addressed urgently is the formulation and implementation of policies both for short term and long-term remedies on what the country can give back to these

¹¹<https://www.mfa.gov.lk/lebanon-free-pcr-tests/>

¹²<https://www.pressreader.com/sri-lanka/sunday-times-sri-lanka/textview>; Desperate Cries for help from Sri Lankan Mothers to be stranded in West Asia. 14 June 2020.

¹³<https://www.mfa.gov.lk/foreign-ministry-and-slbfe-assist-sri-lankans-in-the-middle-east/>

¹⁴<https://www.mfa.gov.lk/sri-lanka-missions-facilitate-to-regularise-visa-status-of-sri-lankans-in-italy-under-special-amnesty/>

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workers whose contribution to the country's economy and the living standards of large sections of the population is unparalleled.

An issue that is surfacing is the alarming reports of social ostracizing of returnees who return to their villages, towns and homes after the completion of the mandatory period of quarantine. These persons are often regarded not as having been cleared medically of any infections but as persons who are carrying the virus and a danger to the community.

With the prospect of thousands of migrant workers returning to Sri Lanka in the course of this year, we strongly recommend that the government proactively ensure their wellbeing in society and employment opportunities within the country. The COVID-19 pandemic is not likely to fade away within a few months. It is likely to be a critical factor for the health of all citizens in the country and for those employed overseas.

Government Policies and Programmes for the future

We recognize and appreciate the efforts that the Sri Lankan government has made to repatriate migrant workers.¹⁵ The government has initiated moves to find new overseas employment opportunities such as in South Korea, new markets for Tea and markets for Protective Gear.¹⁶ At the same time, it is also important that the government respects the rights of Sri Lankan citizens stranded overseas. Priority must remain that of assisting migrant workers to return to Sri Lanka in the midst of this pandemic irrespective of whether they may lose their current employment. The suspension of flights bearing Sri Lankan migrant workers to Sri Lanka from West Asian countries in the month of April, for example from Kuwait, once again raises concerns on the situation of those being left behind. How can services for migrant workers whose return is being delayed be strengthened? What access do Sri Lankan migrant workers employed overseas have to information on safe return? Will the government increase Quarantine Centers in the country to receive the growing number of returnee migrant workers? What measures are being taken for in-country employment of returnees?

We make the following recommendations to the government as actions that can be taken as immediate responses to the issues that are surfacing due to the COVID-19 pandemic. The recommendations provided are to convey the concerns put forward by civil society for necessary action, as a way to provide relief to the affected migrant workers.

¹⁵ <https://www.mfa.gov.lk/media-release-7-5-2020/>; <https://www.mfa.gov.lk/repatriation-from-kuwait/>;
<https://www.mfa.gov.lk/reassures-continued-repatriation/>

¹⁶ <https://www.mfa.gov.lk/foreign-secretary-outlines-role-missions-tackling-covid-19-pandemic/>;
<https://www.mfa.gov.lk/foreign-minister-discusses-repat-and-new-job-opportunities/>

RECOMMENDATIONS: The Sri Lanka Government:

1. Ensure that the bilateral agreements entered into with each country are honoured with the protection of the contractual obligations of the employer to employees.
2. Enhance the measures that are being used to identify Sri Lankan migrant workers who are at risk of losing their jobs or have already lost their jobs and account for all steps taken to redress these grievances.
3. Protect the human rights and self-respect of vulnerable migrant workers as well as of those migrant workers who request repatriation due to lack of income, access to adequate healthcare and violation of employment contracts.
4. Engage in constructive discussion with countries of employment to ensure healthcare and social protection coverage for all Sri Lankans employees.
5. Engage in constructive dialog with countries of employment to mitigate any possibilities of incidents of trafficking, particularly among those who are currently without valid visas.
6. Formulate effective measures to establish special mechanisms within Ministries such as Labour, Social Welfare, Economic Affairs, Women's Affairs, Agriculture, Small Industries to formulate programmes for the socio-economic reintegration of migrant workers who, having returned to the country due to the pandemic do not wish to or are unable to return to employment overseas.
7. Put in place a programme to expedite the provision of debt relief to migrant workers who have obtained loans from banks in Sri Lanka prior to or while being employed abroad.
8. Develop support programmes for dependent families of migrant workers in Sri Lanka who are facing financial hardship due to termination of employment or long delays in remittances of family members overseas. These programmes could be to initiate to delay or cancel payment of financial burdens such as rent for housing or loans for self-employment enterprises of these families.
9. Intervene to initiate a constructive social dialogue through the media to prevent the stigmatization and marginalization of migrant workers and their family members who have completed mandatory quarantine procedures.
10. Actively engage with countries of destination to offer a period of amnesty for regularisation of visas for Sri Lankan migrant workers who currently do not have legal documentation.