



International
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Organization



Return and Reintegration in Sri Lanka: Creating an empowering landscape for returnee migrant workers

BACKGROUND

In Sri Lanka, remittances from foreign employment contribute to almost 10 per cent of GDP, the highest non-traditional foreign exchange earnings for the country. This has continued for the past three decades and seen two generations of migrant workers embark on migration for employment. It is vital that the nation recognizes the benefits brought in by migrant workers and facilitates a

more holistic contribution through skills, language and cultural experiences of returnee migrants, significant to the overall development of the country of origin.

In order to maximize its full potential into development outcomes, the process of return and reintegration has to be managed effectively while empowering and protecting the returnees and their families.

THE LEAD UP

Returning workers hail from numerous demographical areas and represent diverse groups whether in gender, age, marital status, skills and even psychological well-being and hence, require well planned reintegration dependent on their individual socio-economic circumstances.

Research conducted by the University of Colombo for the ILO in 2012, indicates that among 2000 migrant workers across 15 districts in the country of whom 75% were women, primarily domestic workers, embark on migration for work due to a number of influences.

Push factors

- Irregular income and indebtedness
- Home construction, purchase of land or dowry accumulation in lieu of marriage
- Children's education
- Spouse's alcoholism
- Domestic violence
- Illness of an immediate family members

Some are faced with fraudulent employment agencies, contractual misrepresentations resulting in harassment at

their workplaces. On their return, due to limited access to knowledge and services for reintegration, they embark on migrating for a second and third time.

Challenges upon their return

- Limited access to advisory services
- Majority have minimal education, possess limited informal or formal training and no skills for employability in the labour market
- Unable to find employment upon return
- The money earned spent on i.e mortgages, medical emergencies and consumer durables
- Saving and investing not a priority
- Broken family structures
- Children affected by neglect, vices, abuse, addiction and dropping out of school
- Spouse addiction and infidelity
- No record of their return by authorities

Return and reintegration should not be considered in isolation or as the final step in the migration cycle, but considered at the pre-migration stage.

INTERNATIONAL LABOUR ORGANIZATION INSTRUMENTS SUPPORTING RETURN & REINTEGRATION

The International Labour Organization's (ILO) **Multilateral Framework on Labour Migration (2006)** is a comprehensive best practice framework for the management of labour migration. It encourages return and reintegration into the country of origin and identifies areas through which migrant workers can be better protected to maximise the development contribution from migration.

Prior to departure on migration for work, the **Migration for Employment Convention 1949 (No.97)** stipulates that recruiters should advise potential migrant workers on matters relating to their return, communicated in a language they understand. It also calls on governments to avail returnee migrants of unemployment protection and employment promotion services. It also requires the State to facilitate reintegration of migrant workers' children into the education system.

The **Migrant Workers (Supplementary Provisions) Convention 1975 (No. 143)** provides a collective of protection elements for regular and irregular migrant workers, including those trafficked. This includes empowering migrant workers and their families with the right to preserve their national and ethnic identities, as well as their cultural ties to their countries of origin.

The **Domestic Workers Convention, 2011 (No. 189)** emphasizes on standards for employment of domestic workers and stipulates that employment contracts for migrant domestic workers should unambiguously detail the terms of repatriation (if any) and that the repatriation processes for domestic workers should be comprehensively regulated.

KEY CONVENTIONS AND MECHANISMS SUPPORTING REINTEGRATION

The rights enshrined in the **Convention on the Protection of the Rights of all Migrant Workers and Members of their Families 1990** apply to migrant workers regardless of legal status throughout the migration cycle. Article 67 calls on the State and relevant authorities to promote adequate economic conditions for returnee migrants, facilitating consistent and sustainable social reintegration into the country of origin.

The UN General Assembly's second High-level Dialogue on International Migration and Development 2013 recognizes return and reintegration as an integral facet of the contribution of migration into a nation's development agenda.

KEY INSTITUTIONS SUPPORTING REINTEGRATION IN SRI LANKA

The Sri Lanka Bureau of Foreign Employment (SLBFE) is entrusted with providing services to prospective in-service and returnee migrants and their family members under the **Sri Lanka Bureau of Foreign Employment Act 1985 (No. 21 amended in 1994 and 2009)**

Established in 2007 in response to the fast expansion of labour migration, the Ministry of Foreign Employment, is tasked with the formulation and implementation of policies relating to foreign employment. In addition, over 13 Sri Lankan Diplomatic Missions in countries which have considerable numbers of migrant workers have established labour welfare units, operationalized by staff from the Ministries of Labour and

Foreign Employment. These units support migrant workers' welfare and redress grievances.

REINTEGRATION POLICY FRAMEWORK IN SRI LANKA

The Sri Lanka National Labour Migration Policy 2008, developed with technical support from the ILO, states that the Government shall design and implement a mechanism to facilitate return and reintegration services for migrant workers through a collaboration between civil society, employers and trade unions to enhance benefits from labour migration. The policy is constructed on the triad of governance of the migration process, protection and empowerment of migrant workers and their families and linking migration to development.

The establishment of the National Advisory Committee on Labour Migration under the aegis of the Minister for Foreign Employment collates the knowledge and experience of experts, scholars, practitioners and recruiting agencies into policy formulation. The six major areas that comprise this Committee's focus includes reintegration of migrant workers, linking of migration and development, ethical recruitment, research into new markets for employment, training and skills development and protection and empowerment of migrant workers and their families.

REINTEGRATION SERVICES OF THE SRI LANKA BUREAU OF FOREIGN EMPLOYMENT

DIRIYA PIYASA HOUSING PROGRAMME

In collaboration with Samurdhi Authority, migrant workers are eligible for low cost loans ranging from Rs. 300,000 (US\$2,300) to Rs. 500,000 (US\$3,800) to construct their homes, provided land ownership is established. Repayable monthly over 60 months at Rs. 5,000 (US\$38) per month, this ensures that the primary need of a home is fulfilled for these migrant workers, upon return of a 2 year contract period.

SELF-EMPLOYMENT LOANS

A significant feature in the return and reintegration process is economic empowerment. Self-employment loans for a maximum of Rs. 50,000 (US\$380) are availed through the Samurdhi Bank to migrant returnees. These loans however are disseminated only to migrant workers who are able to fulfill the Samurdhi criteria.



SPECIAL ASSISTANCE TO MIGRANT WORKERS WITH DISABILITIES FOR HOUSING AND SELF-EMPLOYMENT

SLBFE has focused its attention on economic reintegration of migrant workers who have returned with disabilities afflicted through overseas employment, providing them affordable housing and livelihood options for their economic empowerment. In 2013, seven returnees were provided with assistance and for returnees with a disability twelve retrofitted houses were constructed. Seven new houses were completed in 2014, while six are being constructed in 2015.



CAPACITY BUILDING

SLBFE facilitates regular entrepreneurship training, assistance for re-employment and bridging skill gaps, vocational training for children of in-service migrant workers and recognition of skills through 'Recognition of Prior Learning' and certification. In addition, SLBFE matches returnees' skills and experience to applicable work sites as part of the Korea-EPS Happy Return Programme, considered a best practice in return and reintegration.

The Korea-EPS Happy Return Programme is based on the Employment Permit Scheme in South Korea and is designed to assist returnee migrants successfully reintegrate into their home country. Implemented in two stages, namely before return and after return. Migrant workers gain an orientation before their return to their home country supported by training to upgrade skills required for reintegration. It is followed by a job introduction programme with exposure to job matching opportunities through job fairs and other networking opportunities.

WELFARE SERVICES

The SLBFE engages in social support services to ensure that the return and reintegration process is a much more inclusive one.

- Counselling and legal support
- Support for those with injuries and/or disabilities resulting from overseas employment
- Immediate repatriation in response to civil unrest in countries of employment
- Relief center 'Sahana Piyasa' with residential facilities operating 24/7/365, have been established in the vicinity of the Bandaranaike and Mattala International Airports, assisting those who have faced difficulties during employment overseas or for those who require immediate medical or other assistance upon arrival.



EFFORTS OF THE MINISTRY OF FOREIGN EMPLOYMENT

- A special pilot project was implemented in Badulla in 2012 by the Ministry to promote collectivizing of returnees through cooperative systems, with special emphasis on hand-loom production.
- Allocation made through the national budget of 2012 to implement projects that would facilitate entrepreneurship among returnees by infusing savings as investments into new ventures, duty free equipment for small enterprises and tax exemptions for five years.

ILO INITIATIVES IN SUPPORT OF DEVELOPING A REINTEGRATION POLICY

Research

A study on perspectives of 2000 return migrants from 15 high migration districts throughout the country (for more information visit http://www.ilo.org/colombo/whatwedo/publications/WCMS_233365/lang--en/index.htm).

Piloting services to support reintegration

The pilot was implemented in selected villages in Wariyapola, Polpithigama and Rideegama DS Divisions in Kurunegala District and Ampara and Samanthurai DS Divisions in Ampara District, in 2012. The experiences led to policy recommendations. The pilot was implemented under the leadership of the SLBFE, with collaboration of respective district secretariats, trade unions and civil society.

Social mobilization

- 340 returnees were mobilized with some nominating their children for training and subsequent support for entrepreneurial ventures.
- A pool of 41 trainers in Start and Improve Your Business (SIYB) was established. Government officials from SLBFE and sub-districts (Divisional Secretariats), representatives of agencies providing technical skills training, trade union members and CBO staff formed the trainer group.

Skills for employment

Entrepreneurial skills training for launching and improving businesses were conducted for those selected.

- 122 return migrant workers trained in **Start Your Business**
- 121 return migrant workers trained in **Improve Your Business**
- 23 return migrant workers trained in **Generate Your Business Idea**
- Skills and technical training imparted in dress making, food manufacture, packaging and marketing, brick & flower pot making

Psychosocial services

- A leaflet on aspects of safe migration aimed at returnees, prospective migrants and family members to enhance awareness
- Conduct of one-day programmes to provide information on available financial services and technical training institutions
- Individual support & referrals

MOVING FORWARD - SIX STRATEGIC FOCUS AREAS IDENTIFIED

It is necessary to have a multi-sectoral approach that engages multiple stakeholders who are vital conduits in ensuring that the national plan for reintegration meets its goals.

Rapid assessments were conducted in Matara, Ratnapura, Ampara & Badulla Districts at field level and consultations with various stakeholder groups were held. This experience & learning saw the identification of six strategic areas as the axis upon which the reintegration sub-policy should revolve.

Holistic approach to reintegration - social, economic, and psychological reintegration

Studies have comprehensively detailed that social and psychological reintegration is fundamental to economic reintegration, the reality is that years of absence from family and community can prompt significant social and psychological isolation leading to immense trauma for workers and their family members. It is imperative that the reintegration process be holistic, working on a formula that will build and forge all stakeholders into the trusses of reintegration.

Information management on migration, return and reintegration

While initiatives have been embarked upon to collect information on migrants registered and leaving the shores of Sri Lanka, the lack of a cohesive approach in collating and maintaining records of return migrants has naturally prompted haphazard reintegration planning. It is envisaged that if a reliable and retrievable database is available at district and national level, national multi-sectoral planning could be done in a more comprehensive holistic manner.

Inter-sectoral and inter agency coordination for effective service provision

A more coherent coordination and planning process is needed for services to migrant workers at all levels, from national, to regional and district, linking migration to development. Close collaboration and coordination among ministries, agencies, trade unions and civil society must be facilitated to secure not only the well-being of the returnee worker but also to secure their rights.

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Capacity development of migration sector staff

There is need to augment capacity development among key officials and related personnel working in the migrant sector. Gaps have been identified at all levels, among those working within labour migration related organizations and in Sri Lankan Diplomatic Missions. Training and development must be conceptualised to build knowledge and skills and provide tools to be innovative and forward thinking in planning and implementing reintegration programmes. This may also include sensitization of the services providers to better serve the migrant worker population and their families.

Recognition, upgrading and standardization of skills of migrant workers

Skill assessment, grading systems and certifications augments the employability of the migrant worker, while also being an effective tool in identifying prevalent skill gaps. Ideally, this will lead to systematic skill enhancement customised for labour market requirements in both the host and country of origin, bridging yet another gap in the lack of awareness on opportunities available, which have been revealed in field consultations. This would also assuage some of the challenges faced by the majority of the migrant workers, especially females, who are low-skilled or semi-skilled, which permeate to below par remuneration, unstable employment, undesirable working conditions and low bargaining power.

Mobilizing, Collectivizing, and building networks of migrant returnees

Empowerment lies at the heart of the migrant returnee, in order for them to claim their rightful place in both the social and economic spheres. To optimize on their collective strength, migrant workers should be brought together as a collective voice, a singular champion that spurs immense bargaining power. Given the significant contribution made by these migrant workers to the national economy, it is unequivocally their right to demand benefits from the State, which through the migration policy will effectively ensure a plethora of services, benefits, recognition and dignity, while also adding skill enhancement, funding benefits and other assistance for entrepreneurial ventures.

- A multi stakeholder national workshop on return & reintegration was held in October 2014 to develop a policy framework based on the strategic focus areas.
- A National Action Plan on Return & Reintegration is being developed.
- ILO aims to provide further support to implement the National Action Plan on Return and Reintegration.

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