

The business of migrant labour in governance, and diplomacy



From times before the outbreak of the Covid19 pandemic, we have been living with multifaceted problems and crises in the world. Countries are living with internal political, social, and cultural conflicts, border conflicts and tensions, geopolitical tensions, economic and health concerns, and catastrophic climatic disasters.

As these tensions continue the pandemic has exacerbated the situation further. On top of this, there is the scourge of corruption and, corrupt political leadership and the massive debt trap and debt burden nations are caught in, Sri Lanka included. These factors have changed the political and diplomacy landscape in our countries with geopolitics trapping and pulling nations from one side to another.

With the outbreak of Covid19, as much as nations were taken unawares, nations were not prepared to manage and deal with the pandemic of such magnitude. The dynamics of the coronavirus was changing rapidly with new variants, mutants and sudden clusters emerging that country-level epidemiology programmes were finding it difficult to cope with and manage the constant changes. This not only affected the health sector. It began to affect the economic sector of countries.

Migrant labour



The majority of Sri Lanka's migrant workers are from villages. A majority are still in the unskilled and semi-skilled or in the elementary skill categories. A large number are women domestic workers. In this labour mix there are a large number who have been categorized as undocumented workers whose fundamental rights are denied by origin country and host country state authorities.

At one point authorities were unwilling to roll out a repatriation plan fearing there could be an exodus of infections as they reached home and that they could infect their families,

communities, and the local population. They were denied their request and pleas also as authorities stated they did not have local facilities to quarantine the repatriated workers.

Here is a population that contributes enormously towards the national coffers by way of US\$6-8billion annually, and they were denied their legitimate request to be repatriated and quarantined at the cost of the state. Instead, the state decided to place a price tag for repatriation and insisted that repatriation can be made possible only if the heavy price tag was paid. The state-sponsored and state patronized business entities made handsome, unfair, and illegal profits at the cost of stranded and distressed migrant workers.

A majority of the repatriated workers had to fork out as much as Rs.400,000 to be repatriated and were compelled to conform to the government's inhumane quarantine plan which included paying for 14-day hotel accommodation and the PCR tests that they never bargained for. Many fell into further debt and as they lost all their savings to a select few of state-sponsored unscrupulous profiteers.

Governance



During the height of the Covid infections in destination countries and when thousands of migrant workers were laid off their jobs, their wages were not paid, and their in-service benefits were denied the Sri Lanka government decided to recall its consular staff from 14 popular labour receiving countries.

Since Covid19 breaking out in the world and in our country, for the past 12-15 months civil society and trade union movements and migrant workers and their families have made many suggestions, recommendations, and representations through its weekly media blog to the government seeking relief and assistance to the migrant worker community.

Sadly, the responsible ministries and their institutions did not even have the simplest courtesy of responding or acknowledging the many requests and recommendations made. Such is the callous disregard that the government continues to show towards the migrant worker population who continues to be the “breadwinners” of our economy toiling in foreign lands and sending the wages back home in the form of foreign remittances.

We firmly think the government betrayed its migrant worker population by allowing a handful of cunning and ruthless business operators to take advantage of a desperate situation for their own gains and profits. The government failed in its governance to protect the interest of the migrant worker population.



Diplomacy

About two weeks back we saw the President of the Philippines, Rodrigo Duterte at a phone conversation with the Crown Prince of the Kingdom of Saudi Arabia demanded that the Kafala system be abolished for the good of his migrant workers. He said he was not prepared to allow his citizens to suffer at the hands of foreign employers. He insisted that his citizens are respected and that their rights must be protected by destination countries. This is the kind of commitment we see from the Philippines government on the labour migration discourse. Sadly, we see no such commitment or assurance from the Sri Lanka government.

The in-service reports we continue to receive from migrant workers are atrocious to say the least. We are informed that the people management skills of the consular staff are at the lowest ebb as many have no knowledge to handle and acknowledge worker issues. Their arrogance, disrespectful behaviour, and impatience towards addressing labour issues and repatriation concerns have been appalling.

Our mission staff have failed to address the massive wage theft and the unreasonable employment layoffs and the many other contract violations with employers, agents, and government counterparts in the destination countries. Such negligence and reluctance have, in fact, contributed to the government supporting modern slavery of its labour force in foreign markets.

A proposed way forward

In the government's national policy framework – “vistas of prosperity and splendour” document, it spells out a four-fold outcome namely of (a) a productive citizenry, (b) a contented family, (c) a disciplined and just society and (d) a prosperous nation. These are achieved through 10 key policies. The government must walk its talk if it wants to raise report card to a decent score.

On the labour migration front we propose the following:

Ø Undertake a review of migration trends in popular destination countries, including those countries where Sri Lankan labour stock is not strong in numbers. Review destination country labour policies in the light of the present Covid situation and collaborate with these nations to offer labour with greater responsibility and precautions.

Ø Review the current bilateral or MoU agreements with nations and modify and improve the contractual obligations that will take in the learnings from the Covid situation, especially in avoiding wage thefts, wage deductions, arbitrary layoffs, and decent repatriation plans.

Ø As civil society representatives we felt the government did not do much at all to the stranded and distressed migrant worker population including their families. We call upon the government to be accountable and responsible to its citizens' fundamental rights, especially when in distress in foreign countries, for this is a fundamental obligation, responsibility, and commitment of the state.

Ø Prepare for future events such as another Covid19 like pandemic and design policies and agreements with host nations in fulfilling the health rights and other labour rights of migrant workers. Make certain that insurance policies for migrant workers cover such eventualities.

Ø Strengthen Sri Lanka's diplomacy and diplomatic relations with destination countries and keep an active and assertive dialogue with counterpart authorities, thereby establishing strong diplomatic policy on labour migration as its primary focus with popular destination countries.

Ø There are large numbers of workers leaving our shores on visit visas for many of them don't trust the recruitment process and have not got any assurance from the government for their job security. They pay large sums of money to recruiters to secure job placement. This is because there is no ethical standard, monitored guidelines or government guarantees, systems and safeguards put in place. Government must be serious and responsible to put in place a decent and corrupt-free recruitment policy with zero recruitment cost or by negotiating for the "employer pays all" model.

Ø A large number of returned and repatriated workers are without jobs for several months. Many of them were denied their wages and on top of it had to fork out large sums to return home. They are in very serious debt. Government must develop an effective return and remigration plan and return and reintegration plan with state-sponsored benefits, offer them a relief package beyond the Rs.5,000 monthly payment and refer them to local job opportunities and re-migration opportunities without levying any charges or fees honouring and respecting the service they rendered to the nation by way of their remittances.

Ø Government must take a firm, supportive and protective stand on women migrant workers in the elementary job fields as their concerns were severely overlooked and contracts were blatantly violated. The government's gender response policy must be clear if it is to promote female labour migration and benefit from their remittances.

Ø Finally, we are yet to see a proactive response from the government in working with civil society organisations. The "whole of government and whole of society" approach has to be strengthened in policy and practice as we are the representatives of migrant workers. A people centered governance approach is what we recommend for the mutual benefit and recognition of the labour migration discourse.

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