



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

In my capacity as Chairperson of the Committee on Migrant Workers (CMW), I have the honour to refer to the examination of the second periodic report of Sri Lanka at the Committee's twenty-fifth session, held in August/September 2016. At the end of that session, the Committee issued its concluding observations (CMW/C/LKA/CO/2). You may recall that in the concluding observations the Committee requested Sri Lanka to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 9, 11, 37 and 45 of the concluding observations.

At its thirty-fourth session, held in March/April 2022 in Geneva, the Committee examined the follow-up report of the State party (CMW/C/LKA/FCO/2). The Committee welcomes the follow-up report received in July 2020 under the CMW follow-up procedure and commends the State party for furthering implementation of the Convention. With respect to the follow-up report, the Committee notes the following:

Regarding the recommendation made in **paragraph 9** of the concluding observations, the Committee encourages the State party to continue to take the necessary steps to adopt comprehensive legislation on migration by ensuring that (i) a draft Employment Migration Authority Bill is adopted; (ii) that the proposed amendments to the Sri Lanka Bureau of Foreign Employment Act No. 21 of 1985 are enacted to promote and protect the rights of migrant workers and members of their families; and (iii) other appropriate amendments are made to its legislative framework so that it is in line with the provisions of the Convention. **The Committee considers that the recommendation contained in paragraph 9 has been partially implemented.**

In regard to the recommendation made in **paragraph 11** of the concluding observations, the Committee encourages the State party to strengthen its efforts to implement its recommendation to withdraw the declarations and reservations made with respect to articles 49 and 54 of the Convention. **The Committee considers that the recommendation contained in paragraph 11 has not been implemented.**

His Excellency
Mr. C. A. Chandraprema
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Republic of Sri Lanka to the United Nations Office
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Regarding the recommendation made in **paragraph 37** of the concluding observations, the Committee regrets the absence of information provided by the State party as to whether there are any laws, which provide a right to migrant workers, including those in an irregular situation, to take part in trade union activities and to join trade unions freely, and whether they, in practice, exercise such a right. It encourages the State party to take all necessary measures, including legislative amendments, to guarantee all migrant workers, including those in an irregular situation, the right to take part in trade union activities and to join trade unions freely. **The Committee considers that the recommendation made in paragraph 37 has not been implemented.**

Regarding the recommendation made in **paragraph 45** of the concluding observations, the Committee regrets the lack of specific information provided by the State party to increase its efforts to facilitate the right to vote by Sri Lankan nationals residing and working abroad in the presidential and parliamentary elections held in 2020. It encourages the State party to take the necessary measures to implement the recommendation, including legislative amendments, to guarantee the right to vote for Sri Lankan migrant workers and members of their families abroad in future presidential and parliamentary elections. **The Committee considers that the recommendation contained in paragraph 45 has not been implemented.**

The Committee looks forward to continuing its constructive dialogue with the authorities of Sri Lanka on the implementation of the Convention and welcomes the Sri Lankan authorities to share information pertinent to the above in its next periodic report and request any assistance it may need.

Please accept, Excellency, the assurances of my highest consideration.



Edgar Corzo Sosa
Chair

Committee on the Protection of the Rights of All
Migrant Workers and Members of Their Families