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இலங்கை மனித உரிமைகள் ஆணைக்குழு
HUMAN RIGHTS COMMISSION OF SRI LANKA

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Date }

26th Nov 2020

H.E. Gotabaya Rajapaksa
President of the Republic of Sri Lanka
Presidential Secretariat
Colombo 1

Your Excellency,

Urgent Action Requested to Repatriate Sri Lankan Migrants Stranded Overseas due to COVID-19 Travel Restrictions in Fulfilment of Sri Lanka's Human Rights Obligations

We write with reference to numerous complaints which the Human Rights Commission of Sri Lanka ("Commission") has received from Sri Lankan migrants and their families who are stranded overseas due to COVID-19 travel restrictions. The complainants state that they have paid the airfare, subjected themselves to necessary PCR tests, but still stranded overseas without even basic amenities to survive, despite the promise made by the Government to repatriate them in early November. Further, many of them have either had their visas canceled or expired, thereby converting them into illegal immigrants.

While the Commission highly commends all the efforts made by Your Excellency and the Government of Sri Lanka to curb the spread of this virus, and fully recognizes the special need of this critical hour to restrict certain rights of people in the interests of public health, it is incumbent on the Commission per its lawful mandate to inquire into complaints and make necessary recommendations regarding measures to be taken to ensure that administrative practices are in accordance with our constitution and international human rights norms and standards.

In this regard, the Commission wishes to emphasize that under the provisions of our Constitution, and various international treaties which Sri Lanka has ratified, such as the Migrant Workers' Convention and ICCPR, the migrant workers and their families have been granted the right to return to their State of origin. Moreover, State departments, such as the Ministry of Foreign Employment and Sri Lanka Bureau of Foreign Employment, have pledged to ensure the protection and wellbeing of our migrant workers from the day of their departure to the day of return to Sri Lanka. Further, the UN Committee on Migrant Workers, on which Sri Lanka has

served from its inception, has called on governments to ensure an orderly, safe, and dignified return for all migrant workers to their home countries. Thus, the Commission urges the Government to take immediate action to secure the safe repatriation of the migrants and their families stranded overseas in fulfillment of Sri Lanka's national and international human rights obligations.

Your Excellency, as you are aware, Central Bank of Sri Lanka stated that Sri Lanka's current economic situation is being stabilized by workers' remittances which, in August 2020, grew by 30% from the remittances in August 2019. Given the impact of the pandemic on worldwide migration, this is indeed a commendable effort by our fellow citizens. Our migrant labour has been the back bone of our foreign exchange earning capacity, sometimes exceeding the foreign income from investments, exports and our more traditional export oriented produce. Their services to our economy and country cannot be ignored and they deserve the strongest support in their current hour of need. So, we appeal to Your Excellency take immediate steps to repatriate them, and subject them to any necessary medical tests and quarantine procedures upon their arrival to Sri Lanka to protect the health interests of the general public and maintain public order.

We trust Your Excellency will, as Head of State, give due consideration to this appeal and take necessary action in a timely manner in fulfilment of Sri Lanka's pledge to equally protect the rights of every citizen whether they are within the country, or stranded overseas.

Our Commission has already written to the Minister of Foreign Affairs and the Chairman of Sri Lanka Bureau of Foreign Employment in this regard.

Thanking You,



Ramani Muttettuwagama
Commissioner in charge of Investigations and Inquiries
Human Rights Commission of Sri Lanka