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# The Process of Sri Lankan Migration to Australia Focussing on Irregular Migrants Seeking Asylum

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This paper is one of a series of occasional papers produced as part of the Department of Immigration and Border Protection's Irregular Migration Research Programme (Research Programme).

The Research Programme is intended to strengthen the evidence base on irregular migration, and is built on research framed in an open, inquiring manner that is objective and non-partisan. More information about the Research Programme can be found at:

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The Occasional Paper Series aims to provide information on, and analysis of, specific irregular migration issues of relevance to Australia, within a broader migration and/or global context.

The opinions, comments and analyses expressed in this document are those of the author(s) and do not represent the views of the Department of Immigration and Border Protection.

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## EXECUTIVE SUMMARY

1. This research was commissioned under the DIBP-ANU Collaborative Research Programme. It offers insights into the drivers, determinants, and decision-making of irregular migrants from Sri Lanka. The research adopted a multi-site, mixed method approach to analyse irregular migration within the broader context of all Sri Lankan migration to Australia. Numerous Sri Lankan and Australian secondary data sources were examined and several interviews were undertaken with key informants, including Irregular Maritime Arrivals (IMAs).
2. Sri Lanka is one of the contemporary world's major emigration nations. Australia is an important destination country and home to Sri Lankan diaspora, who maintain strong linkages with home.
3. During the late 1970s, labour migration opportunities to Middle Eastern countries brought about a boom in Sri Lanka's migration industry, including an expansion of the number of authorised and unauthorised agents sending unskilled and semi-skilled labour abroad. Although a coherent framework for governing labour migration exists in Sri Lanka, a substantial proportion of migrants prefer to take up informal channels to organise their migration.
4. Regional disparities in development in Sri Lanka have led people to migrate locally or internationally looking for better income opportunities. A strong local culture of migration has developed whereby migration – especially international migration – is entwined with prosperity; migration is seen as a normal way to improve one's economic situation or a means to navigate a crisis. Internal migration – especially rural-urban movements – can be the first stage in the process towards later international migration. Migration outflows from Sri Lanka can be permanent, temporary and circular. Irregular migration has been, and continues to be, an important element of Sri Lankan emigration.
5. Sri Lankan immigration to Australia has increasingly become skill dominated in recent years. Australia's introduction of a skilled temporary worker visa, as well as student and working holiday maker visas in the mid-1990s, reshaped Sri Lankan migration to Australia. Australia is the destination of over a third of Sri Lankan students going overseas. A pattern has emerged of Sri Lankans travelling to Australia as students or skilled temporary workers and, upon completion of their studies or work contracts, taking out permanent residence. Interestingly, the permanent flow in the other direction – from Australia to Sri Lanka – is highly skilled, giving weight to the notion of Sri-Lankan-Australian migration being complex, interactive and multi-directional rather than uni-directional.
6. Linkages between Sri Lanka and its diaspora have become increasingly important. The Australian Sri Lankan community is tightly knit and maintains strong linkages with the homeland, including through the sending of remittances. For many young Sri Lankans considering migration, the effects of remittances are testimony to the success which can be achieved through migration.
7. Sri Lanka has been a significant source of both asylum seekers and refugees since the mid-1980s. The impacts of the 30-year civil war between ethnic Sinhalese and Tamils has had a major impact on the migration patterns of Sri Lankans, particularly in relation to a continuous outflow of asylum seekers and refugees. Irregular maritime migration, however, is not a new phenomenon or an issue solely affecting Australia. Although Australia became the preferred destination of smuggled migrants in 2012-13, Italy was one of the major destinations in the past. In recent years, Sri Lankan IMA compositions have included both Tamils and Sinhalese suggesting that the reasons to travel irregularly by boat may not be purely related to protection.

8. This research found that the majority of Sri Lankan IMAs come from very poor families, and generally, have low levels of education and skill. This means that there are limited opportunities available to pursue a skilled migration pathway (either permanent or temporary). Rather than attempting to regularise or legalise current irregular migration corridors, this research suggests that there can be major benefits from enhancing managed migration in the region through the creation of alternative legal channels to the Middle East and Southeast Asia where there are increasing demands for unskilled labour migration.

## 1. THE IRREGULAR MIGRATION RESEARCH PROGRAMME

In August 2012, the Australian Department of Immigration and Border Protection (DIBP) established an Irregular Migration Research Programme (Research Programme) to identify and address the knowledge gaps in irregular migration research, with a particular focus on placing Australia's experience in a broader global and migration context. An underlying principle of the Research Programme is that the research be framed in an open, inquiring manner that is objective and non-partisan.

The Research Programme has been established as a multi-layered and integrated program including in-house research and analysis, commissioned research, a small grants programme, a multi-year research partnership arrangement with the Australian National University and a series of occasional papers.

The first occasional paper, *Establishing an Evidence-Base for Future Policy Development on Irregular Migration to Australia*, identified specific research gaps in the Australian context and made recommendations about how to fill these gaps, drawing on international experience.<sup>1</sup> In the first occasional paper, the authors highlighted the lack of research in Australia (and limited research internationally) on migrant decision making, recommending that further research be undertaken on decision making particularly as it relates to leaving origin countries and choosing a destination.

This occasional paper has been produced from research which was commissioned under the DIBP-ANU Collaborative Research Programme – one component of the broader Research Programme. The Collaborative Research Programme supports the broader Research Programme through the commissioning of research which offers insights into the drivers, determinants, and decision-making of irregular migrants.

## 2. INTRODUCTION

Sri Lanka is one of the contemporary world's major emigration nations. The United Nations (2013) has shown that there were 1.25 million Sri Lanka-born persons living outside of their country of birth, equivalent to 5.9 percent of the current Sri Lankan resident population. Australia is one of the important destination countries with an estimated 106,280 Sri Lanka-born population in 2013 (ABS, 2013a). While Australia has only 7.9 percent of the overseas Sri Lankan population, it is an important part of the Sri Lankan diaspora. It has not only been established for a long period (Weerasooria, 1988) but it is predominantly permanent settlers who have maintained important linkages with their homeland.

Sri Lankan immigrants are the 13<sup>th</sup> largest overseas-born group in Australia and their movement to Australia has a long history. It has become increasingly complex with movement in both directions

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<sup>1</sup> Koser and McAuliffe (2013).

and increasing levels of both permanent and non-permanent migration. This complexity increased with the sudden influx of over 6,000 Sri Lankan Irregular Maritime Arrivals (IMAs) seeking asylum and the repatriation of significant numbers in 2012-13. This study adopts a multi-site, mixed method approach to analysing this mobility within the broader context of all Sri Lankan migration to Australia. By collecting, analysing and interpreting quantitative and qualitative information from origin, transit and destination countries, the study seeks to understand the nature and drivers of the process of irregular movement from Sri Lanka to Australia. It investigates the characteristics of the movers and the decision making processes to undertake irregular migration, to select a destination and whether or not to return. It examines how individual, family and contextual factors influence the migration as well as the role of social networks and the Sri Lankan diaspora. The findings are related to migration theory and their implications for understanding irregular migration more generally and Australian IMA policy are discussed.

### 3. METHODS AND DATA

In Sri Lanka we collected existing research and secondary data sources and carried out key informant interviews with the Sri Lanka Police, Immigration and Emigration Officials, and Criminal Investigation Department since they deal directly with the Sri Lankan irregular maritime migrants who are captured at the Sri Lankan border and those who are sent back by the Australian authorities after disqualifying them for asylum status. The main secondary data sources that the current study used for its analysis are the:

- Sri Lanka Population Census 2012 (5 percent sample);
- Data from the Department of Immigration and Emigration;
- Data from the Sri Lanka Bureau of Foreign Employment;
- Airport statistics;
- Data from the Criminal Investigation Department on IMAs;
- Data from a few regional police stations; and
- Data and information from various media reports.

In addition, two people smugglers, four facilitators and 17 IMAs were interviewed to gather information about the process of irregular migration to Australia.

The Australian secondary data used here is of two types. The first is the quinquennial population census which is a high quality total count of the population in each year ended 1 and 6. Sri Lankans can be identified by their place of birth, their ancestry or the language which they speak at home. Here, we mainly use the birthplace information. Extensive use is also made of data collected at the Australian borders by all persons arriving and departing.

### 4. SRI LANKA – A QUINTESSENTIAL EMIGRATION COUNTRY

Sri Lanka's geographical position has had a significant impact on population movement into and out of the country over the years. According to the latest census of 2012, the total population of Sri Lanka was estimated to be 20,277,597. Sri Lanka is a multi-ethnic country, comprised of 75 percent of Sinhalese, 11 percent of Sri Lankan Tamils, four percent of Indian Tamils and nine percent of Moors and less than one percent of various other ethnicities such as Burgher and Malays. The Sinhalese population is substantially distributed over the Southern and Western parts of Sri Lanka while Muslims dominate the Eastern region and most Sri Lankan Tamils live in the Northern part of the island. However, a substantial proportion of Tamils live in the Colombo district, where the commercial capital

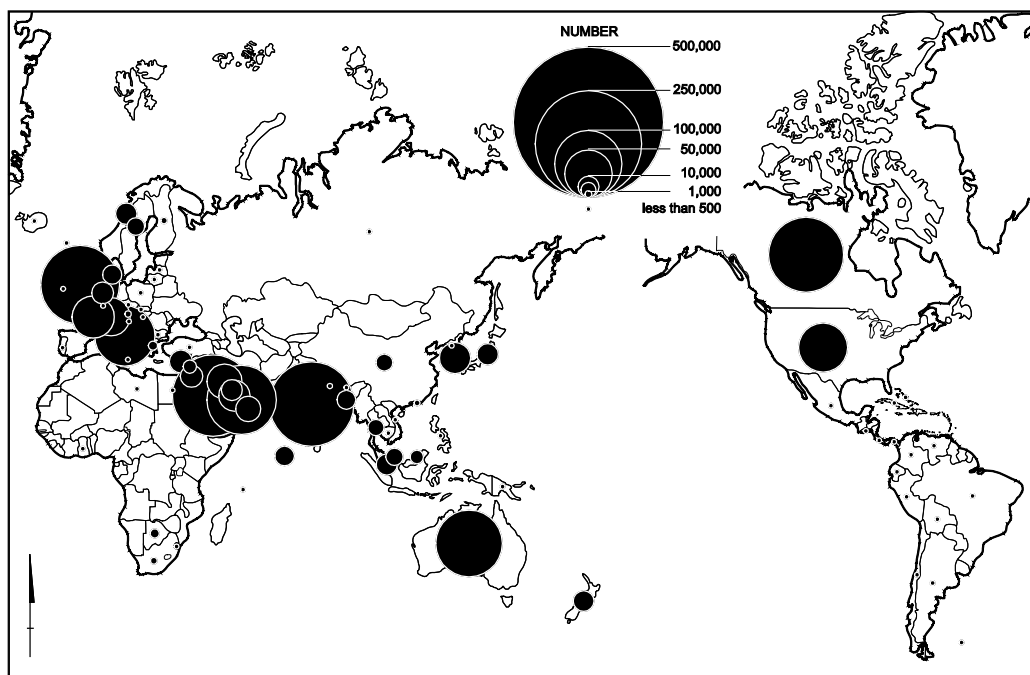
is located. The post-independence era has been significantly marked by the conflict between Sinhalese and Tamils and these tensions still have an enormous impact on political and economic development as well as migration patterns in Sri Lanka.

Impacts of the 30-year war, which ended in 2009, loom large when considering contemporary events in Sri Lanka. This is especially the case when examining the movement of IMAs to Australia since the majority came from the war-affected northern and eastern parts of the island. Sri Lanka experienced a series of socio-political disturbances for around 30 years which reduced growth and discouraged investment, destroyed human and physical capital, redirected natural resources to non-productive uses, and caused a dramatic deterioration in the quality of life – not only in communities in the North and East, but across all communities on the entire island.

Sri Lanka is a significant emigration nation with the United Nations (2013) showing that the number of Sri Lanka-born living in other countries increased from 0.8 to 1.3 million between 2000 and 2013. They make up 5.9 percent of the resident population of Sri Lanka. Figure 1 shows the distribution of these migrants. Jayasuriya and McAuliffe (2013, 6-7) explain that migration outflows of Sri Lankans can be categorised into five groups:

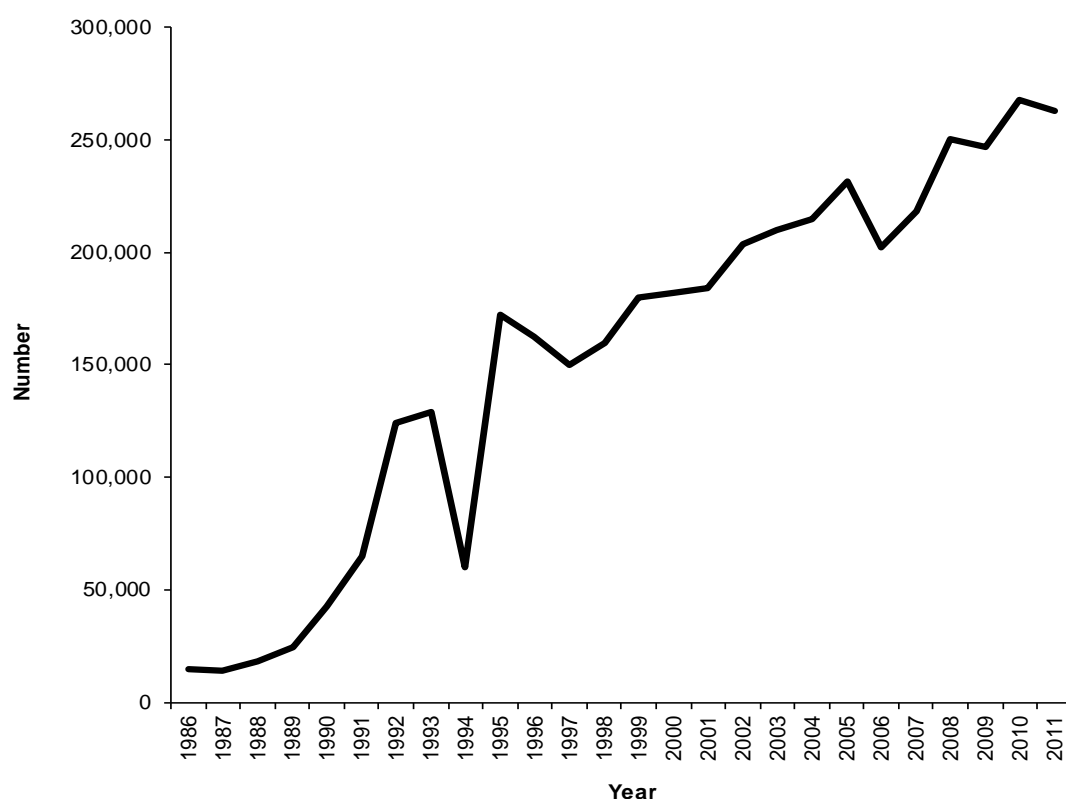
- Temporary workers (skilled, semi-skilled and unskilled)
- Skilled settlers
- Student migration
- Asylum seekers
- Tourists, including pilgrimages to Nepal and India.

**Figure 1: Countries of residence of the Sri Lankan Diaspora, 2013**  
Source: United Nations, 2013



Since several of these flows are temporary or circular, not all are captured in United Nations' estimates of the numbers of Sri Lanka-born persons resident outside of Sri Lanka. Contract labour migration of low skilled workers, especially female domestic workers to the Middle East, and a lesser extent, Southeast and East Asia, has increased, as Figure 2 shows.

**Figure 2: Sri Lanka: Departures for Foreign Employment, 1986-2011**  
Source: Sri Lanka Bureau of Foreign Employment



Irregular migration has been an important element in Sri Lankan emigration for several decades. It is difficult to estimate the size of this outflow because it occurs outside of the formal migration system.

There has also been a continuous outflow of refugees and asylum seekers which have mostly been associated with civil conflict involving Tamils in the north and east of the country. India has been the main destination, but as Jayasuriya and McAuliffe (2013, 15) point out, asylum seekers have also travelled within Sri Lanka, to Australia, Sri Lanka, UK, France, Switzerland, Canada, Germany, Japan and a number of other European, North American and Asian countries.

Linkages between Sri Lanka and its diaspora have become increasingly important. A major dimension of this has been the sending of remittances to Sri Lanka by expatriates overseas on a permanent or temporary basis. Remittances make up 10 percent of the national GDP. While the Middle East is the most important source of remittances, Australia is also a significant source. This reflects the fact that the Australian Sri Lankan community is a tightly knit one maintaining strong linkages with the homeland (Weerasooria, 1988).

Huge infrastructure development projects took place in the Middle Eastern countries during the mid-1970s and 1980s which attracted a large number of Sri Lankan unskilled or semi-skilled men, with women being recruited as housemaids. Gradually, South-East Asian countries have also started recruiting labour migrants from Sri Lanka.



It is important to note that there are also high levels of internal migration within Sri Lanka. At the 2012 population census, almost a fifth of Sri Lankans (19 percent – 3.86 million) were living in a district other than the one where they were born.

There is some evidence in Sri Lanka of a strong link between internal migration and international migration (King, Skeldon and Vullnetari, 1992; Hugo, forthcoming). Internal migration, especially rural-urban movement, can be the first stage to a subsequent international migration (King, 1976: 70-72; Skeldon, 2006: 22-24; Cornelius, 1992; del Rey Poveda, 2007: 291-292; Lozano-Ascencio et al., 1999; Zabin and Hughes, 1995). Nevertheless, direct migration from rural areas to international destinations also occurs in international labour migration flows (Cornelius, 1992: 162-163; Zabin and Hughes, 1995; Lozano Ascencio et al., 1999: 140). Emigration may also be preceded by more than one internal move in multi-step migration which suggests that it starts in a small village and then to provincial town and then on to the national capital before proceeding with an international move (Lozano-Ascencio et al., 1999). This suggests that it is imperative to study both the internal as well as international migration situations in order to understand the environment in which IMAs make decisions to migrate to Australia.

The effects of remittances and the obvious wealth of return migrants has sent a strong signal to many Sri Lankans, especially young people, that migration offers an avenue to success. The culture of migration is important to factor into any strategy to address the IMA issue.

## 5. SRI LANKAN MIGRATION TO AUSTRALIA

There is a long history of migration from Sri Lanka to Australia extending over most of the period of European settlement. Table 1 summarises the major historical waves of Sri Lankan settlement migration to Australia. The Sri Lankan community in Australia is currently the sixth largest in the Sri Lankan diaspora but Table 2 shows that it is only relatively recently that it has assumed a significant size.

**Table 1: Major Historical Trends in Sri Lankan Migration to Australia**

Period	Description	Ethnicity of Settlers	Location of Settlement
<b>Up to 1870s</b>	Small scale individual movement between British colonies	'Singhalese'	NSW, Victoria
<b>1870s-1900</b>	Flows of contract workers for sugar plantations, permanent settlers	Sinhalese	North Queensland, NT, North Western Australia
<b>1870s-1800s</b>	Small scale individual movement to goldfields		Victoria, NSW
<b>1900-1950</b>	Limited family migration	Sinhalese	Northern Australia
<b>1950-1980</b>	Migration of descendants of European settlers, Colombo Plan students	Burghers	Victoria, Capital Cities
<b>1980s-Present</b>	Skilled and family migration, refugees	Tamils, Sinhalese	Victoria, Capital Cities
<b>2012-13</b>	Asylum seekers	Tamils	Detention Centres



**Table 2: Australia: Growth of the Sri Lanka-Born Population, 1901-2011**

Source: Australian Censuses, 1901 to 2011, and ABS Estimated Resident Population data

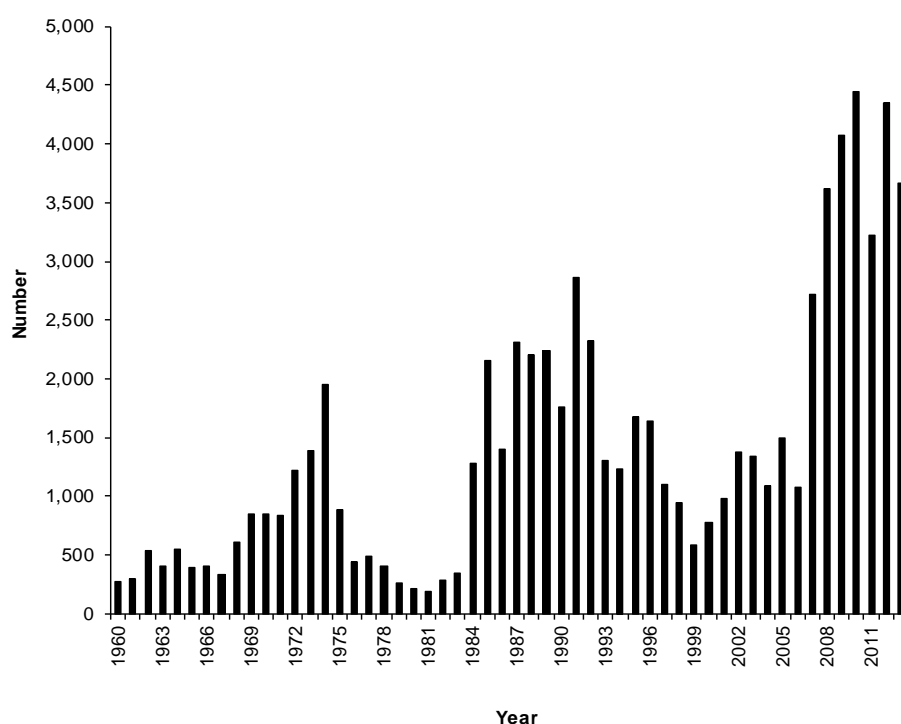
Note: 1947 census population excluded because Sri Lanka and India recorded together in that year. Growth between 2011 and 2013 is of the estimated resident population.

1911	611	0.03
1933	638	0.01
1961	3,433	8.33
1971	9,018	10.15
1981	17,900	3.93
1991	40,400	11.35
2001	53,461	2.62
2011	86,412	6.78

The pattern of settlement migration since 1960 is shown in Figure 3 and it indicates that, in the modern era, there has been considerable annual variation in the flow of Sri Lankan permanent migrants to Australia. The final peak was in recent years and coincided with the end of the Civil War and an unprecedented increase in Australian skilled immigration associated with the mining boom (Hugo, 2013).

**Figure 3: Australia: Settler Arrivals from Sri Lanka, 1959-60 to 2012-13**Source: DIMIA, *Australian Immigration: Consolidated Statistics*, various issues; DIBP, unpublished data

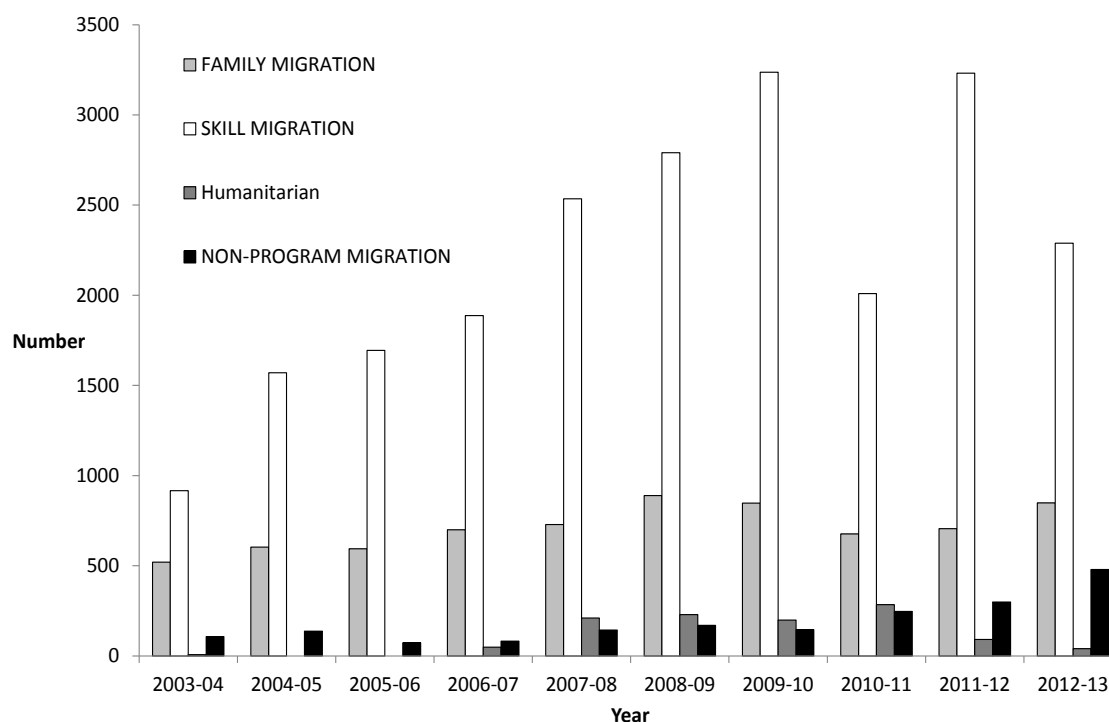
Note: Settler Arrivals from 2006-07 onwards are by Country of Birth



One of the defining characteristics of permanent immigration to Australia since the mid-1990s has been the increasing focus of immigrant selection on skill and a reduction of the importance of family migration (Hugo, 1999). This has been the case in Sri Lankan immigration to Australia. Figure 4 shows how skilled migration has increasingly dominated Sri Lankan immigration in recent years.

**Figure 4: Australia: Sri Lanka-Born by Visa Category, 2003-04 to 2012-13**

Source: DIBP, unpublished data



Particular attention in recent years has focused on refugee migration to Australia from Sri Lanka. Figure 4 shows that refugee migration has been a small but significant factor. In terms of refugee movement, Table 3 shows the numbers of refugees from Sri Lanka settled in Australia over the last decade or so, and the dominance of onshore settlers who arrived initially as asylum seekers.

**Table 3: Australia: Humanitarian Settlers from Sri Lanka**

Source: DIBP, unpublished data

Year	Onshore	Offshore
2000-01	170	100
2001-02	115	55
2002-03	60	35
2003-04	25	5
2004-05	34	
2005-06	215	
2006-07	275	50

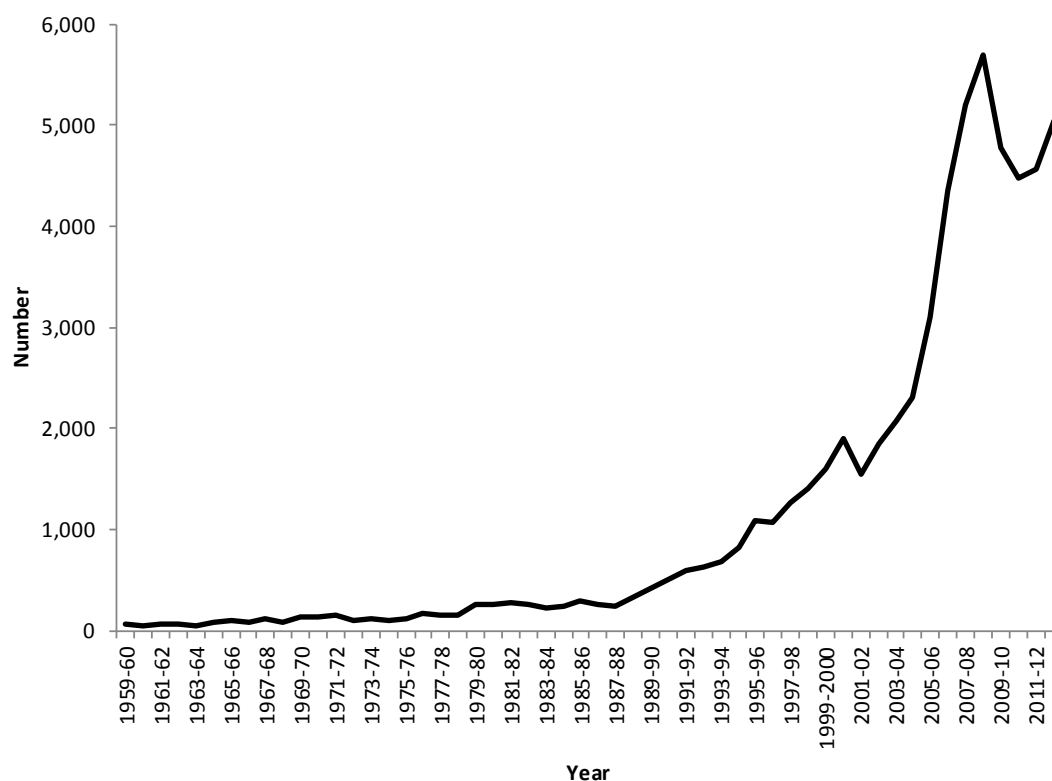
Year	Onshore	Offshore
2007-08	370	210
2008-09	400	230
2009-10	505	200
2010-11	355	285
2011-12	410	90
2012-13	320	41

The mid 1990s saw the introduction of a skilled temporary worker visa (457; see Khoo, McDonald and Hugo, 2009) as well as student and working holiday maker visas. This produced a paradigmatic shift in Australian migration (Hugo, 1999) and has reshaped Sri Lankan migration to Australia. Accordingly,

Figure 5 shows how long term arrivals (persons entering Australia on a temporary residence visa intending to leave but only after spending more than one year in Australia) have a strikingly different pattern to the permanent migration flows in Figure 3.

**Figure 5: Australia: Long Term Arrivals from Sri Lanka, 1959-60 to 2012-13**

Source: DIMIA, *Australian Immigration: Consolidated Statistics*, various issues; DIBP, unpublished data



There has been a remarkably steep increase in the temporary immigrant inflow from Sri Lanka. It is clear that, to some extent, temporary migration is being used by some highly skilled Sri Lankans who hitherto would have used the permanent migration avenue to Australia. But it has also led to new migrant flows.

Jayasuriya and McAuliffe (2013, 9) point out that a degree from an OECD university is highly valued in Sri Lanka. They show that Australia is the largest single destination of student migrants leaving Sri Lanka. Australia has been an important destination for students since the Colombo Plan in the 1960s. There has been a significant increase in the number of student visa holders from Sri Lanka in Australia from 1,201 in 2002 to 7,555 in 2009. Australia is the destination of over a third of Sri Lankan students going overseas but Sri Lanka is only the thirteenth largest supplier of overseas students to Australia.

Temporary skilled migrant workers (457s) are also an increasingly important part of the migrant flow from Sri Lanka to Australia. The 457 program is entirely demand driven while the number of permanent immigrants is capped by government. The 457 program is only available to highly skilled workers, in particular, occupational categories with a minimum salary level. The minimum salary is imposed to prevent unscrupulous employers undercutting the wages and conditions of Australian workers. Of course, almost all 457s earn much more than the minimum level. Hence, as with the permanent settlement and student categories, there is a high degree of selectivity on the basis of skill. Sri Lanka is the fifth largest Asian source of 457 migrants to Australia. As is the case with students,

many 457s from Sri Lanka apply for, and are granted, permanent residence in Australia. Temporary migration, like permanent migration, from Sri Lanka to Australia is selective of the highly skilled.

An important dimension of change in Australian international migration over the last 15 years has been the increasing proportion of permanent settlers each year who are persons already in Australia who entered earlier under some form of temporary residence visa. Over a quarter (27.8 percent) of the 52,791 Sri Lankans who settled permanently in Australia over this period were already in Australia as a temporary resident before applying successfully for permanent residence. There is, therefore, a pattern of Sri Lankans travelling to Australia as a student or skilled temporary worker and, upon completion of their studies or work contract, taking out permanent residence. This has become a common pattern among student migrants in Australia from Asia. In 2011-12, some 30,978 former students applied for, and obtained, permanent residence in Australia.

Moreover it is apparent that different waves of migrants from Sri Lanka have been dominated by different ethnic groups:

- Late nineteenth century – mainly Sinhalese
- Early post-World War II decades – Burghers
- Post-mid 1980s – Tamils

Table 4 shows that the Australian Tamil population is dominantly from Sri Lanka and it has doubled in the 2006-11 intercensal period. Clearly, there are substantial Tamil and Sinhalese communities within Australia.

**Table 4: Australia: Persons Indicating Their Ancestry was Tamil and Sinhalese by Birthplace, 2006 and 2011**

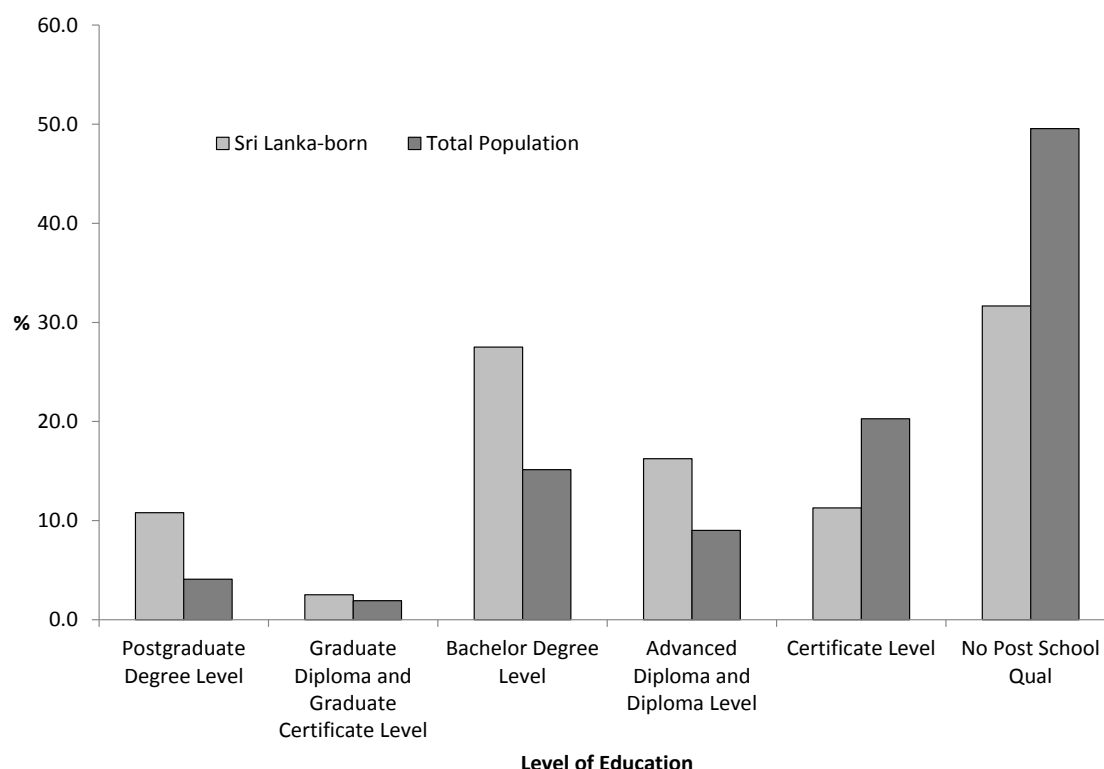
Source: ABS Population Census

Birthplace	Tamil					Sinhalese		Sri Lanka 2011
	2006		2011		Percent Change	2006	2011	
	No.	%	No.	%				
Sri Lanka	5,158	64.1	11,630	63.7	125.9	43,321	15,825	45,900
Australia	1,312	16.3	2,811	15.4	114.3	11,601	3,580	11,985
Malaysia-Singapore	515	6.4	1,014	5.6	96.9	1,503	386	1,184
India	505	6.3	1,293	7.1	156.0	88	740	3,112
Other	558	6.9	1,503	8.2	169.4	5,723		
<b>Total</b>	<b>8,048</b>	<b>100.0</b>	<b>18,251</b>	<b>100.0</b>	<b>126.8</b>	<b>62,236</b>	<b>20,531</b>	<b>62,181</b>

Policy imposed selectivity is evident when we examine the educational qualifications of the Australian Sri Lanka-born population. Figure 6 shows that 30.6 percent of the Sri Lanka-born population aged 15 years and over in Australia did not have a post-school qualification compared with 52.5 percent of the total Australian population. However, the difference is most dramatic for those with a University degree or higher qualification where more than 30 percent of the Sri Lanka-born are at this level compared with 15 percent of the total Australian adult population. For higher degrees it is 10.8 compared with 4.1 percent. This points to a very high level of educational selectivity in the permanent migration from Sri Lanka to Australia.

**Figure 6: Australia: Level of Post-School Qualification of Total Australia and Sri Lanka-Born Population, 2011**

Source: ABS 2011 Census



Thus far, our focus has been on the flows of Sri Lankans moving to Australia but it is important to appreciate that there are also reciprocal and circular flows between Australia and Sri Lanka. Indeed, it has been argued that it is more appropriate to view Asian-Australian migration as a complex interactive system rather than a uni-directional permanent relocation of population (Hugo, 2008a and b) and this certainly applies to the migration relationship with Sri Lanka. It is important to establish the extent and nature of these reciprocal moves since they potentially can influence development in Sri Lanka.

The flow from Australia to Sri Lanka, like the permanent flow in the other direction, is highly skilled. Revealingly, managers and professionals make up 65 percent of all departures. It is clear that in the Australia to Sri Lanka flow, the dominant group are those in the economically active age groups and their children. Hence their potential for having a positive impact on development in Sri Lanka is considerable.

However, permanent return migration is not the only form of movement linkage which Sri Lankan expatriates in Australia maintain with their homeland. In fact, Sri Lankans overseas can keep a significant investment in their homeland by frequently visiting and maintaining economic linkages with institutions and individuals in Sri Lanka. Table 5 identifies three types of Sri Lanka-born individuals who indicated they are moving into and out of Australia on a temporary (either long term or short term) basis.

**Table 5: Australia: Number of Sri Lanka-Born Individual Persons Travelling Into and Out of Australia Temporarily According to Their Resident Status, 1998-2006**

Source: DIBP, unpublished data

Visitors 1998-2006	22,355	15,814

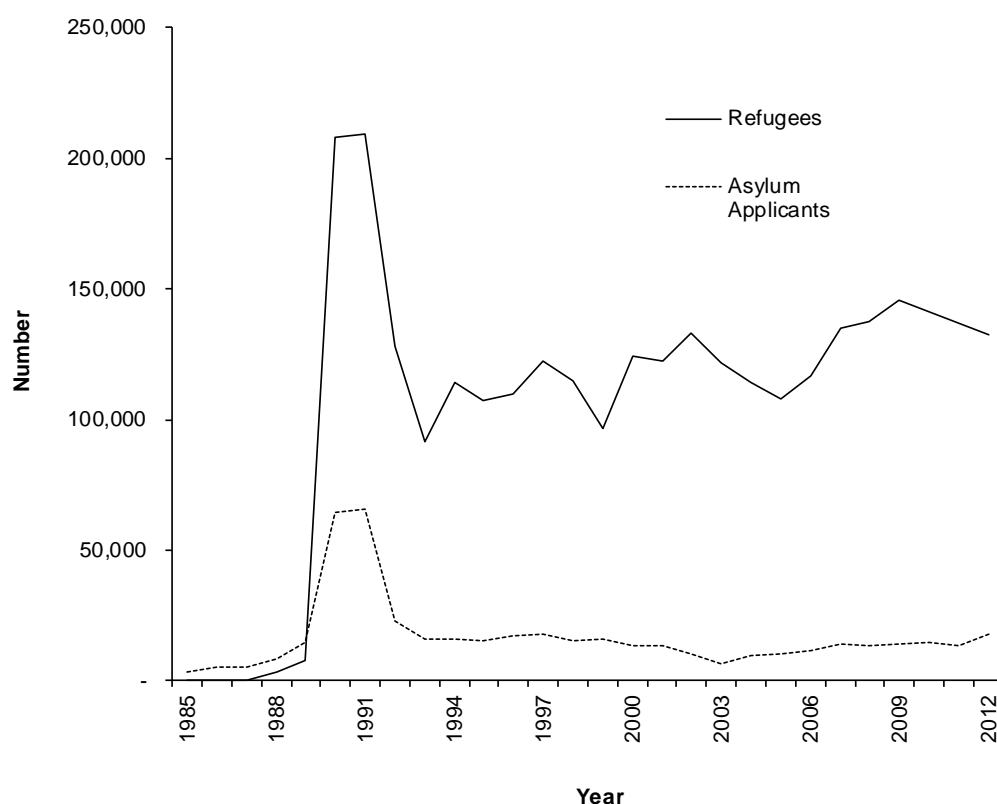
What is apparent, then, is that many Sri Lanka-born people settling in Australia have made several temporary moves out of Australia since arriving.

## 6. REFUGEE MIGRATION

Since the mid-1980s Sri Lanka has been a significant source of both asylum seekers and refugees as is shown in Figure 7.

**Figure 7: Refugees and Asylum Applicants from Sri Lanka, 1985-2012**

Source: UNHCR Statistics



Most have been Tamils who have been displaced as a result of the civil conflict. As Jayasuriya and McAuliffe (2013, 15) point out:

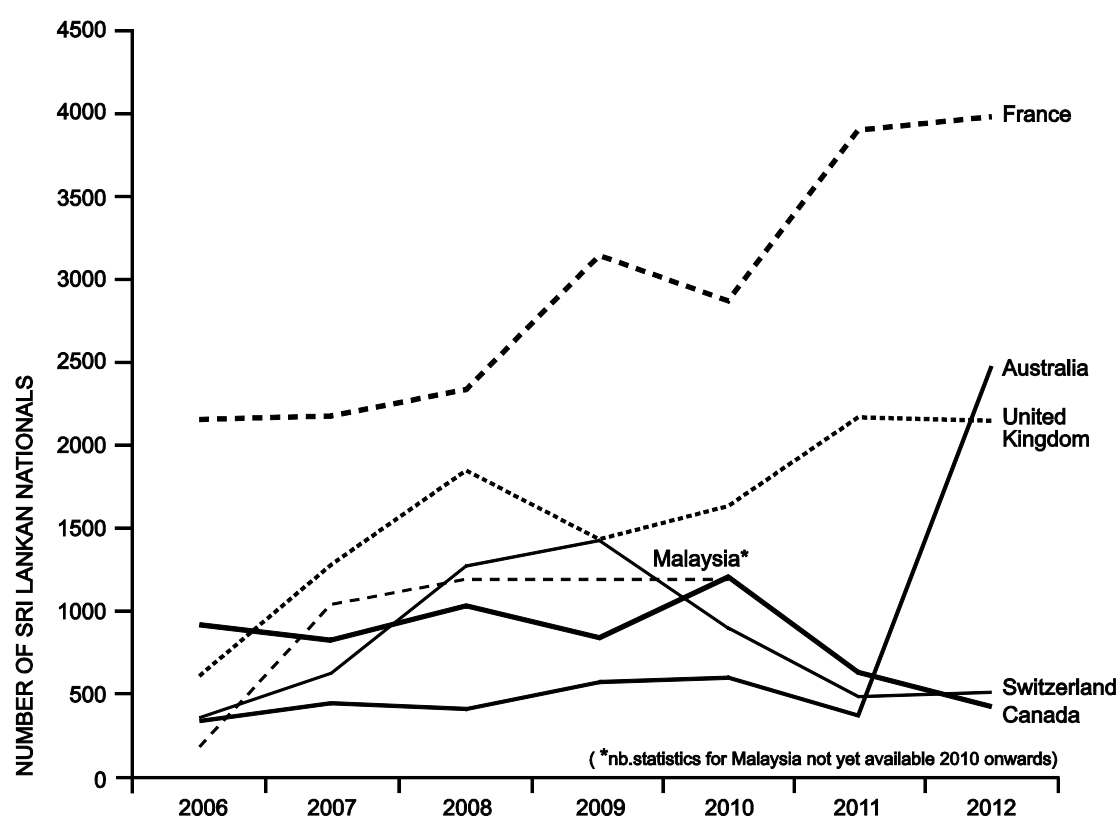
'India has historically been, and continues to be, the main host country of Sri Lankan refugees. At the end of 2012 it hosted some 67,165 Sri Lankan (predominantly Tamil) refugees... However, estimates of the number of Sri Lankans with pending asylum claims in Tamil Nadu vary considerably between organisations, from around 100,000 to 200,000'.

While India has been the main destination, Sri Lankans have also applied for asylum in a number of OECD and Asian countries. A recent UNODC (2013, 28) study has shown that in the 1980s, 1990s and early 2000s, the main destinations were Germany, France, United Kingdom, Canada and Switzerland.

However, Figure 8 demonstrates that in recent years there have been some significant changes, with the largest numbers being in France but Malaysia and Australia becoming increasingly important. Table 6 reveals that France and Australia have received the largest number of asylum applications up to the first half of 2013.

**Figure 8: Asylum Claims, Sri Lankan Nationals, Six Most Important Countries, 2006-12**

Source: UNODC, 2013, 29



**Table 6: Sri Lankan Global Asylum Applications in 2012 and First Half of 2013**

Source: UNHCR population statistics, extracted 13 January 2014

Country	2012	First Half of 2013
France	6890	3833
Australia	2427	3715
The United Kingdom	3162	1840
Malaysia	709	1568
Switzerland	1177	1126
Germany	481	469
Indonesia	360	381
Canada	428	126
Japan	461	124



There are more than 100,000 ethnic Tamil Sri Lankans in the southern Indian state of Tamil Nadu, including 68,000 in 112 government-run camps and 32,000 outside camps<sup>2</sup>. It is important to note that India, which has been the host for the majority of war refugees, shows a clear downward trend in the numbers of Tamil Sri Lankans because it was reported that an increasing number of refugees are returning home, both spontaneously and with the help of UNHCR<sup>3</sup>.

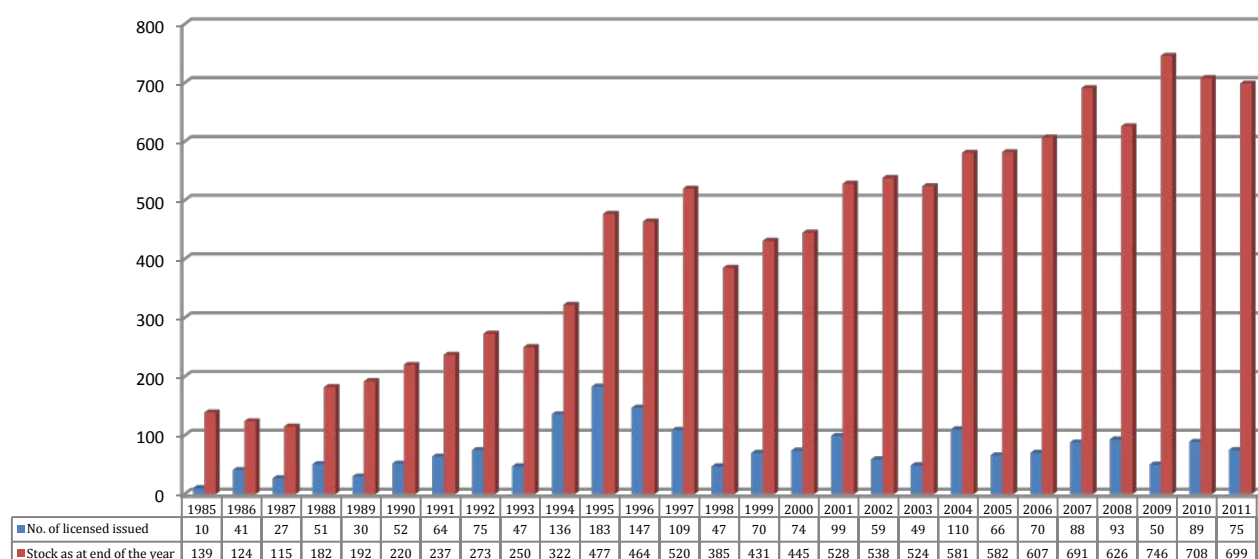
## 7. THE MIGRATION INDUSTRY IN SRI LANKA

Overseas migration became an industry with the opening up of the Sri Lankan economy during the late 1970s. Prior to that, migrating overseas was an individual affair and there was little involvement of third parties. Overseas migration was mainly for higher education and employment. However, as Sri Lanka began to encourage labour migration to Middle Eastern countries, a 'migration industry' was built. It initially started with a few unauthorised migration agents in Colombo, but expanded to include both authorised and unauthorised agents not only for sending unskilled/semi-skilled labour migrants overseas but also for skilled migration to the immigration-encouraging countries such as Australia, New Zealand and Canada.

The government created a Foreign Employment Unit in the Department of Labour in 1976 in order to find employment overseas, organise and monitor migration as well as maintain migration records (Korale, 1983). In 1980, the Foreign Employment Act No. 32 allowed private agencies to take care of some of the governmental functions and responsibilities of managing overseas labour employment but with governmental control (Gamburd, 2000). Figure 9 shows that the number of licensed agencies has grown significantly over the years<sup>4</sup>.

**Figure 9: Number of Licensed Agencies, 1985-2011**

Source: Sri Lanka Bureau of Foreign Employment, 2011



<sup>2</sup> <http://www.irinnews.org/report/96233/sri-lanka-refugees-in-india>

<sup>3</sup> <http://med.gov.lk/english/?p=8017>

<sup>4</sup> Blue bars in Figure 9 shows that new licenses issued each year for the newly established agencies

A substantial institutional framework has developed in Sri Lanka to govern labour migration. The Sri Lankan Foreign Employment Agency (pvt) Ltd. was set up in 1996 for directing youth into foreign employment. This agency functions under the Ministry of External Affairs and manages the recruitment for employment overseas.

Departures for foreign employment have grown over the period of 2006 to 2011 in almost all the districts (districts are indicated in Figure 10), but the volume of departures is relatively low for the northern districts of Sri Lanka, as depicted in Figure 11. Potential migrants did not have the opportunity to leave the northern districts during the war period and be involved in the process of labour migration since almost all of the licensed agencies are located outside the Northern Province, and mainly in Colombo and Kurunegala districts.

**Figure 10: Map of Sri Lanka by districts**

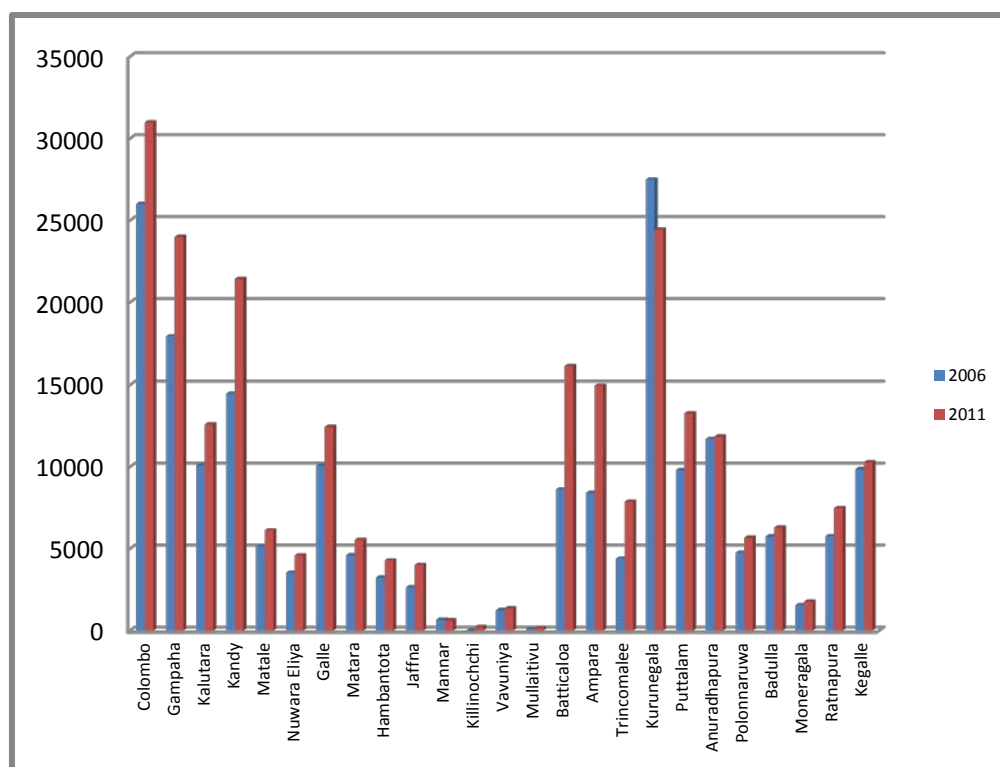
Source: [www.statistics.gov.lk](http://www.statistics.gov.lk)



2000; Gunatilleke, 1998; Eelans, 1995; Shaw, 2008; Ukwatte, 2010). Shaw (2008)<sup>5</sup> observed that about one third of migrants organised their migration through informal contacts.

**Figure 11: Departure for Foreign Employment by District, 2006 and 2011**

Source: Sri Lanka Bureau of Foreign Employment, various reports



The SLBFE reports that only 75.5 percent of the departures in 2008 were from licensed agencies (SLBFE, 2009, 5). Many studies have reported numerous illegal recruitments continue<sup>6</sup>, although the number of licensed agencies has increased (Dias and Jayasundera, 2004; Eelans and Speckmann, 1990).

Boat migration or IMAs is not a phenomenon which is specifically developed for Australia. The smuggling of people overseas from Sri Lanka by boat was booming a decade ago (Brown, 2012). Although Australia became the preferred destination of smuggled migrants in 2012-13, Italy was one of the major destinations in the past. IMAs to Italy changed significantly in 2002 for two reasons: First, the Italian Parliament sanctioned a new immigration law known as the Bossi-Fini law which allowed for regularisation of those already living in Italy as well devising a mechanism for the processing of new immigrants with offices all over the country and severe border controls (Totah, 2003). The second was a consequence of the ASEM – Ministerial Conference on Cooperation for the Management of Migratory Flows between Europe and Asia which paved the way for the Italian government to establish bilateral agreements with sending countries to help curb illegal migratory flows by offering them special quotas for immigrants and readmission priorities in exchange for their

<sup>5</sup> Shaw's paper is based on fieldwork conducted in 2006 in Kurunegala district, a rural agrarian region about 70 kilometres northeast of Colombo. A mix of quantitative and qualitative techniques has been employed. The primary survey instrument was a structured questionnaire, administered to individuals responsible for household finances in 153 remittance-receiving households in which the migrant had been abroad for six months or more at the time of the survey.

<sup>6</sup> Illegal recruitments mean here is the recruitment of labour by non-licensed recruiters.

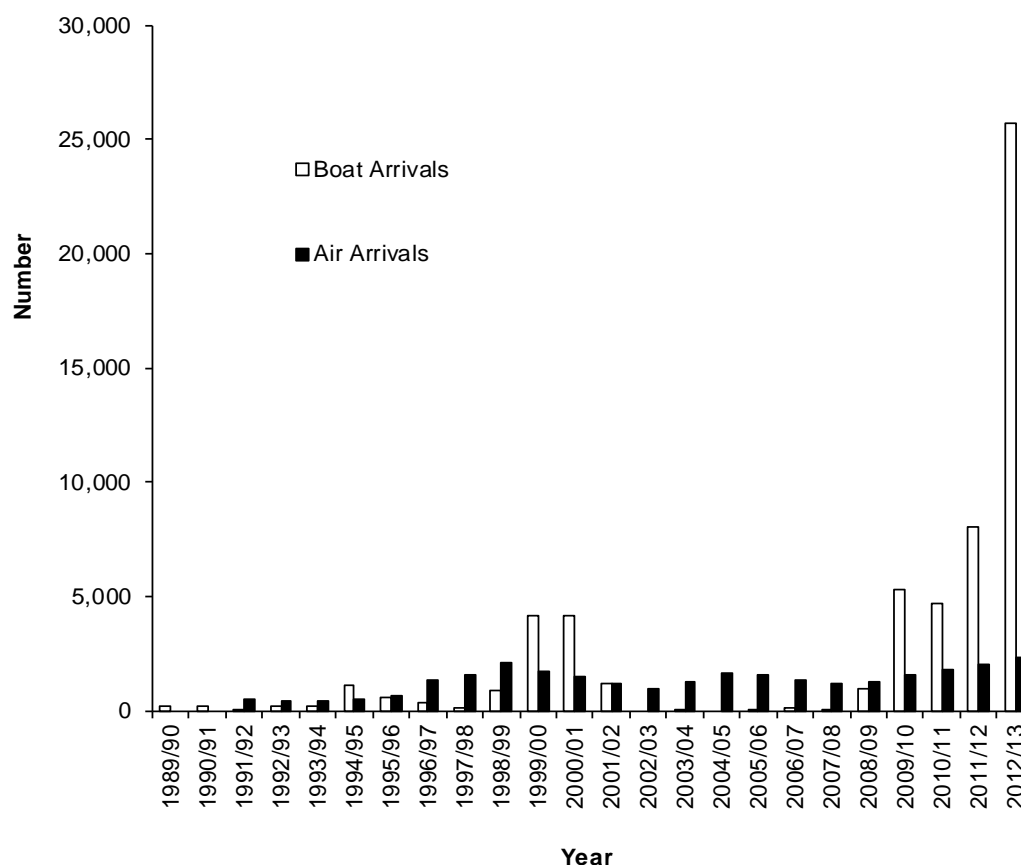
cooperation. Most importantly, the agreement supported externalising the policing of the Italian border by cooperating logistically and financially with local law enforcement agencies to stop IMAs at the point of departure.

International migration has increased significantly in Asia during the past two decades (Hugo and Young, 2008). Although there have been some initiatives to improve governance and cooperation in relation to international migration, undocumented movement remains a major challenge (Abella, 2008; Associated Press, 2013). The IOM (2010) has estimated that there are 20 to 30 million migrants worldwide without proper documentation.

Persons who arrive in Australia without a visa, most of whom ultimately apply for asylum, arrive by sea and air and the numbers are shown in Figure 12. Sri Lankans were an important part of this upswing in irregular maritime arrivals. In 2008 there were just over 200 UMAs from Sri Lanka but in 2012 there were over 6,400.

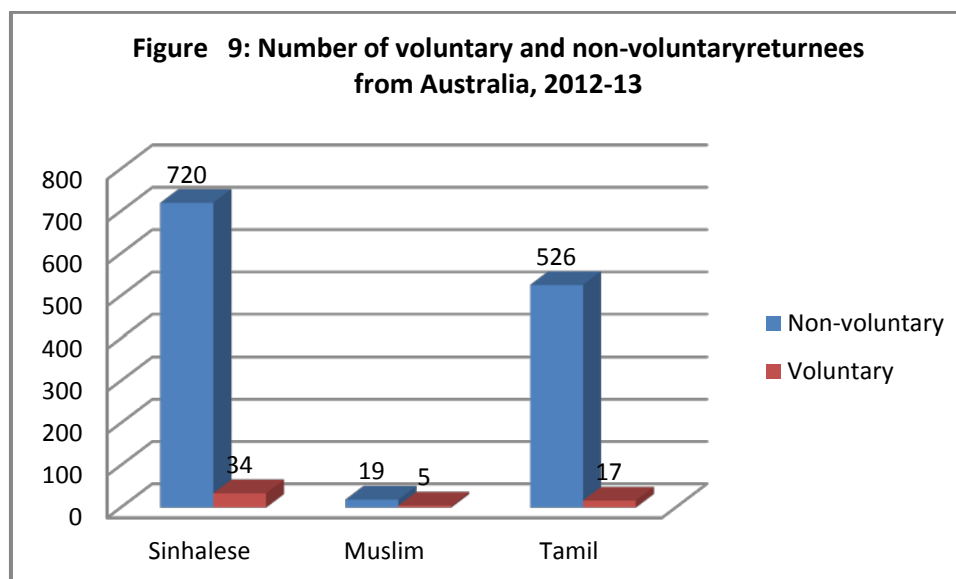
**Figure 12: Australia: Unauthorised Arrivals, 1989-90 to 2012-13**

Source: DIMIA, 2002, 2004 and 2005; DIAC, *Annual Report*, various issues; Phillips and Spinks, 2013



However, Jayasuriya and McAuliffe (2013, 19) note that reflecting the increase in economically motivated movement there has been an increase in the number of asylum seekers repatriated to Sri Lanka – between July 2012 and May 2013, 162 voluntary and 965 involuntary returns. At the Sri Lanka end, data obtained from the Katunayake Airport shows non-voluntary returnees by special charter flights were 1265 compared with 56 voluntary returnees by commercial flights as depicted in Figure 13. All the voluntary returnees were males while 6.2 percent of the non-voluntary migrants were females.

**Figure 13: Number of Voluntary and Non-Voluntary Returnees from Australia, 2012-13**  
Source: Airport statistics



In recent years, it was not only Tamils who were involved with boat migration, but Sinhalese as well. There were no Sinhalese IMAs in 2011 but it suddenly jumped to 13 percent in 2012 (Hugo, 2013). This suggests that the reasons for boat migration are not related only to factors linked with 'protection'.

Table 7 shows that interdictions were on a substantial scale. Moreover, they were at a high level at the time of peak IMA arrivals from Sri Lanka in Australia.

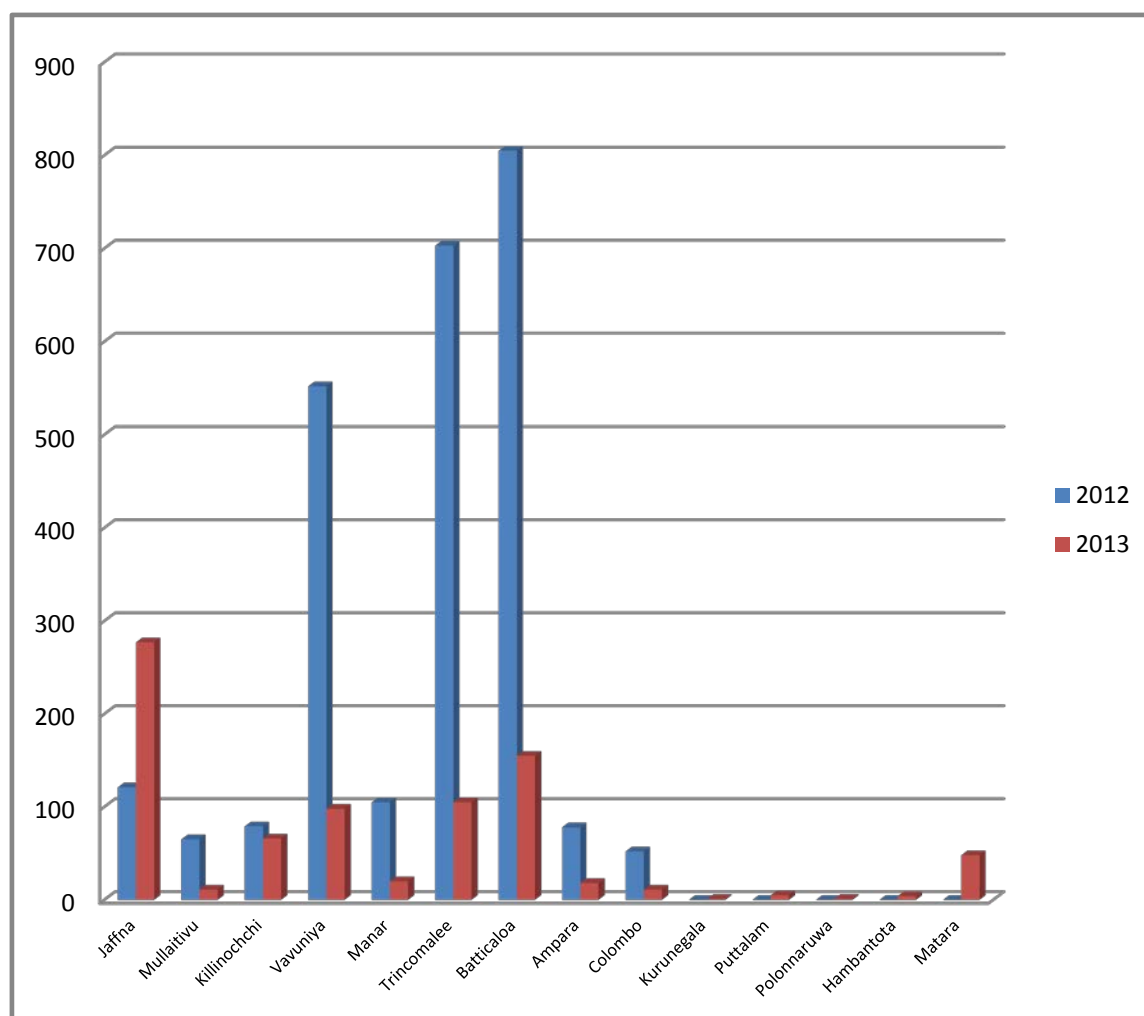
**Table 7: Sri Lankan Irregular Migrants Detected by the Sri Lankan Authorities, 2009-12**  
Source: Criminal Investigation Department

Item	2009	2010	2011	2012	Total
Total number of vessels detected	8	3	3	67	81
Total number of passengers arrested	182	10	115	3139	3446
Total number of facilitators arrested	35	19	12	304	370

Most of the IMAs originated from the Northern and Eastern province which were conflict-affected districts for more than two decades. In 2012, the Eastern districts of Trincomalee and Batticalo and the Northern district of Vavuniya dominated the irregular maritime migration but a completely different pattern of migration was observed for the year 2013 as shown in Figure 14.

**Figure 14: District of Origin of Irregular Maritime Migrants, 2012 and 2013**

Source: Criminal Investigation Department

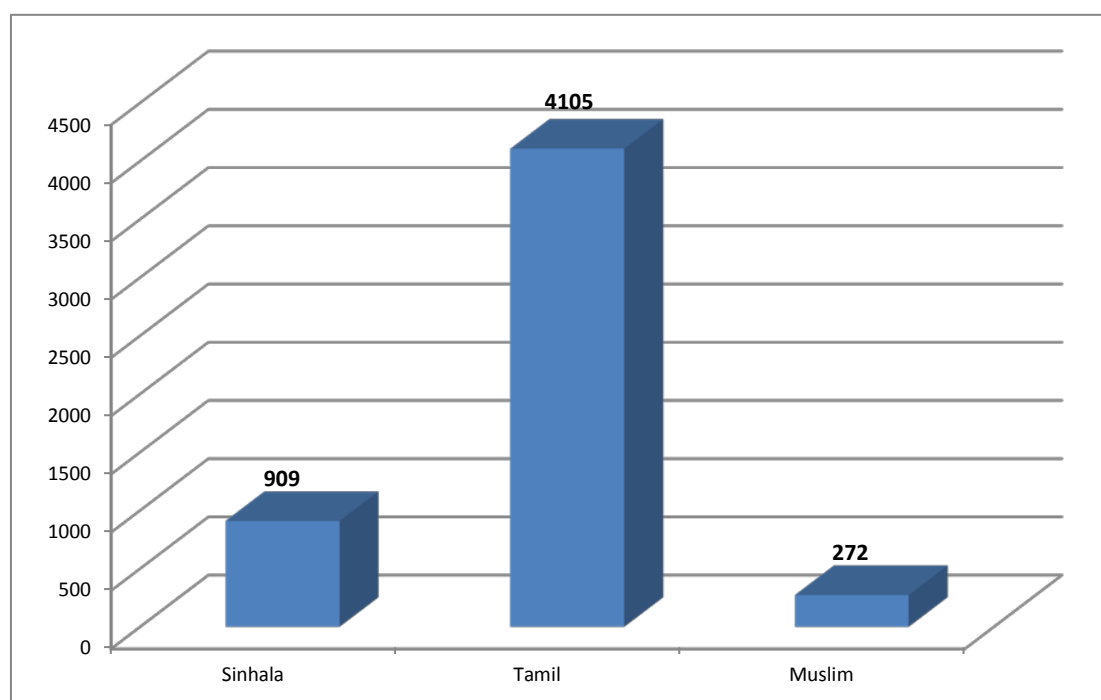


The Northern district of Jaffna has produced many irregular maritime migrants while other districts both in the Northern as well as Eastern provinces have a smaller number of migrants. The most important feature observed between 2012 and 2013 was the substantial decline of irregular maritime migration in all the districts except Jaffna.

Figure 15 shows that of those who attempted to depart for Australia by boat between January 2012 and October 2013, the majority were Tamil. These people were arrested while attempting to depart or before crossing the Sri Lankan sea border. If 'protection factors' are the reason for illegal maritime migration as indicated by some authors (Howie, 2013; Kanagasabapathipillai, 2013), involvement of a large number Sinhalese and a significant number of Muslim migrants raises questions as to what the reasons are behind their migration. Many who have investigated 'boat migration' suggest that an economic motive was also a main reason (Waduge, 2013; Karunaratne, 2013; Kariakarawana, 2013; Saravanathan, 2013).

**Figure 15: Number of People Captured While Departing to Australia by Ethnicity, January 2012 to October 2013**

Source: Criminal Investigation Department



It is interesting to note that all attempts in 2013 involved children, compared with less than half (22) of the 56 attempts in 2012. The majority of the latter occurred towards the end of 2012.

Irregular maritime migrants interviewed were either unemployed or worked in low-paid informal sector occupations. They worked as fishermen, drivers, farmers, or labourers. The majority of the illegal migrants were the eldest child in the family who took on the responsibility of supporting the family including younger siblings who are still schooling. The majority of them do not own any property and others only owned their house. Therefore, the migrants generally come from very poor families.

The Sri Lanka community in Australia plays a significant role in the migration of Sri Lankans to Australia – both documented and undocumented. This role involves:

- The supply of information, both detailed and general, in terms of the economic and social opportunities in Australia.
- Helping fund their migration.
- In some cases, acting as sponsors for the movement.

There appears to be some mismatch between the fact that most of the IMAs detected either in Sri Lanka or Australia tend to have middle to low education and low status occupations while the Sri Lankan population in Australia tends to have higher levels of education and occupational status.

The role of family in Australia and in other countries in influencing the decision to migrate was evident in the comments from a repatriated respondent. A 27 year old Tamil man from Trincomalee explained to us that:



'I am still unemployed because I have studied up to GCE (O.L) but was not successful. My family still supports me because my brother is in England and the sister live in Canada. I can communicate in English to some extent. I also have some relatives living in Australia. I am very much frustrated because only I have this low standard of living in Sri Lanka. For this reasons I decided to migrate to Australia by boat because one of my friends who went to Australia by boat suggested me that it saves time and money. Although the bad memories of war are over, there are many jobless youth so I was expecting better opportunities in Australia'.

The intending IMAs that were intercepted by the Anti-Human Smuggling Unit of Sri Lanka's Criminal Investigation Department were overwhelmingly young and the majority came from the Northern and Eastern regions so they are Tamils. They have a strong network in Australia because of the relatives and friends who live there and receive encouragement to travel to Australia by illegal means to avoid the immigration screening.

The study of IMAs who have been successful in gaining protection (McAuliffe, 2013) showed that more than 15 percent had relatives, more than 10 percent had friends, friends of relatives or friends of friends, and more than 5 percent had fellow ethnic members in Australia prior to their departure.

Regional disparities in development in Sri Lanka have led people to migrate locally or internationally looking for better income opportunities. The government is now making a significant attempt to develop war-torn Northern and Eastern districts. It is important to stress that Sri Lankan people have become very mobile locally as well as internationally. The major reason for such movement is to find better employment, whether it is locally or overseas. Moreover, illegal migration to overseas countries to look for employment opportunities is not a new phenomenon. Sri Lanka already has a network of agents who can organise this illegal movement. In addition, we have seen a mass flow of refugees to India during the war years by boats. Therefore, 'boat' migration to overseas destinations involving risks is not a recent phenomenon for low socioeconomic category of the Sri Lankan community irrespective of their ethnicity. Moreover the idea that migration – especially international migration – is the key to prosperity has become a norm in Sri Lanka.

## 8. CONCLUSION

Sri Lanka has become, in many ways, a major emigrant society over recent decades. There are a number of elements in this:

- The country has a substantial diaspora. In 2013 the United Nations indicated there were 1,245,187 Sri Lanka-born persons living in another country, equivalent to 5.9 percent of the Sri Lankan resident population.
- Remittances now account for 10.1 percent of GNP (World Bank, Annual Remittances Data, April 2014).
- A strong local culture of migration has developed whereby internal and international migration is seen as a normal way for Sri Lankans to seek to improve their economic situation or respond to crisis.

Sri Lanka has initiated several livelihood development programmes under its policy known as *Mahinda Chinthanaya*.<sup>7</sup> But these programmes need to be accelerated and endeavour to accommodate the most vulnerable and disadvantaged communities, especially in the northern and eastern parts of the country where the majority of the IMAs originate. This study has found that most of the IMAs are less-educated and low-skilled people from these areas. It is important to enhance their vocational skills according to the jobs demanded by the labour market in Sri Lanka without making a mismatch between education or skills with the available employment opportunities. In this regard, preparing a livelihood development plan specifically designed for the Northern Province – by identifying the livelihood requirements of individuals as well as communities with the participation of local communities – seems beneficial.

One of the few generalisations which has emerged from research on irregular and undocumented migration is that it often occurs because there are no regular or documented channels available for potential migrants, so that they are left with no alternative but to move irregularly. It follows that the most successful measures to prevent irregular migration involve the creation of legal channels which make irregular migration unnecessary. Usually this is considered in terms of creating those channels along the same corridors of what is currently irregular migration. However, a somewhat different initiative is suggested here:

- The major areas of origin of IMAs who have attempted to move to Australia have a number of key characteristics:
  1. Low levels of education and skill so that few people are eligible for skilled migration, permanent and temporary, to OECD nations.
  2. No readily available channels for contract labour migration to the Middle East and Southeast Asia because of a lack of agents and an insecure situation which has prevented recruiters and other parts of the migration industry to operate in those parts of the country.
- Accordingly it is suggested that steps be taken by the Sri Lankan government to create legal alternatives to IMA migration to Australia by:
  1. Setting up the full infrastructure to recruit, process etc. international labour migrants in the region for the Middle East and Southeast Asia.
  2. Provide the training facilitators for local people to fit the needs of employers in the Middle East and Southeast Asia.

A major policy implication of this report is that, rather than try to prevent migration from the 'hot spots' from which IMAs have left, we seek to facilitate legal migration through regular channels to the Middle East and Southeast Asia. This builds on the considerable infrastructure and experience that has been built up in other parts of Sri Lanka. It builds on the culture of migration in the area, but channels it into other more secure pathways to legal movement overseas.

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<sup>7</sup> The Mahinda Chintanaya which is the Sri Lankan government's policy agenda strongly emphasizes that public spending should be pro poor, pro growth and pro regional. In this context, rural-urban imbalances in access to transport, electricity, quality drinking water, education and health are being attended with more resources being allocated to supplement regular programmes through regionally focused development initiatives – Uthuru Wasanthaya, Negenahira Navodaya, Rajarata Navodaya, Wayamba Pubuduwa, Pubudamu Wellassa, Kandurata Udanaya, Sabaragamu Arunalokaya and Ran Aruna. Furthermore, it is expected public investment to be directed to promote growth and value creation opportunities. In addition, spending on social security will be encouraged through community participation.

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