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Regulating Sub Agents for Better Migration from Sri Lanka

BILESHA WEERARATNE

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Abbreviations

ALFEA	Association of Licensed Foreign Employment Agencies
FDW	Female Domestic Worker
GCC	Gulf Cooperation Council
HRW	Human Rights Watch
ID	Identification
ILO	International Labour Organisation
IOM	International Organisation for Migration
IPS	Institute of Policy Studies of Sri Lanka
KIIs	Key Informant Interviews
LKR	Sri Lankan Rupees
MFA	Ministry of Foreign Affairs
MFE	Ministry of Foreign Employment
MFEPW	Ministry of Foreign Employment Promotion and Welfare
NBI	National Bureau of Investigation
OLS	Ordinary Least Squares
POEA	Philippines Overseas Employment Authority Administration
PSM	Propensity Score Matching
REALM	Research and Empirical Analysis of Labour Migration
SD	Standard Deviation
SLBFE	Sri Lanka Bureau of Foreign Employment
UAE	United Arab Emirates
USD	United States Dollar

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Executive Summary

Sub Agents play a significant role in the recruitment of migrant workers from Sri Lanka. They are largely unregistered and independently operating individuals who identify and collect the required number of workers on behalf of larger recruitment agencies, and are mainly based in rural villages, usually with personal connections to pools of prospective migrants. The need for the involvement of Sub Agents is instigated due to capacity constraints of both licensed recruitment agents and potential migrants, and due to legislative constraints that limit licensed recruitment agents from successfully reaching out to migrant workers. As a remedy, licensed recruitment agents and potential migrants rely on Sub Agents, who informally operate at the grass root level.

Currently, there is mounting pressure in Sri Lanka to regulate Sub Agents and hold them accountable for their conduct. Malpractices by private recruitment agencies and the gaps in the regulatory framework for Sub Agents have led to exploitative and abusive situations for migrant workers. As widely noted by literature on Sub Agents in neighbouring countries, they are often criticised for charging higher rates, involving themselves in abusive practices, giving false information, and cheating. Hence, the Government of Sri Lanka is in the process of formulating policies to regulate and monitor Sub Agents.

In this context, the broad goal of this study is to better understand the relationship between migrants and Sub Agents from the point of view of migrants, and to provide empirical evidence based policy recommendations to regulate Sub Agents in Sri Lanka. Specifically, the study attempts to identify the impact of Sub Agents characteristics in determining migration, the impact of Sub Agents characteristics in negotiating incentives and wages, and the impact of transition from potential to current migrant towards migrant's perception of Sub Agents. This report provides an abridged version of the detailed study, as a dissemination vehicle to inform migration policy makers. As such, technical details are simplified here, while it is assumed that migration policy makers are familiar with background information on the migration process and the issues arising from the presence of Sub Agents.

The scope of the study is limited to Female Domestic Workers (FDWs) pursuing employment in the Gulf Cooperation Council (GCC) countries through the help of a Sub Agent. The actions and perceptions of stakeholders in the recruitment process, and the uncertainties/issues that arise surrounding these engagements are the framework around in which the study is organised. The analyses performed in this study are based on two rounds of primary data collected from 1,107 migrant households in 2017 from three districts in Sri Lanka.

The study involves a detailed descriptive analysis of migrants' interactions with Sub Agents and three rigorous impact analyses. Based on fixed effect methodology as the main model and Propensity Score Matching (PSM) methodology as a robustness test, the study analyses how Sub Agents characteristics and migrants perceptions about Sub Agents impact migration. The study finds that migrants from whom Sub Agent requested fees for their payment have a lower probability to migrate, and collection of passport by Sub Agent leads to higher probability to migrate. Migrants perceiving Sub Agent as a formal stakeholder in the recruitment process have a lower probability to migrate, while those who thought that the Sub Agent has more power in the recruitment process have a higher probability to migrate.

The analysis of the determinants of promised wages and incentives also adopts the fixed effect methodology. This analysis finds that migrants' perception that the Sub Agent is formal and Sub Agent collecting migrants' passport result in lower promised wages for migrants. On the contrary, Sub Agent requesting money for his services leads to higher promised wages for migrants. Similarly, perceiving Sub Agent as a formal stakeholder and Sub Agent collecting migrants passport results in lower amounts of incentives promised. These findings are robust to restricting the estimation sample to only potential migrants.

The analysis of the relationship between change in migration status from potential to current migrants, and migrants' perception about Sub Agent's formal status is carried out using a PSM method. This analysis finds that pursuing the entire recruitment process and becoming current migrant, results in a lower probability to think that

the Sub Agent is a formal stakeholder.

When considered together, the above empirical findings converge as follows; Migrants misconception that the Sub Agent is a formal stakeholder leads to consistently worse outcomes in terms of probability of migration, promised wages and promised incentives; the collection of migrants passports by Sub Agents leads to lower promised wages and incentives, and higher probability to migrate; and Sub Agent requesting money for his services leads to higher promised wages and incentives, and lower probability to migrate.

Based on the above synthesis of findings the following are recommendations to consider in developing a framework to regulate Sub Agents:

- Sri Lanka Bureau of Foreign Employment (SLBFE) to make Sub Agents current informal status clearly understood by migrants.

  If Sub Agents are formalised in future, such updated information should be clearly disseminated in a timely manner.

- Specify the stage in the recruitment process where a Sub Agent can collect a migrant's passport.

- Develop a clear procedure to facilitate proper documentation of collection, handing over, and if required retrieval of passport by potential migrant.

- Develop a clear structure for fee collection for Sub Agents.

විධායක සාරාංශය

ශ්‍රී ලංකාවෙන් විදේශගතවන ශ්‍රමිකයන් බඳවාගැනීමේ ක්‍රියාවලිය තුළ උප නියෝජිතයන්ගේ කාර්යභාරය ඉතාමත්ම වැදගත් වේ. ඔවුහු බහුතරයක් ලියාපදිංචි නොවූ සහ ස්වාධීනව ක්‍රියාත්මක වන පුද්ගලයින් වන අතර ඔවුන් විශාල විදේශ රැකියා නියෝජිත ආයතනවලට අවශ්‍ය කරන විදේශගත වීමට අපේක්ෂා කරන හා එවන් ශ්‍රමිකයන් පිළිබඳ තොරතුරු එකරැස්කිරීමේ කාර්යන්හි නියැලී සිටී.

එමෙන්ම මෙකී උප නියෝජිතයන් බොහොමයක් ග්‍රාමීය ප්‍රදේශ මූලික කරගෙන ක්‍රියාත්මක වන අතර එකී ප්‍රදේශ වල විදේශගත වීමට අපේක්ෂා කරන අය සමඟ ඇති පෞද්ගලික සම්බන්ධතා පදනම් කරගෙන උප නියෝජිත ව්‍යාපාරයේ නියැලේ. උප නියෝජිතයන්ගේ අවශ්‍යතාව දැඩි ලෙස ඉස්මතු වීම සඳහා බලපත්‍රලාභී විදේශ රැකියා නියෝජිත ආයතනවල හා අපේක්ෂිත රැකියා ලාභීන්ගේ අඩුපාඩුකම් හා ව්‍යවස්ථාමය සීමාකිරීම් විශාල වශයෙන් බලපා ඇත. මීට පිළියමක් වශයෙන්, ලියාපදිංචි වූ විදේශ රැකියා නියෝජිත ආයතන මෙන්ම විදේශගතවීමට අපේක්ෂා කරන ශ්‍රමිකයන් ද ගම් බිම් මට්ටමෙන්, අවිධිමත් ආකාරයට සේවා සපයන උප නියෝජිතයන් සමඟ සම්බන්ධ වීම දක්නට ලැබෙයි.

මේ වන විට, මෙම උප නියෝජිතයන් නියාමනය කිරීම සහ ඔවුන්ව වගකිවයුතු තත්ත්වයකට පත්කිරීම සම්බන්ධයෙන් ශ්‍රී ලංකාව වෙත දැඩි පීඩනයක් එල්ල වෙමින් පවතී. විදේශ රැකියා නියෝජිත ආයතන වල පවතින අක්‍රමිකතා සහ නියාමනයේ පවතින අඩුපාඩු හේතුකොටගෙන විදේශගතවන ශ්‍රමිකයන්ගේ ගුණාත්මක තත්වය අඩුවී ඇත. අසල්වැසි රටවල උප නියෝජිතයන් සම්බන්ධයෙන් ලියවී ඇති ලිපි ලේඛන තුළ ඔවුන් වෙත ඉදිරිපත්ව ඇති විවේචන අතර විශාල මුදල් ප්‍රමාණයන් අය කිරීම, දූෂිත ක්‍රියාවන්වල යෙදීම, සාවද්‍ය තොරතුරු ලබා දීම සහ රැවටීම යන කරුණු ප්‍රමුඛ ගැටලු ලෙස හඳුනාගෙන තිබේ. එම නිසා, ශ්‍රී ලංකා රජය මෙම උප නියෝජිතයන් නියමනයකිරීම සම්බන්ධයෙන් ප්‍රතිපත්ති සම්පාදනය කිරීමට කටයුතු කරමින් සිටී.

මෙම තත්ත්වය තුළ, මෙම අධ්‍යනයේ මූලිකම අරමුණ වනුයේ විදේශගතවන ශ්‍රමිකයන් සහ උප නියෝජිතයන් අතර සම්බන්ධතාවය, විදේශගතවන ශ්‍රමිකයන්ගේ දෘෂ්ටියෙන් වඩා හොඳින් හඳුනාගැනීම සහ උප නියෝජිතයන් නියාමනය කිරීම සඳහා අනුභාවික සාක්ෂි සහිතව ප්‍රතිපත්තිමය නිර්දේශයන් සිදු කිරීමයි. විශේෂයෙන්ම, මෙම අධ්‍යනය උප නියෝජිතයන්ගේ ගතිකයන් විදේශගතවන ශ්‍රමිකයන් තීරණය වීමට බලපාන ආකාරය, උප නියෝජිතයන්ගේ ගතිකයන් වැටුප් සහ දීමනා තීරණය කිරීමේදී බලපාන ආකාරය සහ විදේශගත වීමට නියමිත හා විදෙස් ගතවූ පසු ශ්‍රමිකයන් තුල පවතින ආකල්ප පිළිබඳව අධ්‍යනය කිරීමට උත්සාහ කරයි. මෙම වාර්තාව සංක්‍රමණික ප්‍රතිපත්ති සම්පාදකයන්ට තොරතුරු ලබා දීම සඳහා සිදු කරන ලද, සවිස්තරාත්මක අධ්‍යනයක සංක්ෂිප්ත ප්‍රකාශනයක් වේ. මේ ආකාරයට, සංක්‍රමණික ප්‍රතිපත්ති සම්පාදකයන් සංක්‍රමණික කටයුතුවලට අදාළ පසුබිම්ගත කරුණු සම්බන්ධයෙන් සහ උප නියෝජිතයන්ගේ මැදිහත්වීම තුල ඇතිවන ප්‍රශ්න සම්බන්ධයෙන් වඩා දැනුවත්ය යන උපකල්පනය මත සිට ඊට අදාළ තාක්ෂණික කරුණු මෙහි සරලව දක්වා ඇත.

මෙම අධ්‍යනයේ විෂය ක්ෂේත්‍රය උප නියෝජිතයන්ගේ උපකාරයෙන් ගල්ෆ් සහයෝගිතා මණ්ඩලයේ (GCC) රටවලට රැකියා සඳහා යන කාන්තා ගෘහස්ත ශ්‍රමිකයින් වෙත පමණක් සීමා වී ඇත. මෙම අධ්‍යයනය සංවිධානය කිරීමේදී යොදාගන්නා ලද රාමුව ලෙස බඳවාගැනීමේ ක්‍රියාවලිය තුළ මීට සම්බන්ධ පාර්ශවයන්ගේ ක්‍රියාකාරකම් සහ සංජානනයන් ද, මෙම වාතාවරණය තුළ පැන නැගිය හැකි අවිනිශ්චිතතාවයන් සහ ගැටලු ද දැක්විය හැකිය. මෙහි අන්තර්ගත විග්‍රහය 2017 වර්ෂයේ ශ්‍රී ලංකාවේ දිස්ත්‍රික්ක තුනක් ආවරණය කරමින් විදේශගතවන ශ්‍රමිකයන් සිටින කුටුම්භ 1,107 ක් යොදාගෙන සිදු කරන ලද ප්‍රාථමික දත්ත එකතුවක් ආශ්‍රයෙන් සිදු කර ඇත.

මෙම අධ්‍යනය විදේශගතවන ශ්‍රමිකයන් සහ උප නියෝජිතයන්ගේ අන්‍යොන්‍ය සම්බන්ධතාවය ගැන විස්තරාත්මක අධ්‍යනයකින්ද තවත් බලපෑම් අධ්‍යන තුනකින් (rigorous impact analyses) ද සමන්විතය. විවිධ ක්‍රමවේද යොදා ගනිමින්, උප නියෝජිතයන්ගේ ගතිකයන් සහ සංක්‍රමණ සම්බන්ධයෙන් උප නියෝජිතයන්ගේ බලපෑම් පිළිබඳව විදේශගතවන ශ්‍රමිකයන්ගේ අදහස්, මෙම අධ්‍යනය තුළ විග්‍රහ කොට ඇත. උප නියෝජිතයන් තමන්ගේ සේවාව සඳහා ගාස්තුව ලෙස මුදලක් ඉල්ලා සිටි සංක්‍රමණිකයන් සංක්‍රමණය වීමට අඩු සම්භාවිතාවක් ඇති බවත්, උප නියෝජිතයන් විසින් විදේශගතවීම සඳහා ජාත්‍යන්තර ගමන් බලපත්‍ර එකතු කරන ලද අයට සංක්‍රමණ සඳහා ඉතා ඉහළ සම්භාවිතාවක් තිබෙන බවත් මෙම අධ්‍යනය විසින් පෙන්වා දෙයි. තව ද උප නියෝජිතයන් විධිමත් පාර්ශවිකයන් ලෙස හඳුනාගන්නා අයට සංක්‍රමණය වීමට අඩු සම්භාවිතාවයක් ඇති බවත්, උප නියෝජිතයන්ට බඳවාගැනීමේ ක්‍රියාපටිපාටිය තුළ ඉහළ බලයක් ඇතැයි විශ්වාස කරන අයට සංක්‍රමණය වීමට වැඩි සම්භාවිතාවයක් ඇති බවත් අධ්‍යයනය හෙළි කරයි.

පොරොන්දු වූ වේතන සහ දීමනා ලබාදීමේ තීරණාත්මක සාධක විග්‍රහ කිරීමේදී උප නියෝජිතයන් විධිමත් යැයි සංක්‍රමණිකයන් තුල ඇති අදහස සහ උප නියෝජිතයන් සංක්‍රමණිකයන්ගේ ජාත්‍යන්තර ගමන් බලපත්‍ර එකතු කිරීම, යන විචල්‍යන් ද්විත්වය අඩු පොරොන්දු වැටුප් ලබා දීමට බලපායි. අනෙක් අතට, උප නියෝජිතයන් ඔවුන්ගේ කර්තව්‍ය සඳහා මුදල් අය කිරීම ඉහළ පොරොන්දු වැටුපක් ලබාගැනීමට බලපෑම් අත් කරයි. එසේම උප නියෝජිතයන් විධිමත් කොටස්කරුවන්

ලෙස දැකීම සහ උප නියෝජිතයින් සංක්‍රමණිකයන්ගේ ජාත්‍යන්තර ගමන් බලපත්‍ර එකතු කිරීම පොරොන්දු වූ දීමනා අඩු වීමට බලපායි.

මෙම අධ්‍යනය අනුව සමස්ත බඳවාගැනීමේ ක්‍රියාපටිපාටිය සම්පූර්ණ කළ පසු, උප නියෝජිතයෙක් විධිමත් කොටස්කරුවෙක් ලෙස සංක්‍රමණිකයෙක් සැලකීමට ඇත්තේ අඩු සම්භාවිතවයකි.

ඉහත සියල්ල එක්ව ගත් විට ඉහත අනුභාවික ඵලයන් සියල්ල පහත පරිදි දැක්විය හැකිය; සංක්‍රමණිකයන් තුළ, උප නියෝජිතයන් බඳවාගැනීමේ ක්‍රියාපටිපාටිය තුළ සිටින විධිමත් කොටස්කරුවන්ය යන මතය, විදේශගතවීමේ සම්භාවිතාවය පොරොන්දු වූ වේතන සහ පොරොන්දු දීමනා යන දෑ මත ඍණාත්මක බලපෑමක් ඇති කරනු ලබයි; උප නියෝජිතයන් විසින් සංක්‍රමණිකයන්ගේ ජාත්‍යන්තර ගමන් බලපත්‍ර එකතු කිරීම පොරොන්දු වැටුප් සහ පොරොන්දු දීමනා අඩු කිරීමටත්, විදේශගතවීමේ සම්භාවිතාවය වැඩි කිරීමටත් බලපායි; උප නියෝජිතයන් තමන්ගේ සේවාව සඳහා මුදල් ඉල්ලීම පොරොන්දු වැටුප් සහ පොරොන්දු දීමනා ඉහළ විදේශගතවීමේ සම්භාවිතාවය පහළ දැමීමටත් බලපායි.

ඉහත දක්වන ලද සොයාගැනීම පදනම් කරගෙන උප නියෝජිතයන් නියාමනය කිරීම සඳහා රාමුවක් සකස් කිරීමේදී වැදගත් විය හැකි යෝජනාවන් ලෙස:

- ශ්‍රී ලංකා විදේශසේවා නියුක්ති කාර්යාංශය (SLBFE) විසින් උප නියෝජිතයන්ගේ වර්තමාන අවිධිමත් තත්ත්වය පිළිබඳව මනා සහ පැහැදිලි අවබෝධයක් සංක්‍රමණිකයන්ට ලබා දීම.

  අනාගතයේදී උප නියෝජිතයන් විධිමත් බවට පත් කරන ලදහොත් ඒ තොරතුරුද පැහැදිලිව ප්‍රචලිත කළ යුතුය.

- බඳවාගැනීමේ ක්‍රියාපටිපාටිය තුළ ජාත්‍යන්තර ගමන් බලපත්‍ර එකතු කළ හැකි අදියර පැහැදිලිව දැක්වීම.

- අවශ්‍ය ලිපි ලේඛණ එකතු කිරීම, නැවත භාරදීම, විභව සංක්‍රමණිකයන් ජාත්‍යන්තර ගමන් බලපත්‍ර ලබා දීම ආදිය පිළිබඳව පැහැදිලි ක්‍රමවේදයක් සකස් කිරීම.

- උප නියෝජිතයන් මුදල් එකතු කිරීම පිළිබඳව පැහැදිලි ක්‍රමවේදයක් සකස් කිරීම.

நிறைவேற்றுச் சுருக்கம்

இலங்கையிலிருந்து புலம்பெயர் தொழிலாளர்களை ஆட்சேர்ப்புச் செய்வதில் துணை முகவர்களின் பங்கு முக்கியமானது. பாரிய ஆட்சேர்ப்பு நிறுவனங்களின் சார்பில் தொழிலாளர்களை இனங்கண்டு வெளிநாட்டு வேலைவாய்ப்பிற்கு தயார்படுத்தும் துணை முகவர்கள், பெரும்பாலும் பதிவுசெய்யப்படாத சுயாதீனமாக இயங்கும் நபர்களாக இருப்பதுடன், முக்கியமாக, கிராமப்புறங்களிலுள்ள வெளிநாட்டு வேலைவாய்ப்புகளைத் தேடுவோருடனான தனிப்பட்ட தொடர்புகளை அடிப்படையாகக் கொண்டு இயங்கி வருகின்றனர். பதிவுசெய்யப்பட்ட ஆட்சேர்ப்பு நிறுவனங்கள் புலம்பெயர் தொழிலாளர்களை அணுகுவதிலான சிரமங்கள், குறிப்பாக, சட்டரீதியான கட்டுப்பாடுகள் காரணமாக துணை முகவர்களின் சேவை அவசியமாகின்றது. இதன் காரணமாக, பதிவுசெய்யப்பட்ட ஆட்சேர்ப்பு நிறுவனங்களும் வெளிநாட்டு வேலைவாய்ப்புகளைத் தேடுவோரும் முறைசாராத அடிமட்டத்திலான சேவைகளுக்காக துணை முகவர்களைச் சார்ந்து இருக்க வேண்டிய நிலைமை காணப்படுகின்றது.

இலங்கையில் தற்போது துணை முகவர் நடவடிக்கைகளை ஒழுங்கமைக்க வேண்டி அழுத்தம் கொடுக்கப்பட்டு வருகின்றது. தனியார் வேலைவாய்ப்பு முகவர்களினால் மேற்கொள்ளப்படும் துஷ்பிரயோகங்கள் மற்றும் துணை முகவர்களுக்கான ஒழுங்குமுறைக் கட்டமைப்பிலுள்ள குறைபாடுகள் காரணமாக புலம்பெயர் தொழிலாளர்கள் பல்வேறு சுரண்டல்களுக்கு உள்ளாகும் நிலைமை காணப்படுகின்றது. அண்டைய நாடுகளிலான ஆய்வறிக்கைகளுக்கமைய, அதிக கட்டணங்கள் வசூலித்தல், தவறான தகவல்களை வழங்குதல் மற்றும் ஏமாற்று நடவடிக்கைகள் என்பவற்றுக்காக துணை முகவர்கள் கடுமையாக விமர்சிக்கப்பட்டு வருகின்றனர். இதன் காரணமாக, துணை முகவர்களை ஒழுங்குபடுத்தவும் கண்காணிக்கவுமென இலங்கை அரசாங்கமானது பல்வேறு கொள்கை வரைபுகளைத் தயாரித்து வருகின்றது.

இதனடிப்படையில், புலம்பெயர் தொழிலாளர்கள் மற்றும் துணை முகவர்களுக்கிடையிலான தொடர்புகளை புலம்பெயர் தொழிலாளர்களின் கண்ணோட்டத்தில் புரிந்துகொள்ளுதல் மற்றும் துணை முகவர்களின் செயற்பாடுகளை ஒழுங்குபடுத்தத் தேவையான கொள்கை வரைபுகளுக்கான ஆதாரபூர்வமான பரிந்துரைகளை வழங்குதல் ஆகியன இந்த ஆய்வின் பிரதான குறிக்கோள்களாக அமைகின்றன. குறிப்பாக, ஊதியம் தொடர்பான பேச்சுவார்த்தைகளில் துணை முகவர்கள் செல்வாக்கு செலுத்தும் விதம் மற்றும் ஆரம்பகட்ட வெளிநாட்டு வேலைவாய்ப்புத் தேடும் முயற்சி தொடக்கம் வெளிநாடுகளுக்கு புலம்பெயர்தல் வரை, துணை முகவர்கள் தொடர்பில் புலம்பெயர் தொழிலாளர்கள் கொண்டுள்ள அபிப்பிராயங்கள் போன்றவை இங்கு ஆராயப்படுகின்றன. இந்த ஆய்வறிக்கையானது, குடியகல்வு தொடர்பான கொள்கை வகுப்பாளர்களுக்கு புலம்பெயர் தொழிலாளர்கள் மற்றும் துணை முகவர்கள் தொடர்பான ஆய்வு விபரங்களைச் சுருக்கமாக வழங்குகிறது. குடியகல்வு தொடர்பான கொள்கை வகுப்பாளர்கள் குடியகல்வு செயன்முறை மற்றும் துணை முகவர்களினால் எழுகின்ற பொதுவான பிரச்சினைகளை நன்கு அறிந்துள்ளதன் அடிப்படையில், இவ்வறிக்கையிலான தொழில்நுட்ப விபரங்கள் சுருக்கமாகக் குறிப்பிடப்பட்டுள்ளன.

துணை முகவர்களின் உதவியுடன் வளைகுடா ஒத்துழைப்பு கவுன்சில் நாடுகளில் (GCC) வெளிநாட்டு வேலைவாய்ப்பினைத் தேடும் வீட்டுப் பணிப்பெண்கள் (FDWs) மாத்திரம் இந்த ஆய்வில் கருத்திற்கொள்ளப்படுகின்றனர். ஆட்சேர்ப்புச் செயன்முறையுடன் தொடர்புடைய தரப்பினரின் அபிப்பிராயங்கள் மற்றும் அதனைச் சார்ந்துள்ள நிச்சயமற்ற நிலைமைகள்/ பிரச்சினைகள் போன்றவற்றை அடிப்படையாகக் கொண்டே இந்த ஆய்வானது கட்டமைக்கப்பட்டுள்ளது. இலங்கையின் மூன்று மாவட்டங்களிலுள்ள 1,107 புலம்பெயர் தொழிலாளர் குடும்பங்களிலிருந்து, 2017 ஆம் ஆண்டில் இரண்டு சுற்றுகளாக சேகரிக்கப்பட்ட தரவுகளின் அடிப்படையில் இங்கு பகுப்பாய்வுகள் மேற்கொள்ளப்பட்டுள்ளது.

,ந்த ஆய்வானது, புலம்பெயர் தொழிலாளர்கள் மற்றும் துணை முகவர்களுக்கிடையிலான தொடர்புகளை மூன்று விரிவான பகுப்பாய்வுகள் மூலமாக விவரிக்கின்றது. நிலையான விளைபயன் முறைமையினை பிரதான மாதிரியாகவும், (PSM) எனப்படும் எதிர்வுகூறல் புள்ளி இணக்கப்பாடு முறைமையினை உரன் உடமையான சோதனையாகவும் கொண்டு, துணை முகவர்களின் செயற்பாடுகள் தொடர்பில் புலம்பெயர் தொழிலாளர்கள் கொண்டுள்ள அபிப்பிராயங்களை இந்த ஆய்வானது விளக்க முயல்கின்றது. ஆய்வு முடிவுகளின்படி, கொடுப்பனவுகளை மேற்கொள்ளும் முகமாகப் புலம்பெயர் தொழிலாளர்களிடமிருந்து துணை முகவர்களினால் கட்டணம் அறவிடப்படும் சந்தர்ப்பங்களில் வெளிநாடுகளுக்கு குடியகல்வதில் குறைந்த நிகழ்தகவும், புலம்பெயர் தொழிலாளர்களின் கடவுச்சீட்டுகள் துணை முகவர்களினால் சேகரிக்கப்படும் சந்தர்ப்பங்களில் வெளிநாடுகளுக்கு குடியகல்வதற்கு அதிகமான வாய்ப்புகளும் காணப்படுகின்றன. அத்தோடு, வெளிநாட்டு வேலைவாய்ப்புகளுக்காக ஆட்சேர்க்கும் செயன்முறையில் துணை முகவரை வெறுமனே ஒரு மத்தியஸ்தராக புலம்பெயர் தொழிலாளர்கள் கருதும் சந்தர்ப்பங்களில் குடியகல்வதற்கான நிகழ்தகவு குறைவாகவும், ஆட்சேர்க்கும் செயன்முறையில் துணை முகவரை அதிக செல்வாக்குடையவராக புலம்பெயர் தொழிலாளர்கள் கருதும் சந்தர்ப்பங்களில் குடியகல்வதற்கான வாய்ப்புகள் அதிகமாகவும் காணப்படுகின்றன.

புலம்பெயர் தொழிலாளர்களுக்கான ஊதியம் மற்றும் ஊக்கத்தொகைகளை தீர்மானிக்கும் காரணிகளின் பகுப்பாய்விலும் நிலையான விளைபயன் முறைமை பயன்படுத்தப்படுகின்றது. இதன் பிரகாரம், புலம்பெயர் தொழிலாளர்களிடமிருந்து கடவுச்சீட்டுகளை சேகரிக்கும் துணை முகவர்களினால் குறைவான ஊதியமே உறுதியளிக்கப்படுகிறது என்ற அபிப்பிராயம் நிலவுகின்றது. மாறாக, கட்டணம் அறவிடும் துணை முகவர்களினால் புலம்பெயர் தொழிலாளர்களுக்கு அதிகளவு ஊதியம் உறுதியளிக்கப்படுகிறது. இதே போன்று, ஆட்சேர்ப்புச் செயன்முறையின் ஒரு பங்குதாரராக கடவுச்சீட்டுகளை சேகரிக்கும் துணை முகவர்களினால் குறைந்தளவு ஊக்கத்தொகைகளே உறுதியளிக்கப்படுவதாக புலம்பெயர் தொழிலாளர்கள் கருதுகின்றனர். இத்தகைய முடிவுகள் மதிப்பீட்டு மாதிரியினை எதிர்காலத்தில் வெளிநாட்டு வேலைவாய்ப்புகளைக் கருத்திற்கொள்ளும் தொழிலாளர்களுக்கு மாத்திரம் மட்டுப்படுத்துகின்றன.

புலம்பெயர் தொழிலாளர்கள் மற்றும் எதிர்காலத்தில் வெளிநாட்டு வேலைவாய்ப்புகளைக கருத்திற்கொள்ளும தொழிலாளர்களுக்கிடையிலான தொடர்புகள் மற்றும் துணை முகவர்கள் தொடர்பில் புலம்பெயர் தொழிலாளர்கள் கொண்டுள்ள அபிப்பிராயங்கள், (PSM) முறைமையினை அடிப்படையாகக் கொண்டு பகுப்பாய்வு செய்யப்படுகின்றன. இதன் முடிவுகளின்படி, புலம்பெயர் தொழிலாளர்கள் தாமாகவே ஆட்சேர்ப்புச் செயன்முறையினை அணுகும் சந்தர்ப்பங்களில், துணை முகவரை ஒரு பங்குதாரராக கருதுவதற்கான நிகழ்தகவு குறைவடைகின்றது.

மேற்கூறிய அனைத்து செயலறிவு சார்ந்த முடிவுகளும் பின்வருமாறு விளக்கப்படுகின்றன: துணை முகவரை வெறுமனே ஒரு பங்குதாரராக கருதும் புலம்பெயர் தொழிலாளர்களின் தவறான அபிப்பிராயமானது, குடியகல்வதற்கான நிகழ்தகவு மற்றும் உறுதியளிக்கப்படும் ஊதியம் மற்றும் ஊக்கத்தொகைகளில் எதிர்மறையான விளைவுகளையும், துணை முகவர்களினால் புலம்பெயர் தொழிலாளர்களிடமிருந்து கடவுச்சீட்டுகள் சேகரிக்கப்படுவதன் மூலம் குறைவான ஊதியம் மற்றும் ஊக்கத்தொகைகள் உறுதியளிக்கப்படவும், வெளிநாடுகளுக்கு குடியகல்வதற்கு அதிகமான வாய்ப்புகளும் காணப்படுவதுடன், புலம்பெயர் தொழிலாளர்களிடமிருந்து கட்டணம் அறவிடும் துணை முகவர்களினால், அதிகளவு ஊதியம் மற்றும் ஊக்கத்தொகைகள் உறுதியளிக்கப்படுவதுடன், வெளிநாடுகளுக்கு குடியகல்வதற்கான குறைந்த நிகழ்தகவும் காணப்படுகின்றது.

மேற்கூறிய முடிவுகளின் அடிப்படையில், துணை முகவர்களை ஒழுங்குபடுத்தும் கொள்கை வரைபுகளை தயாரிக்கும் போது கருத்திற்கொள்ள வேண்டிய பரிந்துரைகள் பின்வருமாறு:

- (SLBFE) இனால் துணை முகவர்களின் தற்போதைய முறைசாரா நிலைமையை புலம்பெயர் தொழிலாளர்களுக்கு தெளிவாக அறியத்தருதல்.
- துணை முகவர்களின் செயற்பாடுகள் எதிர்காலத்தில் முறைப்படுத்தப்படும் சந்தர்ப்பத்தில், அது தொடர்பான விபரங்களைத் தகுந்த நேரத்தில் பரப்புரை செய்தல்.
- ஆட்சேர்ப்புச் செயன்முறையில் துணை முகவரினால் புலம்பெயர் தொழிலாளரின் கடவுச்சீட்டு சேகரிக்கப்படும் படிமுறையினைக் குறிப்பிடுதல்.
- புலம்பெயர் தொழிலாளரின் கடவுச்சீட்டினை சேகரிப்பதற்கு தேவையான ஆவணங்களை வழங்குதல், ஒப்படைத்தல் மற்றும் தேவையேற்படின் கடவுச்சீட்டினை மீளப்பெறுவதற்கான தெளிவான வழிமுறையினை அறிமுகப்படுத்தல்.
- துணை முகவர்களிடமிருந்து கட்டணம் வசூலிப்பதற்கான பொறிமுறையினை அறிமுகப்படுத்தல்.

1. Introduction

Sub Agents play a significant role in the recruitment of migrant workers from Sri Lanka. The need for the involvement of Sub Agents is instigated by capacity constraints of both licensed recruitment agents as well as potential migrants. The licensed recruitment agents often operate in the city centers, considerably far off from the rural villages where potential migrants reside. Due to the geographical distance between licensed agents and potential migrants, licensed recruitment agents are unable to reach out adequately to their clientele. Moreover, the legislative framework in Sri Lanka inhibits licensed recruitment agents from establishing branch offices in addition to their main office. This further constraints licensed recruitment agents from successfully reaching out to migrant workers. As a remedy to these legislative and capacity constraints, the licensed recruitment agents have evolved to rely on Sub Agents, who informally operate at the grass root level in areas where potential migrants originate from, to work as a conduit between a licensed agent and a potential migrant.

This working arrangement between licensed agents and Sub Agents, also fits well with the needs of low skilled potential migrant workers. When originating from less educated and lowest socioeconomic stratum of society, the recruitment process for foreign employment is often strange, intimidating and complicated to low skilled migrants. As such, these potential migrants are often reluctant to directly approach a licensed recruitment agent, but are more willing to do so with a Sub Agent, who is often a known person from the potential migrant's village. Due to this 'one of us' attitude that potential migrants share with Sub Agents, migrants are more at ease in placing trust on the Sub Agent and befitting from their reassurance to comfortably approach an unknown licensed agent for foreign employment. As such, the services of Sub Agents are commonplace in recruitment of FDWs to the GCC.

However, this informal nature of the Sub Agent's role and the absence of a framework to hold Sub Agents accountable for their conduct, have resulted in Sub Agents enjoying an unreasonable amount of power in the recruitment process (Weeraratne et al., 2018), which contribute to misleading, deception, abuse and exploitation of potential migrants (Transparency International, 2010). As such, there is mounting pressure in Sri Lanka to regulate Sub Agents and hold them accountable for their conduct. The most recent indication of the growing policy interest to regulate Sub Agents is the Cabinet Paper (No: 03/2017; Reference No: MFE/DEV/6/7 (i)) submitted in 2017 by the Ministry of Foreign Employment (MFE) to regularise intermediaries in the recruitment industry for foreign employment. However, previous efforts in Sri Lanka as well as international experience indicates that regulating this large group of informal Sub Agents is challenging. In the case of Sri Lanka, the previous efforts to regulate Sub Agents failed largely due to lack of monitoring subsequent to regulations. This is adequately emphasised in the National Labour Migration Policy of 2008 as 'despite diverse schemes set in place by the SLBFE, the inability to hold unlicensed Sub Agents accountable has led to the continuation of abusive and exploitative practices. The lack of a proper monitoring mechanism for licensed agencies is a major challenge in minimising malpractices' (Ministry of Foreign Employment and Welfare [MFEPW], 2008, p.11).

Similarly, in other sending countries such as India, the legislative framework to ban Sub Agents have been unsuccessful due to persistent informal activities by Sub Agents, while in Bangladesh and Nepal the strict regulations have only driven Sub Agents further underground (Bal, 2016; MFE, 2011; Sasikumar and Thimothy, 2015). On the contrary, Philippines is somewhat ahead of other sending countries in regulating Sub Agents, mainly due to licensed recruitment agencies being made responsible for any third-party that they may employ to assist recruitment for foreign

employment. Specifically, Sub Agents within the recruitment system in Philippines are required to obtain prior approval or authority for their operation by the Philippines Overseas Employment Authority Administration (POEA). The POEA approval is contingent upon clearance by the National Bureau of Investigation (NBI) and Anti-illegal Recruitment Branch of the POEA. Additionally, responsibility for all acts by third parties or Sub Agents involved in recruitment and deployment for work abroad from Philippines have to be borne by the licensed recruitment agent and this commitment has to be provided as a sworn statement by licensed recruitment agents (International Labour Organisation [ILO], 2013).

Currently, the Government of Sri Lanka is in the process of formulating more policies to regulate and monitor Sub Agents. As in the case of any regulating effort, some Sub Agents would fall in line with the new policies, while others would find dynamic mechanisms to outsmart the regulators. Underscoring these possible scenarios of action and reaction, a successful regulatory framework would emerge only if the regulatory mechanisms proposed would appeal to all relevant stakeholders. Such palatability of new policy to all stakeholders can only be attempted via evidence based policy formulation, where sound empirical understanding of the interactions of the key stakeholders in the involvement of Sub Agents are taken into consideration.

In this context, the broad goal of this study is to better understand the relationship between migrants and Sub Agents. To this effect three specific research questions are raised as follows:

1. How does Sub Agent's behaviour impact potential to migrate?

2. How does Sub Agent's behaviour impact migrant's wages?

3. To what extent does the lack of knowledge of the role of Sub Agent affect migration outcomes?

As such, the findings of the study provide empirical evidence from the point of view of migrants, which would be valuable in formulating policies to regulate Sub Agents in Sri Lanka.[1]

The study is based on two rounds of data collection. In order to hone in on the involvement of Sub Agents, the households interviewed for the survey are limited to those with FDW - current or potential - employed or pursuing employment in the GCC countries with the involvement of a Sub Agent.

This report provides an abridged version of the detailed study, as a dissemination vehicle to inform policy makers. As such, technical details are simplified here, where details can be found in Weeraratne (2018). Moreover, it is assumed that migration policy makers are familiar with background information on the migration process and the issues arising from the presence of Sub Agents.

The organisation of the report is as follows. Chapter 2 provides a background of labor migration from Sri Lanka with emphasis on the recruitment process, its institutional framework and stakeholders, followed by a discussion of the existing literature dealing with the involvement of recruitment intermediaries. Data and descriptive analysis of migrants, Sub Agents and their relationship are presented in Chapter 3, followed by the discussion of the impact of Sub Agents on various migration outcomes and perceptions of migrants in Chapter 4. Chapter 5 provides a synthesis of findings and recommendations to be considered in regulating Sub Agents in the recruitment process in Sri Lanka.

[1] This study complements Institute of Policy Studies of Sri Lanka (2018 (forthcoming)) on the perceptions of and interactions between Sub Agents and licensed recruitment agents. Together these two studies provide a holistic view of involvement of Sub Agents in Sri Lanka in recruitment for foreign employment.

2. Background

2.1 Context

Organised labour migration from Sri Lanka started in the late 1970s. Over the years, the recruitment framework in Sri Lanka has evolved in many aspects to currently having the National Labour Migration Policy of 2008, which the SLBFE provides clear guidelines, and closely monitors and regulates licensed recruitment agents. At the same time, the Association of Licensed Foreign Employment Agencies (ALFEA) established under the SLBFE Act No. 21 of 1985 supports the SLBFE by ensuring and enforcing best ethical practices for foreign employment recruitment among its member recruitment agents in Sri Lanka.

By 2016, labour migration from Sri Lanka was well established and the annual outflow was 242,930 workers, with 88 % headed to the GCC, while 57 % of total departures consisted of low skilled workers, which including 27 % of FDWs. Recruitment of FDWs often involves Sub Agents. Unsubstantiated estimates reported in Human Rights Watch (2007, p.25) indicate that there were 10,000-20,000 sub-agents in Sri Lanka in 2007 and that 75 % to 80 % of maids are channeling through Sub Agents. Similarly, a Key Informant Interview (KII) conducted by Weeraratne et al. (2018) in 2015 indicate that there were 100,000-200,000 Sub Agents operating in Sri Lanka, while Institute of Policy Studies of Sri Lanka (IPS, forthcoming) indicates that there are about 18,000 Sub Agents in 2017. Despite the hidden and informal nature of their operation, and the related difficulty in arriving at the exact number of Sub Agents operating in Sri Lanka, the National Labour Migration Policy of 2008 proactively identifies the importance of minimising 'irregular and abusive recruitment processes' (MFEPW, 2008, p.V). This policy highlights that 'malpractices by private recruitment agencies and the gaps in the regulatory framework for local agents of recruiting agencies (known as Sub Agents) lead to exploitative and abusive situations for migrant workers'.

Sub Agents involved in the recruitment of FDWs in Sri Lanka are normally paid by the licensed recruitment agents using the funds they receive from the employer at the country of destination. As noted by Weeraratne et al. (2018), an employer transfers approximately USD 3,500 (approximately LKR 500,000) to hire a FDW from Sri Lanka. Apart from actual recruitment costs such as pre-departure training fees, air fares and registration fees to the SLBFE, this also covers recruitment fees for licensed recruitment agent, commission for Sub Agent and upfront recruitment incentive to migrants/their families. Such upfront recruitment incentive payments are unique to FDWs originating from Sri Lanka for employment in the Middle East, and dates back to pre-1990's.

However, the upfront incentive payment became widespread in the late 1990s with the introduction of mandatory pre-departure training, which gave potential migrants an opportunity to interact with peers and exchange experience about the recruitment process. As noted by Weeraratne et al. (2018), for the recruitment of a FDW to Saudi Arabia the licensed recruitment agent's fees is LKR 50,000, while the Sub Agent's commission in LKR 100,000 and the upfront incentive to migrant and family is LKR 250,000 on average. As seen, the Sub Agent retains nearly double the amount a licensed agent retained after sending a FDW abroad. If the amount received is an indication of balance of power between these two players, Sub Agent is often in a more powerful position than the licensed recruitment agent, in terms of relative bargaining power. Reflecting the power dynamics, Weeraratne et al. (2018) highlight that the Sub Agent is the most powerful player in the value chain in recruitment of a FDW to Saudi Arabia. However, this power or the ability to manipulate the recruitment process is partly stemming from the integral role played by the Sub Agent and partly due to the absence of a regulatory framework to control the Sub Agents. Together this combination of power to manipulate the recruitment process in the absence of regulation and accountability often leads to misconduct.

As widely noted by literature, Sub Agents are often criticised for charging higher rates, involving themselves in abusive practices, giving false information, and cheating, to name a few. For instance, literature notes that the number of abusive practices has increased due to the involvement of Sub Agents in migration process. Specifically, Gunasinghe (2013, p.21) notes that the lack of registration and regulation of Sub Agents has led to 'create further gaps in protection through debt bondage and failure to prevent and penalise perpetrators of human trafficking'.

Ministry of Foreign Affairs [MFA] (2011, p.12) highlights that Sub Agents' involvement has resulted in migrants having to pay twice for their service, once as commission deducted from upfront incentives and a second time as direct payments to Sub Agents. Furthermore, International Organisation for Migration [IOM] (2009, p.38) has stated that 'many migrant workers - especially the low skilled and the unskilled female workers - have been exploited and misused by unauthorised recruitment agents', and malpractices by some private recruitment agencies and the 'gaps in the existing policy framework have aggravated this situation further'. One of the main reasons for such abusive practices is weak protection mechanisms in labour migration policies. For instance Jayasuriya (n.d., p.620) state that 'weak protection mechanisms in labour migration policies and programs allow these abuses to continue in this predominantly informal and unregulated sector'. As a result many licensed recruitment agents and Sub Agents psychologically, physically, and sexually abuse and harass female migrant workers.

In an effort to regulate, in 2012, the SLBFE issued identification cards to Sub Agents through the respective licensed agents. Subsequent to rolling out this initiative, it was felt that there were more Sub Agents operating in the field than registered, and as a result that unethical and unregulated activities of Sub Agents continued. As such, on March 10, 2016 the SLBFE issued a circular requesting all licensed agents to return the identification cards issued to their respective sub-agents by March 28, 2016. This circular implies the government position of not recognising the operation of Sub Agents. However, despite the issuance of this circular, the SLBFE did not take any action against the non-return of identity cards or the continued operation of Sub Agents.

Subsequently, as mentioned above, in March of 2017, the Cabinet Paper (No: 03/2017; Reference No: MFE/DEV/6/7 (i)) was submitted by the MFA to regularise Sub Agents in the recruitment industry for foreign employment in Sri Lanka. This recommends the following;

1. Grant permission to the licensed Foreign Employment Agents to appoint Sub Agents for the purpose of promoting business of the said agency with the approval of the regulatory authority SLBFE, subject to the prescribed process.
2. Number of Sub Agents / intermediaries for licensed agents will be prescribed by the SLBFE by using a criteria.
3. Functions of the Sub Agent/ intermediary should be decided, monitored and regulated by the SLBFE.
4. All such Sub Agents/ intermediaries should be registered as the Sub Agent / intermediaries of the Foreign Employment Agent and a valid license should be issued by the SLBFE as a Sub Agent / Intermediary.
5. List of Sub Agents/ intermediaries should be published for information of the general public.
6. Foreign Employment Agent or the principal agent should enter into a legal agreement with the intermediaries that should be approved by the SLBFE.
7. Liability of the licensee and Sub Agent/ intermediaries should be clearly mentioned and the liability of any act done, conducted or engaged in by the Sub Agent shall be treated as done by the licensed Foreign Employment Agent employing such intermediaries.

As such, during data collection for this study, Sub Agents remained an informal group involved in recruitment for foreign employment, and their operation was not accepted by the formal recruitment framework in Sri Lanka.

2.2 Literature Review

As main sending countries of FDWs, many Asian countries are encountered with issues related to recruitment intermediaries. Literature notes that 'there may be as many as several thousand recruiting agencies in each major source country in Asia if both licensed and unlicensed recruiting agencies are counted' (Rahman, 2011, p.3). Siddiqui (2010) notes that informal Sub Agents, who are referred to as intermediaries or "Dalals" in Bangladesh, mostly operate outside capital cities. This thriving industry for intermediaries in recruitment for foreign employment includes both unregistered small enterprises and individual Sub Agents. The ILO (2014, p.46) reports that similar to the case in Sri Lanka, in Bangladesh also 'informally, individuals act as Sub Agents for labour-brokerage agencies, going village to village to recruit candidates'. However, contrary to the case of Sri Lanka where migrants are not normally expected to pay the Sub Agent, in Bangladesh 'for an extra fee, these Sub Agents help prospective migrants find jobs and help agencies find prospective workers in a more timely fashion' (Rahman, 2011, p.12). The typical services provided by the Sub Agents in Bangladesh are similar to those provided by Sub Agents in rest of South Asia, such as 'assist prospective migrants with a wide range of activities such as paperwork, passports, bank accounts, medical checkups and transportation to the airport' to name a few (Rahman, 2011, p.12). Additionally, Sub Agents also address the trust deficit in the recruitment process, where the involvement of few-thousand-dollars in transaction necessitates the prospective migrant from a village to prefer to deal with someone they know and can trust, instead of an unknown licensed agent operating in the city. This way, potential migrants ensure that 'they have a local contact to approach in cases of fraud and exploitation' (Rahman, 2011, p.12). Moreover, in some instances Sub Agents in Bangladesh 'act as guarantors for some potential migrants who otherwise could not secure loans for migration', surpassing the role of Sub Agents beyond simple matching task.

In the case of Nepal also the involvement of Sub Agents is common. Reflecting the magnitude of the prevalence of the involvement of Sub Agents, Endo and Afram (2011) report that an estimated that USD 17-34 million is annually transferred through informal channels from Nepal as illegal commissions to middlemen and recruitment agencies in Qatar. In India, the deployment of Sub Agents or commission agents within the migration system is prohibited by the Emigration Act (Sasikumar and Thimothy, 2015). Nevertheless, intermediaries are heavily involved to connect a prospective migrant with a registered recruiting agent. These Sub Agents in India 'work at the village level, searching for potential migrants; sometimes they target households and lure workers into migrating, citing the possibility of improving their economic position or obtaining a better job with a specific qualification' (Sasikumar and Thimothy, 2015, p.29).

Focusing on the importance of networks in job search for migrant workers, some scholars refer to networks as the 'engines of migration' (Phillips and Massey, 2000), while others refer to recruiting agencies as the 'other engines of migration' (Hernandez-Leon, 2005). As per Rahman (2011, p.12) 'set rules and regulations control the behaviour of the recruiting agency while traditional social control mechanisms ensure the conduct of migrant network members'. In their examination of how labor market intermediaries serve as functional substitutes for social network processes for disadvantaged workers, Fernandez (2010, p.29) underscore that 'the interests of intermediary organisations need not align with the firms goals'. Displaying another aspect of networks, Kuzubas and Szabo (2017, p.3) show that workers who find employment through their strong ties - defined as family and friends earn about 10 % lower wages.

Similar to other countries in the South Asian region, in Sri Lanka also the services of Sub Agents are crucial in the recruitment process. HRW (2007, p.95) notes that 'Sri Lanka's labor recruitment industry requires more stringent monitoring and regulation' to avoid regulatory gaps related and enhance regulation and monitoring of Sub Agents. HRW (2007) also highlights that licensed agencies hire and delegate duties to Sub Agents, but the former bear no responsibility for the illegal actions of the latter. Hinting the possibility of the recently proposed actions of the Cabinet Paper of 2017/03, HRW (2007, p.96) notes that 'licensing and

regulation system by which licensed agents register their Sub Agents is possible to implement' because licensed agencies frequently work with a consistent roster of Sub Agents and pay them commissions. The same report also notes the view of some stakeholders, that regulating Sub Agents will create more problems, despite being key players in the recruitment process, they are acting in ad hoc ways and their activities are limited to a single agent.

Caritas (n.d., p.42) depicting the manner in which agents and migrants in Sri Lanka rely on Sub Agents, notes that agents count on Sub Agents 'to announce job availability by word-of-mouth in the community/villages and to convince women to migrate by assuring them all the assistance and services during the entire migration process'. This publication also states that often Sub Agents are from the same community as potential migrants, which makes the interaction of the two groups hassle free, and potential migrants are often convinced that they are 'actually going through legal channels. Very often, the Sub Agents are the only contact to migrants throughout the entire migration process'. Revealing the malpractices conducted in the recruitment process, Caritas (n.d.) notes forging travel documents, medical certificates and training certificates are often carried out by Sub Agents, who often misuse their power to illegally withhold the passports of potential migrants.

The ILO (2013, p.24) report notes that 'irrespective of decentralisation policies of the SLBFE's services and establishing of recruitment agencies island wide, exploitations of prospective migrant worker in the hands of Sub Agents appear to be still a concern factor prevailing in the recruitment system which has not been successfully managed by the authorities yet'. It also note that 'the Philippines recruitment mechanism is also enriched with some concern on the Sub Agent factor', and indicates how Sri Lanka can learn from their experience in regulating Sub Agents (ILO, 2013, p.33).

Gunasinghe (2013, p.21) notes the Sri Lankan government's 'intention to change existing legislation to include compulsory registration and regulation of Sub Agents. The author also underscore that there was no consultative process or transparency in amending these laws. However, as noted by Thimothy et al. (2016, p.29), these intentions were not yet materialised. For example, in reviewing the institutional framework for labour migration, Thimothy et al. (2016, p.29) state that 'the present SLBFE Act does not adequately cover the role and responsibility of Sub Agents who are involved in the migration' and mentions the proposed Act aims to recognise the Sub Agents by introducing legally binding provisions with recruitment agents to promote ethical recruitment practices.

As seen in the above literature review on Sub Agents in Sri Lanka, there has been interest by the government to regulate Sub Agents for a considerable amount of time and the recent Cabinet Paper of No. 03/2017 is a culmination of all these efforts. However, previous literature has rarely focused on any empirical work specific to Sub Agents. Accordingly all previous policy efforts have relied on minimal research at most limited to desk reviews. To address this gap in literature, the current report provides the first empirical analysis of the impact of Sub Agents in the recruitment process. Moreover, this study provides the first panel data set on migrant workers in Sri Lanka.

2.3 Analytical Framework

Due to the geographical distance between agents and potential migrants and other reasons, an intermediary between the two groups has evolved into existence called Sub Agents. Sub Agents do not have a formal affiliation to licensed recruitment agencies, but an informal existence to mediate between potential migrants and licensed agents, and help migrants navigate the migration process. The services of Sub Agents are commonplace in recruitment of FDW to the GCC countries. In many cases, the Sub Agent is a known person from the potential migrants village. This one of us attitude that potential migrants share with Sub Agents, migrants related ease in placing trust on the Sub Agents, and the guidance provided by Sub Agents encourage potential migrants to comfortably approach an unknown licensed agent for foreign employment. Nonetheless, due to this informal nature of the Sub Agents role in the migration process, it is well documented that misleading and deception of

potential migrants is rampant among Sub Agents.

As a first step, migrants choose to approach a Sub Agent in order to get introduced to a licensed agent, to obtain information about employer at country of destination, to obtain information about the recruitment process, and to help go to various locations such as the SLBFE and its training centers. In addition, Sub Agents help migrants to obtain the required documentation for foreign employment such as passports, visas, air tickets and medical certification. Wage negotiations between the Sub Agent, licensed agent and migrant are also an integral component in the recruitment process. The upfront incentive offered by employees to finance the recruitment process is split across these three stakeholders, based on numerous factors.

Many factors influence a potential migrant's probability to migrate. These include personal characteristics such as age, education, and marital status; experience related factors such as first time migrant and previous employment in Sri Lanka; job offer specific characteristics such as country of destination, wages and incentives offered; as well as Sub Agent specific characteristics. Sub Agent's characteristics include age, gender, his conduct in the recruitment process, as well as potential migrant's perception about Sub Agent. In terms of conduct, Sub Agent collecting potential migrant's passport and requesting fees for his services influence the probability to migrate as follows. By submitting one's passport to a given Sub Agent, the potential migrant eliminates the possibility of approaching other Sub Agents and licensed recruitment agents for foreign employment opportunities and restricts herself to a single Sub Agent. On the one hand this may increase the probability of migration if the Sub Agent is conducting himself professionally and ethically, and is actively working towards potential migrant's migration for employment. On the other hand, unethical or unprofessional Sub Agents may produce the potential migrant's passport to a licensed recruitment agent only to obtain his commission from the licensed agent and lose interest in assisting potential migrant to migrate.

Similarly, request for fees for Sub Agent's services may be due to Sub Agent wanting to invest more time and effort into sending the potential migrant abroad for employment and thus need to cover his related expenses. On the contrary, it may also be due to unethical and unprofessional Sub Agents wanting to financially exploit the potential migrant, with no genuine interest to work towards sending the potential migrant overseas for employment.

If potential migrants understand the actual role and capacity of Sub Agents, they are less likely to be intimidated by Sub Agents. As such potential migrants who have a misconception about Sub Agent's formal status, or their relative bargaining power with the licensed agents in the recruitment process are more likely to be deceived and experience unfavourable outcomes in the recruitment process.

The same set of characteristics of Sub Agents also affects the amount of wages and incentives negotiated by potential migrants via similar channels. As mentioned above, collection of passport and request for fees by Sub Agent could either be due to wanting to make an extra effort to assist potential migrant to find a job overseas or due to unethical, unprofessional and exploitative self interests at the cost of potential migrant.

However, migrants' misconception about Sub Agents may not be permanent. Compared to possible naive perceptions formed during early stages of migration, by the time one transitions from a potential to a current migrant she has experienced the entire migration recruitment cycle and perceptions about Sub Agents are also conditioned by such experience. As such, migrant's perceptions about Sub Agent's formal status and his role and capacity in the recruitment process may change over time. As such, the actions and perceptions of stakeholders in the recruitment process, and the uncertainties/issues that arise surrounding these engagements are the framework around which the study is organised.

In modeling the impact of Sub Agents' characteristics on migration outcomes, the outcome variables considered are probability of migration, wages and recruitment incentives. For each outcome variable considered the independent variables considered include a vector of migrant characteristics, a vector of migrant's experience related characteristics, a vector of job

offer specific characteristics and a vector of Sub Agent related characteristics. The migrant's characteristics considered are age, marital status, while experience variables are indicators for previous employment in Sri Lanka and previous employment overseas. The job offer specific variables considered in the analyses are country of destination, while wages offered and incentives offered are considered only in the models to determine probability of migration.

The variables included in the vector of Sub Agent specific variables include demographic characteristics of Sub Agents such as gender and age group, Sub Agent's conduct such as collection of passport from potential migrant during the recruitment process and request for fees for their services.

Additionally, the analyses also include indicators for migrant's perception about Sub Agent's formal status, namely if migrant believes that (a) it is compulsory to go through a Sub Agents for recruitment, (b) Sub Agent is an official representative of the licensed recruitment agent, (c) Sub Agent is officially recognised by the SLBFE, and (d) Sub Agent showed potential migrant a formal identification. Finally, the analyses also include indicators for migrant's perception about the relationship dynamics between the Sub Agent and licensed recruitment agent. Here the indicators are for migrants' perception that the Sub Agent has more bargaining power in the recruitment process than the licensed agent and Sub Agent (instead of the licensed agent) has the capacity to decide on the amount of incentives for migrant. The central focus in all above analyses are on the perception variables of migrants about Sub Agent's formal status and on their relationship dynamics with the licensed recruitment agent.

In the analysis of how migrant's perception about Sub Agent change over the recruitment process, the outcome variable are the four indicators for migrant's perception about Sub Agent's formal status and the two indicators for migrant's perception about the relationship dynamics between the Sub Agent and licensed recruitment agent. When each of these six outcome variables are considered one at a time as the dependent variable, the independent variable of interest is the indicators for potential/current migrant status. The other control variables used in the analyses are same as those discussed above.

3. Data and Descriptive Analysis

The study is based on primary data collected from three purposively selected districts in Sri Lanka - Gampaha, Kurunegala and Puttalam. The sampling methodology involves random and purposive sampling. Detailed information on sampling methodology can be provided upon request. Respondents for the survey were restricted to FDWs due to the identified scope of the study.

The first round of data collection was carried out from April to July 2017. Here a total of 499 households were surveyed, where 277 household were identified as potential migrant households defined as the migrant is actively involved in finding employment in the GCC with the involvement of a Sub Agent. Additionally, the sample also included 222 current migrant households, where the migrant was currently employed at one of the GCC destination countries.

The unique setup of the recruitment process in Sri Lanka, for female domestic workers for employment in the GCC, allows this study to collect valid information of migrant's recruitment process from family members even while the migrant is employed abroad. Specifically, the mandatory pre-departure training for foreign employment requires that migrants' family members attend the last day of training which guarantees that these family members are sufficiently informed about the recruitment process.

Similarly, the involvement of an upfront incentive, of which a part is often handed over by the Sub Agent to a family member after the departure of migrant, further ensures that the family members are adequately knowledgeable about the recruitment process. The scheduling of payment (often the last installment) after departure is aimed at eliminating the possibility of migrants misleading Sub Agents and collecting upfront incentives but refusing to migrate. As such, before departure the migrant would normally educate the family about the Sub Agent and the recruitment process to collect relevant payments in her absence. Due to these two well established functioning processes in Sri Lanka, migrants' family members are involved and are well aware of the recruitment process for foreign employment, to provide information on behalf of the current migrants in the data collection process.

The second round of data collection carried was out from September to November 2017, where a total of 608 households were surveyed. This included following up 213 potential migrant households from Round 1 and surveying of 395 additional households. These additional households included 74 current migrant households and 321 potential migrants. Among the follow up households 166 were still potential migrants in Round 2 while 47 were now current migrants.

As such, the pooled sample consists of 894 households. Even though the data collection was carried out at the household level, data from a given household is specific to a unique individual (migrant). As such, throughout the analysis the unit of analysis is the migrant. Unless specified otherwise, migrants commonly refer to both current and potential migrants.

3.1 Profile of Migrants and Sub Agents

This descriptive analysis pertains to the 894 unique migrants in the pooled dataset.[2] In this sub sample 27 % of migrants originated from the Gampaha district, while 42 % and 31 % were from Kurunegala and Puttalam district, respectively. The distribution of countries of destination among the GCC countries of respondents in the dataset are depicted in the left panel of Table 1 below. As seen, more than half were employed or were seeking employment in Kuwait while the shares for Saudi Arabia, Oman and UAE are of similar proportions ranging from 13-15 %.

The average age of migrants in the sample was 38.7 years, with a range of 18 to 63 years. The average age among current

[2] Pooled Dataset (1,107) minus follow up respondents in round two (213) leads to 894 unique migrants in the pooled dataset.

migrants was 38.83 years, which is higher than the average age of 37.58 years among the potential migrants in this sample. When disaggregated by the round of data collection, the average age among migrants in Round 1 was 38.67 years, which was 1.53 years (statistically significantly) higher than the average age of migrants in Round 2. Over 82 % of this sample were currently married women, while over 9 % were divorced, separated or widowed, while over 8 % were never married females. However, when current and potential migrants are examined separately, there is a larger proportion of divorced/separated or widowed females among current migrants (15 %) than potential migrants (7 %).

A majority of these migrants in this sample of 894 migrants have an education of 6th to 10th grade. Specifically, nearly 50 % were 6th to 10th Grade educated, while another 31 % had passed the General Certificate in Education Ordinary Level (GCE O/L) examination conducted in the 10th grade (see right panel of Table 1). Despite majority of these women being secondary educated, only two thirds have been employed in Sri Lanka prior to their attempt to migrate for employment. However, a majority was first time migrants and only about a third have previously worked overseas.

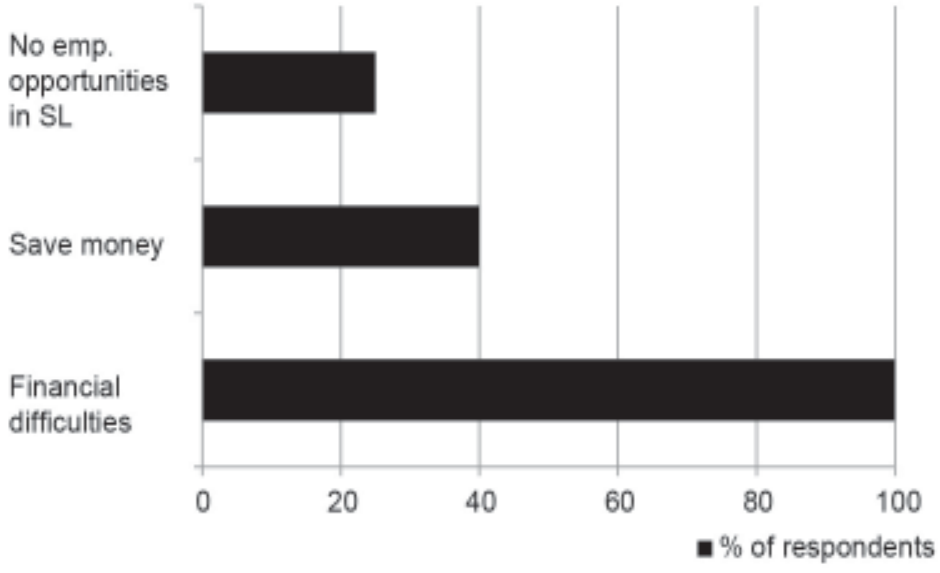
In this sample 58 % of migrants have made their decision to migrate in 2017. As expected, among current migrants a larger share had made this decision earlier than the potential migrants. As such, among current migrants 60 % had made this decision in 2016, while 22% had decided in 2017. The rest had made their migration decision on or before 2015. On the contrary, among potential migrants a larger share has made their migration decision in 2017 (75 %), while 21 % in 2016, and the rest before 2015.

Table 1
Destination and Migrants' Level of Education

Country	%	Education	%
Bahrain	2	No education	1
Kuwait	51	Grade 1-5	13
Oman	14	Grade6-10	50
Qatar	5	O/L qualified	31
Saudi Arabia	15	Grade 11-13	2
UAE	13	A/L qualified	3
Total	100	Total	100

Source: Author's estimation based on field data.

Figure 1
Reasons for Migration



Source: Author's estimation based on field data.

Among alternative reasons for migration, where respondents were allowed to provide multiple answers, all respondents reported financial difficulties as a reason for their decision to migrate (see Figure 1). About 40 % of respondents also indicated that their decision is driven by the need to save money, while the inability to find employment in Sri Lanka is highlighted by nearly one quarter of respondents.

Among these 894 migrants, 70 were assisted by male Sub Agents, and the majority of Sub Agents were in the age group of 40-49 years (60 %), while over a fourth were within 50-59 years and the remainder were in the age group of 30-39 years.

In this sample of current and potential migrants, majority have been introduced to the migrant via recommendation of a family member (see Table 2). For 16 % of migrants, the Sub Agent has initiated the contact with the migrant, while 11 % had already known the Sub Agent. Of these respondents, 27 % have reported that the Sub Agent is from their own home village, while another 36 % have said that the Sub Agent is from a neighbouring village from the same district. These characteristics of Sub Agents underscore the familiarity of migrants with Sub Agents and the related greater trust migrants place on Sub Agents.

3.2 Interaction with Sub Agents

Field data reveal that migrants seek assistance from Sub Agents for many activities including to get introduced to the licensed recruitment agent, to obtain information about the employer at the country of destination, to obtain information about the recruitment process, and to help go to various locations such as the SLBFE and its training centers. Among these various functions performed by the Sub Agents to migrants, as seen in Table 3 below, nearly 30 % migrants were of the view that introducing migrants to licensed recruitment agent was the most important task performed by Sub Agent, while 26 % of migrants felt that the most important task was providing information about employer / job at country of

Table 2
Introduction of Sub Agent to Migrant

Heard about Sub Agent from	%
Agent/agency contacted you	6
Sub Agent contacted you	16
Family member/relative told you	46
Previous employer told you	6
Coworker told you	11
Advertisement	3
Migrant knew the Sub Agent already	11
From a friend	1
Total	100

Area of origin of Sub Agent Freq.	%
A neighbouring district	16
Neighbouring village in the same district	36
A place in another district	7
Don't know	14
Home village	27
Total	100

Source: Author's estimation based on field data.

Table 3
Migrants' Perception on Most Important Task Performed by the Sub Agent

Most Important Function of Sub Agent	%
Introduced licensed agent	29
Provided information about employer/job	26
Provided information about recruitment	18
Other	27
Total	100

Source: Author's estimation based on field data.

destination. Another 18 % thought that providing information about recruitment process was the most important task performed by the Sub Agent.

Among the migrants who sought or intended to seek help to obtain the passport, 26 % indicated that Sub Agent helped/would help them in this regard. Similarly, 36 % identified Sub Agents' help to obtain visas and air ticket for foreign employment, while 49 % will seek or have sought assistance in terms of obtaining medical certificates for migration.

An important component of the recruitment process for FDW to the GCC is the recruitment incentive. In this sample 68 % of the respondents were promised incentives by the time of survey data collection. Among the 284 respondents who were not promised an incentive 75 % were potential migrants at the time of data collection, which may be a reflection of their early stage in the recruitment process, where they have not yet reached a point of being shortlisted to an employer to start discussions/ negotiations on payment aspects of recruitment for foreign employment. Among those who have indicated that they were promised an incentive for recruitment 60 % were promised by the licensed recruitment agent and 40 % by the Sub Agent.

Table 4
Recruitment Incentives and Negotiations

	%		%
Already promised an incentive		Who promised incentive	
Yes	68	Agent	60
No	32	Sub Agent	40

Source: Author's estimation based on field data.

The average amount of incentives promised for the pooled sample is LKR 166,129.1. However, as seen in Table 5, when disaggregated by current and potential migrant cohorts, the average incentives promised for current migrant cohort is higher, but this difference in not statistically significant. Specifically, the average value of incentives promised reported by the cohort of current migrants is LKR 171,443 (standard deviation 86,621), while in the case of potential migrant cohort the corresponding average is a lower LKR 162,749 (standard deviation 7,824). For current migrants the range in incentives promised is from LKR 1,000 - 400,000, while the range reported by potential migrants is from LKR 5,000 - 450,000. Figure 2 depicts the distribution of incentives by type of migrant.

The amount of promised incentives differs by the country of destination. As seen in Figure 3, the highest average incentives were promised to those heading to Saudi Arabia, which is approximately LKR 184,000, followed by Oman with LKR 170,069, and Kuwait with LKR 167,804.

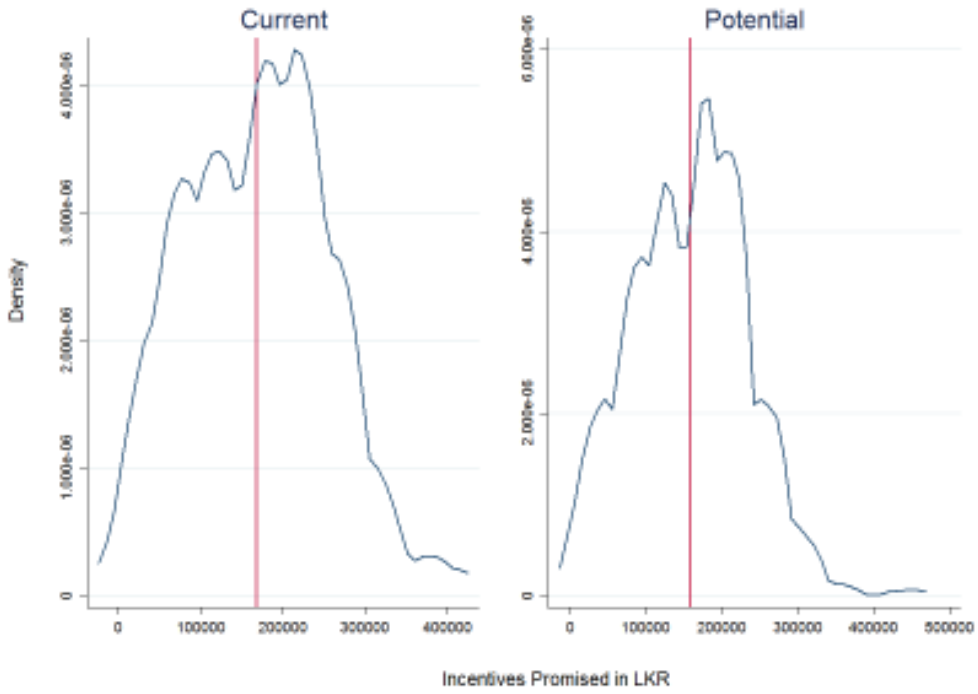
Among the current migrants, except for 13 %, the rest have received the promised amount of incentives. At the time of data collection, on average potential migrants had received LKR 17,507.91 (standard deviation 45,522.51) out of their incentive package. In terms of who disbursed the incentives to migrants and their families, almost equal proportions - 45 %

Table 5
Recruitment Incentives

Respondent Type	Obs	Mean	SD.	Min	Max
All migrants	697	166,129	81,653	1,000	450,000
Current Migrants	271	171,443	86,621	1,000	400,000
Potential Migrants	426	162,749	78,246	5,000	450,000

Source: Author's estimation based on field data.

Figure 2
Distribution of Incentives Promised



Source: Author's estimation based on field data.

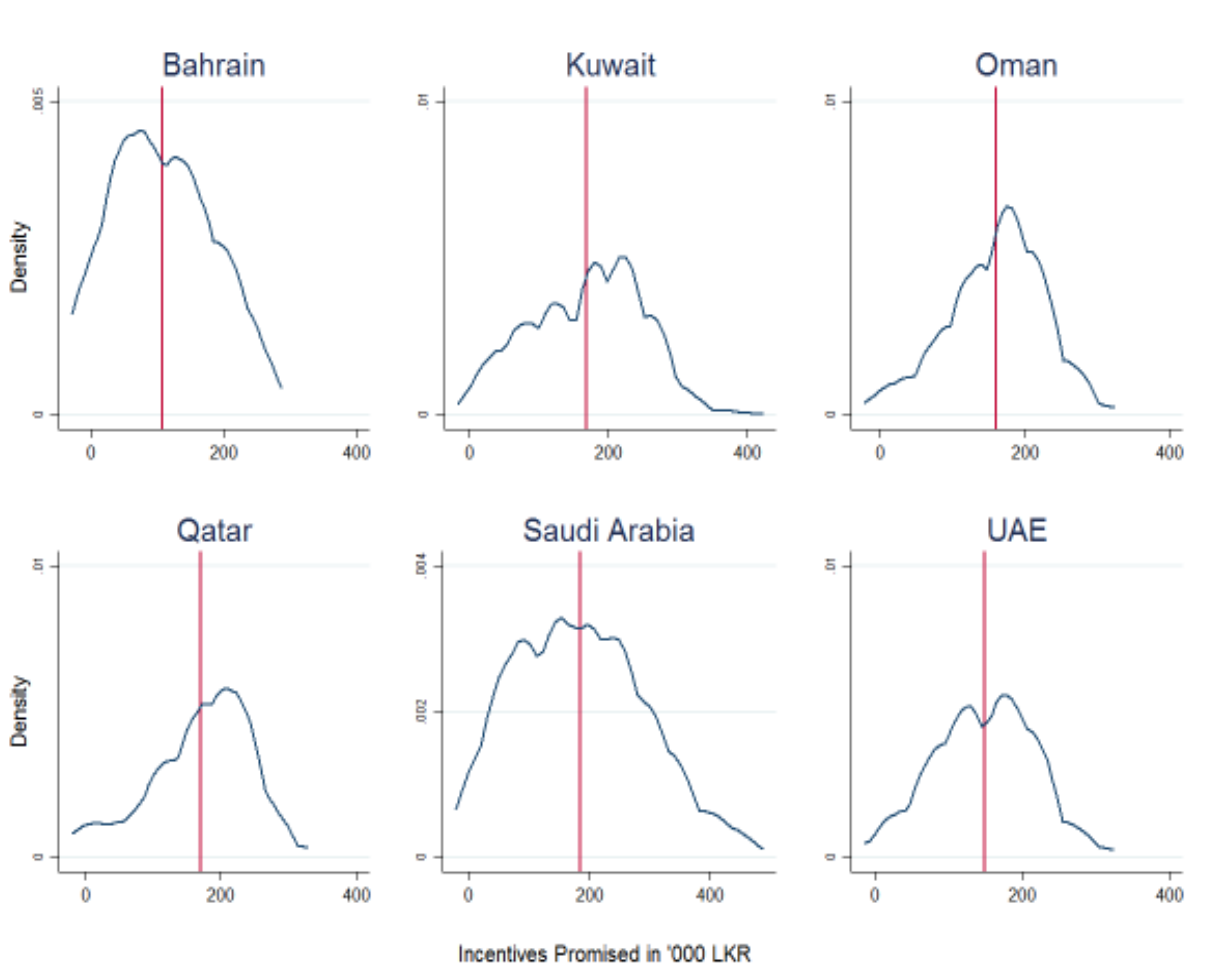
and 46 %, have said Sub Agent and licensed recruitment agent, respectively, while others have said both. In terms of collecting incentives, majority of the migrants have indicated that they would collect the incentives, while the other main collectors were husband and parents.

The disbursement of last installment of incentive payments are done mostly by licensed recruitment agents (53 %), and this view is commonly shared by both potential and current migrants. Moreover, majority of respondents (43 %) indicate that the timing of the disbursement of last incentive is before departure, while 39 % indicated that it is after departure, and another 19 % indicated it as on the day of departure. The ranking of these timings are common among both the current and potential migrants.

When it comes to promised wages, the average wage for the pooled sample was LKR 45,178 (SD 9,739). When the sample is disaggregated into potential and current migrant cohorts, the mean wage promised to the former (LKR 46,139) is statistically significantly larger than to the latter (LKR 43,292). When further disaggregated by Rounds, although the two cohorts show no statistically significant difference in wage in Round 1, in Round 2 potential migrants are promised a significantly higher wage of LKR 49,346 as compared to LKR 47,027 for current migrants. This is indicative of the discrepancy between wage prospects promised to potential migrants in order to lure them into migrant work, and the promised wage in effect towards the end of the recruitment process prior to departure. When considering the wages of each cohort by data collection rounds, current migrants are promised a statistically significantly higher wage of LKR 47,027 in Round 2 compared to LKR 41,833 promised to current migrants in Round 1. Similarly for potential migrants, a significantly higher wage is notable for Round 2 than for Round 1. These statistically higher wages in the more recent round of data collection possibly indicate wage inflation and /or devaluation of the Sri Lankan rupee over time.

In terms of migrants knowledge about the commission received by the Sub Agent from licensed agents, most of the respondents indicated that they are unaware of this amount. Indicating the high level of trust potential migrants place on Sub Agents, many potential migrants are willing to handover their

Figure 3
Distribution of Incentives Promised, by Country of Destination



Source: Author's estimation based on field data.

passports to Sub Agents. In this sample, 75 % of the migrants indicated that Sub Agents collected their passport. As indicated before, services performed by Sub Agents are normally paid for by the recruitment fee remitted by the employers in the country of destination. Reflecting this, 96 % of respondents in the sample have indicated that the Sub Agents did not request money for their services. Moreover, even though there is criticism that the Sub Agents provide deceitful information, as per this sample 59 % of the respondents were of the view that there is no major concern that the Sub Agent has or would provide misinformation. However, among the sub sample of potential migrants, a majority (52 %) were concerned that the Sub Agents have or would provide deceitful information.

Table 6
Concern about Deceitful Information by the Sub Agent

Survey Round	Concern (%)	Not a Concern (%)
All Migrants	42	59
Potential	52	48
Current	35	65
Round 1	68	32
Round 2	26	74

Source: Author's estimation based on field data.

Table 7
Number of Licensed Agents that a Sub Agent Works With

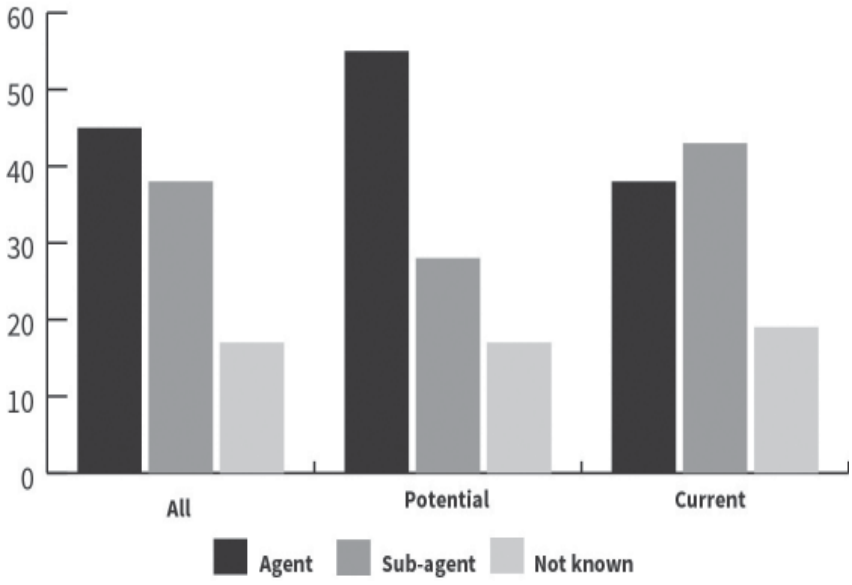
No. of Licensed Agents	%
0	3.7
1	80.5
2	8.3
3	3.4
4	1.7
5	1.7
6	0.7
8	0.1
Total	100

Source: Author's estimation based on field data.

3.3 Agent - Sub Agent Dynamics

In the recruitment process, Sub Agents work with multiple licensed recruitment agents. As seen in Table 7, migrants' perception is that their Sub Agents work with 1 to 8 licensed agents, which averages at 1.27 licensed agents per Sub Agent. As noted by Weeraratne et al. (2018), Sub Agents 'shop around' different recruitment agencies with prospective migrants to demand higher commissions. The association of Sub Agents with multiple recruitment agents is an indication of the higher bargaining power held by Sub Agents.

Figure 4
Distribution of Perceived Power in the Recruitment Process



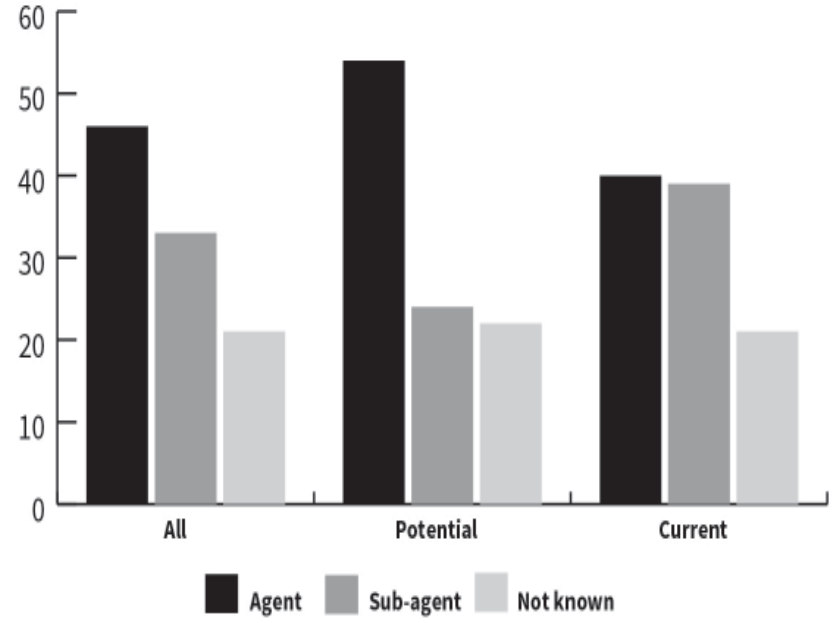
Source: Author's estimation based on field data.

Confirming this phenomenon, nearly, half (49 %) of respondent have indicated that they were taken to two licensed recruitment agencies by Sub Agents, while another 42 % indicated that they were taken to five licensed recruitment agencies.

As seen in the left panel of Figure 4, in this sample, majority of respondents (45 %) were of the view that the licensed recruitment agents have more power to control the recruitment process. However, when disaggregated to potential and current migrants, most potential migrants were of the view that licensed recruitment agents have more power in the recruitment process, while on the contrary, among current migrants majority were of the view that the Sub Agents were more powerful (see Figure 4). This division in view among current and potential migrant households hints how perceptions change when one has gone through the entire migration cycle.

Similarly, in this full sample, a majority were of the view that licensed recruitment agents have more power in deciding incentive amounts for migrants. However, when disaggregated by type of the migrant, 54 % of potential migrants thought that the licensed recruitment agents had more power, while only 24 % thought that Sub Agents had more power (see Figure 5). Nonetheless, among current migrants the responses were noticeably different, where almost equal proportions of respondents also thought that the Sub Agents (39 %) are more powerful in this decision, as opposed to the licensed recruitment agents (40 %). Here, the share of

Figure 5
Distribution of Perceived Power to Decide Incentives

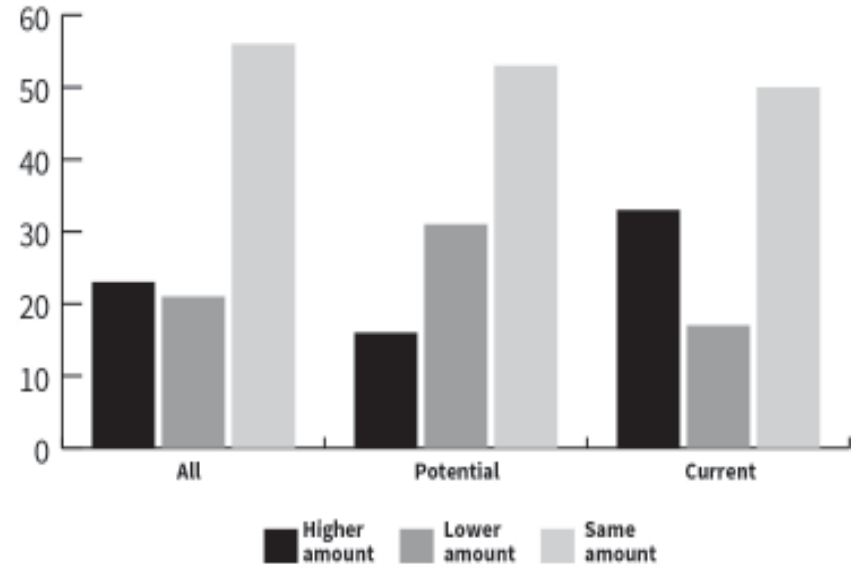


Source: Author's estimation based on field data.

respondents among current migrants that viewed Sub Agents as important is almost double the share among potential migrants. Perhaps these noticeable differences in opinions among current and potential migrants are influenced by the longer association of migrants with Sub Agents, in the case of current migrants.

Migrants have diverse perceptions about a hypothetical scenario with no Sub Agents in the recruitment process. As seen in the left panel of Figure 6, in the pooled sample, almost equal proportions of respondents reported higher (23 %) or lower (21 %) amount of incentives, while a majority (56 %) had no idea about the possible direction of change in incentives. Nevertheless, when disaggregated by potential and current migrants there was a visible difference in opinion among the two groups in terms of the direction of change. For instance, majority (31 %) of potential migrants thought recruitment incentives would be lower in the absence of a Sub Agent, while only 16 % were of the view that the incentives would have been higher (see center panel of Figure 6). In contrast, 33 % of current migrants thought that the incentives would have been higher if there were no Sub Agents, while only 17 % thought that it would be lower (see the right panel of Figure 6). As seen in all three panels in Figure 6 nearly half of respondents did not think that the amount of incentives would change if there was no sub agent involved.

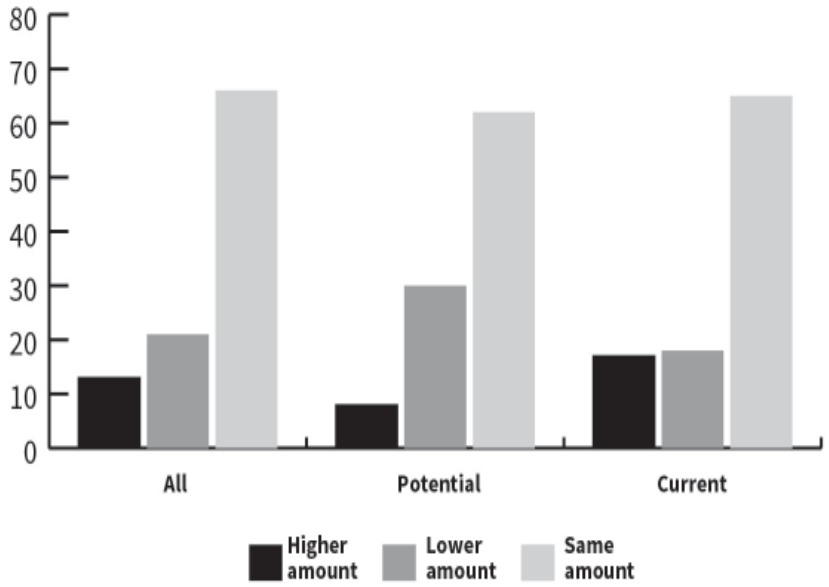
Figure 6
Distribution of Perceived Changes in Incentives if no Sub Agent



Source: Author's estimation based on field data.

Figure 7 depicts respondents' view about impact on salaries negotiated if there was no Sub Agent. Here about two thirds of respondents in the pooled and disaggregated samples did not think the absence of a Sub Agents in the recruitment process would change the amount of wages negotiated. Among the rest of respondents, in the case of potential migrants the larger share of 30 % were of the view that salaries would have been lower, whereas in the case of

Figure 7
Distribution of Perceived Changes in Salary if no Sub Agent



Source: Author's estimation based on field data.

current migrants almost equal shares believed that salaries would have been higher (17 %) and lower (18 %). Among potential migrants the gap between those who thought they would have higher salaries without a Sub Agent is noticeably larger than those who thought salaries would have been lower. As such, as seen in Figures 6 and 7, potential migrants perceive a rather pessimistic scenario in the absence of Sub Agents, while current migrants' perception is somewhat mixed. Once again, such clear differences in opinion among current and potential migrants would be due to the differences in each groups experience in the recruitment process.

3.4 Sub Agents' Formal Status

As evident in the case of Sub Agents and licensed recruitment agents in Sri Lanka, the former is an informal stakeholder, while the latter is a formal stakeholder. Despite this formal and informal status of these two stakeholders who interact for recruitment for foreign employment, the perception held by the migrants about their formal status is different than the actual situation.

As shown in Table 8, 55 % of respondents thought that Sub Agents are official representatives of their licensed Sub Agents. However, when disaggregated by current and potential migrants, a majority of potential migrants perceived that Sub Agents are official representative of agent, while among current migrants only a smaller share were of a similar view. This hints that spending more time in the recruitment process and transitioning from a potential migrant to a current migrant results in one changing her perception about the formal status of Sub Agents.

Reflecting the same pattern, 28 % of all migrants thought that it is a must to go through a Sub Agent for recruitment for foreign employment. Among potential migrants 29 % were of this view, while in the case of current migrants it is a much smaller share of 23 %, who thought that recruitment for foreign employment have to be through a Sub Agent.

In terms of migrants' perception about Sub Agents being formally recognised by the SLBFE, majority of respondents thought this was the case. However, when disaggregated by potential and current migrants, a larger share of potential migrants (44 %) thought that Sub Agents are formally recognised by the SLBFE, while among current migrants it was a relatively smaller share (36 %). Perhaps this also is an indication that that maturity in the recruitment process makes migrants more aware of the actual formal status of Sub Agents.

Similarly, among all migrants 49 % have reported that Sub Agents showed their official identification card to migrants. When disaggregated by current and potential migrants, among the latter 54 % have reported to have seen Sub Agent's official identification card, while the corresponding share among current migrants is a relatively smaller share of 37 %.

The above descriptive analysis of Sub Agents as reported by migrants provides a valuable account of the role performed by Sub Agents and their interaction with migrants. However, the interactions and dynamics between the Sub Agents and

Table 8
Migrants' Perceptions about Sub Agents' Formal Status

	All %	Potential %	Current %
Sub Agent official representative of agent			
- No	12	11	21
- Yes	55	56	43
- Don't know	33	33	36
Must to go through Sub Agent			
- No	48	45	50
- Yes	28	29	23
- Don't know	24	26	27
Sub Agent recognized by the SLBFE			
- No	12	8	18
- Yes	42	44	36
- Don't know	46	48	46
Showed official ID			
- No	32	36	36
- Yes	49	54	37
- Don't know	19	10	27

Source: Author's estimation based on field data.

migrants are multifaceted, and are worth further analysis. The remainder of this report explores the causal impact of various Sub Agent specific characteristics on migration related outcomes and vice versa, by adopting rigorous quantitative methodologies.

4. Impact Analysis

4.1 Impact of Sub Agents' Characteristics in Determining Migration

Not all potential migrants end up being migrants. There is a selection process involved in transitioning a potential migrant to a current migrant, and this selection is based on many characteristics. As discussed in IPS (forthcoming), on the one hand, migrants while knowing fully well that they will not pursue migration, continue in the recruitment process to mislead the licensed recruitment agents and Sub Agents and collect upfront incentives. Similarly, Sub Agents and migrants collude to mislead licensed recruitment agents and collect advance payments of incentives and Sub Agent's commissions. On the other hand, there are some migrants with genuine interest to migrate, but who may not become eligible for migration on some recruitment criteria, i.e. failing medical test/pre-departure training. Other reasons for not pursing migration also include rash decision making which leads to reversing migration plans, or not getting an employment offer that is agreeable to the potential migrant.

As such, various factors encourage one to stop the search process for foreign employment, and accept an offer and leave for employment in a destination country. This section aims to understand how migrant's characteristics, Sub Agent's characteristics and job related characteristics influence prolonged search versus departure for foreign employment. The findings reflected here are based on fixed effect estimation based on the panel component of sample of 211 households, as detailed in Weeraratne (2018). Technical details on estimation can be provided upon request.

The analysis finds that migrants heading to Kuwait, those whose passports were collected by Sub Agents, those who were promised higher wages and those who perceived that Sub Agents have more power in the recruitment process, were more likely to migrate. On the other hand, first time migration, Sub Agent requesting for money for his services and migrant perceiving Sub Agent as a formal stakeholder were found to be factors that reduce the probability of migration.

Among these findings, those associated with Sub Agents' conduct are relevant for recommendations on regulating Sub Agents. For instance, since collection of passports is associated with higher migration probability in regulating Sub Agents, it is important to provide guidelines on when and how to collect passport rather than imposing rules and laws saying that Sub Agents cannot collect a migrant's passport. Regulations have to be introduced in terms of how to retrieve passport from a Sub Agent without hassle and dispute, and a mechanism of a receipt to prove submission of the passport to Sub Agent. Also, in regulating, it is important to link the licensed recruitment agent in the process of passport collection and have his endorsement in the receipt for submission of passport for greater accountability. Similarly, the positive effect that higher promised wages have on migration, signifies the importance of wage related information for migration.

This reflects that it is important for Sub Agents to provide accurate information about the expected wages at destination countries, as it is a key determining factor of migration. It is widely documented that Sub Agents provide inaccurate information about wages, where often actual wages are lower than wages promised by Sub Agents. Given the empirical evidence found in this study about the importance of promised wages in determination of migration when regulating Sub Agents, it is important to guarantee the dissemination of accurate information by Sub Agents, especially pertaining to the job offer.

On the other hand, request of fees for Sub Agent's services has a negative effect on migration. As per the status quo, recruitment of FDWs to the GCC involves zero recruitment cost to migrants. Yet the negative effect revealed

through fixed effect analysis indicates that this practice takes place and it is to the disadvantage of migrants, as they are less likely to migrate if fees are requested. In regulating Sub Agents, clear cut guidelines ought to be in place about what fees Sub Agents can collect and from whom. This finding indicates that as the common practice in Sri Lanka at the time of writing, Sub Agents should be paid by licensed recruitment agents, and double collection of fees by Sub Agents from both parties- recruitment agents and potential migrants - is best considered a violation of Sub Agent's code of conduct.

Most importantly, the study finds that migrants who had a misconception that the Sub Agent is a formal player in the recruitment process had a lower chance of migration. As such, it is important to educate potential migrants about the role and capacity of Sub Agents in the recruitment process. In the proposed regulations to manage Sub Agents, dissemination of accurate information about Sub Agents by relevant authorities such as the SLBFE, and mechanisms for potential migrants to verify that such information have to be developed.

4.2 Impact of Sub Agents' Characteristics in Negotiating Incentives and Wages

As indicated in the descriptive analysis, saving money and overcoming financial difficulties are dominant driving forces of migration for migrants. As such, migrants are very concerned about financial outcomes resulting from migration. This analysis focusses on two key financial outcomes in the recruitment process for FDWs - promised wages and promised incentives.

Even though wages are paid by employers and minimum wage amounts are in place, there is an element of wage negotiation that takes place between the migrant, licensed recruitment agent, and Sub Agent. Similarly, the recruitment incentives are financed by the employer, but the proportions allocated to the migrant, licensed recruitment agent and Sub Agent involve a degree of negotiation. As such, within a range of possible wages and incentives, each migrant's offer is uniquely determined, based on various factors. This analysis focusses on the determinants of wages and incentives promised, with specific interest on the causal impact of migrant's perception of Sub Agent's formal status on the amount of incentives and wages promised. At the time of data collection and writing, Sub Agents were not a formal stakeholder in the labour migration process in Sri Lanka. Hence, the priori assumption is that migrants who are aware of Sub Agent's actual informal status would not be intimidated by the Sub Agent, but would be in a better stance to negotiate a higher incentive amount and a wage.

As with Section 4.1, the full pooled sample of 422 households is analysed in this section. The empirical specifications and technical details of the initial Ordinary Least Squares [OLS] and subsequent fixed effect methodology are detailed in Weeraratne (2018), and can be provided upon request.

The analysis of determinants of promised wages and incentives adopts a fixed effect methodology, where a migrant's characteristics, experience, characteristics of the job offer, and Sub Agents' characteristics serve as control variables. Among migrants' characteristics indicator for married has shown some evidence of decreasing promised wages while work experience in Sri Lanka increases promised wages. Age shows some evidence on a positive relationship with incentives promised, while indicators for country of destination have positive impact on both promised wages and incentives.

In terms of the characteristics of Sub Agents, age shows some evidence of a positive impact on wages, and collection of passport by the Sub Agent shows some evidence of a negative impact on wages. On the other hand, the collection of passport by Sub Agent shows a very strong negative relationship on promised incentives, which is robust to the restricted sample and consistent across all specifications of the models. The previous analysis on determinants of migration showed that the collection of passport by Sub Agents leads to higher probability of migration. Together these diverse implications on incentives and probability of migration underscore the importance of understanding the multifaceted implication of collection of the passport by Sub Agents. The current regulatory framework and ongoing

discussions to regulate Sub Agents are of the stance that the Sub Agents are not allowed to collect migrants' passports and only licensed recruitment agents are allowed to do so. However, in practice, it is the Sub Agent who initially collects the passport from the migrant and subsequently hands it over to the licensed recruitment agent. As such, there are instances where Sub Agents hold on to passports while they 'shop around' alternative licensed recruitment agents until an acceptable deal is offered by one of the licensees. Similarly, Sub Agents hold on to passports to intimidate and manipulate potential migrants.

The empirical evidence shows that the Sub Agents collect passports and use it as a leverage on incentive negotiations to migrants. As such, existing regulations which say Sub Agents cannot collect migrants' passports, are insufficient to deal with the realistic scenario in the field. The proposed regulations for Sub Agents should thus include a mechanism for better outcomes related to implications of collection of passports by Sub Agents. As mentioned before, some suggestions are to develop mechanisms and guidelines on handing over and retrieving a passport from a Sub Agent, and acknowledgment of same by licensed recruitment agent to indicate the chain of events in the recruitment process.

Similar to the case of collection of the passport, the implications of request for fees by Sub Agents also have contradictory implications on promised financial outcomes and probability of migration. As seen in the foregone analysis, the impact of Sub Agent's request for fees is a strong positive impact on promised wages, while the impact on probability of migration is negative. As such, policy mechanisms in regulating Sub Agents' fees need to balance the trade off between probability of migration and the promised wages. In regulating Sub Agents, better guidelines ought to be in place about the fee collection by Sub Agents, such as what fees can be collected and from whom.

Interestingly, migrants' perception about Sub Agents' formal status has a negative impact on probability of migration and both financial outcomes discussed in this Chapter. This underscores the importance of educating migrants with accurate information about Sub Agents. It is important for relevant authorities such as the SLBFE to disseminate information about the formal status and capacity of Sub Agents and also introduce mechanisms for potential migrants, in order to verify information about Sub Agents.

4.3 Impact of Transition from Potential to Current Migrant on Perception of Sub Agent

The recruitment process for FDWs requires some well-established steps to be followed, which leads to potential migrants spending time in the recruitment process. Weeraratne et al. (2018) identify that the value chain for recruitment involves a phase before the potential migrant is involved, where the recruitment agents in the destination and origin countries interact and Sub Agents get involved, and a subsequent phase where the potential migrant gets involved. Once involved, a potential migrant can remain in the recruitment process for an indefinite time period interacting with the Sub Agent and facing interviews with the licensed recruitment agent in Sri Lanka, until she is matched to an employer at a destination country.

Weeraratne et al. (2018) show that after a potential migrant is matched to an employer, the recruitment for Saudi Arabia can take from 30 - 45 days, where a shorter time span is taken for experienced applicants, and longer time span taken for first time FDWs. The difference mainly depends on the varying length of pre-departure training required by individuals. Other reports indicate that the wait period for recruitment to Saudi Arabia is four to eight months (Arab News, 2013, 2015). Prior to being matched to an employer, the wait time can be attributed to differences in expectations and job offers received, such as country of destination, wages, and composition of employer's household, to name a few.

Survey data from the current study reveals that subsequent to deciding to migrate for employment, on average migrants have remained in the recruitment process for about six months, which is consistent with the above findings. During this period, the potential migrants learn about the recruitment process as well as the Sub Agent serving them, which often leads to shape potential migrants' outlook about the Sub Agents. As

such, this analysis focusses on answering the research question: How do migrant's perceptions about Sub Agents change during recruitment process?. The rationale for this question is that by the time one transitions from a potential to a current migrant, one has experienced the entire migration recruitment cycle and perceptions held after migration are conditioned by the experience in the recruitment process, compared to possible naive perceptions formed during the early stages of migration. As noted before, respondents for potential migrants were themselves, while for current migrants the respondents were family members. As established before, the recruitment and migration framework and regulations in Sri Lanka involve family members to a great extent. Additionally, in the case of displeasure or concerns about Sub Agent's conduct, potential migrants often discussed these issues with family members. Similarly, family member's concerns about Sub Agents also condition migrant's disposition about Sub Agents. As such, family members are capable of conveying an accurate account of current migrant's perception of Sub Agents.

The findings reflected here are based on PSM methodology for the pooled cross-sectional sample consisting of 894 unique respondents. The technical details of methodology are detailed in Weeraratne (2018), and can be provided by the author upon request.

The analysis reveals a clear impact of status change from potential to current migrant on perceptions about the formal status of Sub Agents. The change from potential to current migrant is associated with decreasing the probability of one perceiving Sub Agent as formal. As highlighted before, during the data collection process and at the time of writing of this report, Sub Agents are not considered a formal stakeholder in the migration recruitment process by the regulatory authority (SLBFE) in Sri Lanka. As such, considering the involvement of Sub Agent as compulsory is a misconception about Sub Agents' formal status held by some potential migrants. Literature often notes that Sub Agents exploit and abuse potential migrants during the recruitment process. A misconception about Sub Agents' formal status has a capacity to contribute to high vulnerability, exploitation, and abuse in the recruitment process.

However, the transition from potential to current migrant does not alter migrant's perception about who is more powerful in the recruitment process or in the incentive negotiation. This emphasises that migrants have distinct understandings about the power dynamics among the Sub Agent and licensed recruitment agent, and about a Sub Agent's formal status, and it is only the perception about a Sub Agent's formal status that is evolved or altered in transition from potential to current migrant.

Moreover, such incorrect understanding about Sub Agents held by potential migrants has the capacity to negatively affect migration outcomes for migrants, such as wages and incentives discussed in the previous section. However, as evident from the findings, the transition from potential to current migrant allows migrants to realise the actual status of Sub Agents. Such capacity for learning through one's experience is consistent with the rational expectations theory, where people are considered to make choices based on their rational outlook, available information and past experiences.

As such, this empirical finding on migrants' tendency to have rational expectations about Sub Agents is a valuable finding to base recommendations to regulate Sub Agents. The above finding shows that through own experience migrants start to realise the actual status of Sub Agents. However, this self-realisation requires one to go through the entire recruitment process and perhaps endure exploitation, abuse and vulnerability. As such, if this information is provided earlier on in the recruitment process, potential migrants could be spared from adverse experiences in the recruitment process, and possibly better outcomes in terms of wages, incentives and working conditions. Thus, this finding validates the importance of sharing accurate information about the recruitment process and its stakeholders with potential migrants earlier on the recruitment process, possibly even before the migration decision is made.

5. Conclusion

Sub Agents play an important role in the recruitment process. Currently, there is high momentum in policy interest to regulate Sub Agents in Sri Lanka. Nevertheless, the absence of any regulations on Sub Agents has the capacity to result in sub-optimal outcomes for all stakeholders involved, such as migrants, Sub Agents and licensed recruitment agents, to name a few. This study focusses on the relationship between migrants and Sub Agents and aims to explore the impact of Sub Agent's formal status on migrants, with the objective of providing evidence based recommendations for regulating Sub Agents in Sri Lanka.

This report is based on two rounds of data collection carried out in 2017 involving 1,107 migrant households involving both current and potential migrants. The study involves a detailed descriptive analysis of migrants interactions with Sub Agents and three rigorous impact analyses - impact of Sub Agent's characteristics in determining migration, impact of Sub Agent's characteristics in negotiating wages and incentives, and impact of transition from potential to current migrant in migrant's perception about Sub Agent's formal status.

The study analyses how Sub Agent specific characteristics and migrant's perceptions of Sub Agents impact migration, after controlling for migrant's characteristics, experience, and job offer specific characteristics. The study finds that migrants who are first time migrants and those who were asked to pay the Sub Agent have a lower probability to migrate. On the contrary, probability to migrate increased when a Sub Agent collected migrant's passport and for higher wages. As a robustness test, when a similar analysis is performed, migrant's perception about Sub Agent's formal status was found to have a causal impact on migration, where migrants perceiving Sub Agent as a formal stakeholder in the recruitment process have a lower probability to migrate, while those who thought that the Sub Agent had more power in the recruitment process have a higher probability to migrate. The analysis of the determinants of wages and incentives promised also adopts a methodology which controls for migrant's characteristics, experience, job offer specific characteristics, and Sub Agents' characteristics.

This analysis finds that migrant's perception that the Sub Agent is formal leads to lower promised wages, while Sub Agent collecting migrant's passport also results in lower promised wages for migrants. On the contrary, Sub Agent requesting money for his services leads to higher promised wages for migrants. Similarly, perceiving Sub Agent as a formal stakeholder and Sub Agent collecting migrant's passport result in lower amounts of incentives promised. The above findings hold when further testing is conducted. Finally, the analysis of the relationship between change in migration status from potential to current migrants, and migrant's perception about Sub Agent's formal status is carried out. This analysis finds that after pursuing the recruitment process and becoming a current migrant, there is a lower probability to think that Sub Agent is a formal stakeholder. When considered together, the above empirical findings converge as follows.

1. Migrant's misconception that the Sub Agent is a formal stakeholder leads to consistently worse outcomes in terms of probability of migration, promised wages, and promised incentives.

2. The collection of migrants' passports by Sub Agents leads to lower promised wages and incentives, in the context of higher probability to migrate.

3. Sub Agent requesting money for his services leads to higher promised wages and incentives, at the cost of lower probability to migrant.

These findings provide strong empirical evidence of the importance of better understanding among migrants about Sub Agents' actual formal status, and regulating Sub Agent's conduct in the recruitment process. The absence of a clear understanding among migrants and the general public about the role status and capacity of Sub Agent is detrimental to migration outcomes. As such, it is a priority to make migrants and

general public aware of Sub Agent's status to avoid undue pressure from Sub Agents that leads to lower promised wages, lower promised incentives and lower chance of migration.

On the other hand, the collection of migrant's passport by Sub Agents has mixed implications in terms of financial outcomes and probability of migration. Therefore, regulations to control collection of passports by Sub Agents need to weigh all implications. The collection of the passport reflects a degree of intimidation and controlling of migrants by Sub Agent in terms of limiting a migrant's capacity to approach another Sub Agent or licensed recruitment agent for foreign employment. The inability to approach another Sub Agent or a licensed recruitment agent due to the absence of the passport effectively eliminates all alternative job offers that would have led the migrant to a better position to bargain higher wages and incentives.

However, this restriction in migrants freedom is in terms of access to other recruitment option appears compensated by a higher probability of migration. As such, when regulating Sub Agents, it is important to develop guidelines on the time frame when a Sub Agent can collect a migrant's passport. Similarly, request for payment by Sub Agents have mixed implications where, it leads to higher wages and incentives promised but lower probability of migration. Currently, Sub Agents are mostly financed through the payment by the employer, even though double collection of payments is evident in this study. As such, in regulating Sub Agents, it is important to specify from whom they can collect recruitment fees - from the employer or employee. By ensuring the Sub Agent is paid a fair fee for his services, would lead to striking a balance between financial outcomes for migrants and probability of migration.

Based on the above synthesis of findings the following are recommendations to be considered in developing a framework to regulate Sub Agents.

- The SLBFE to make Sub Agent's current informal status clearly understood by migrants. Ideally this information ought to be disseminated as community awareness, to ensure that potential migrants are targeted before their initial consideration of migration.

If Sub Agents are formalised in future, such updated information should be clearly disseminated in a timely manner.

If and when Sub Agents are formalised,

- Specify the stage in the recruitment process where a Sub Agent can collect a migrant's passport.

- Develop a clear procedure to facilitate proper documentation of collection, handing over, and if required, retrieval of passport by potential migrant.

- Develop a clear structure for fee collection for Sub Agents.

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