

**AGREEMENT ON BILATERAL COOPERATION ON LABOUR
MIGRATION BETWEEN THE GOVERNMENT OF THE ITALIAN
REPUBLIC AND THE GOVERNMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF SRI LANKA**

The Government of the Italian Republic and the Government of the Democratic Socialist Republic of Sri Lanka, hereinafter referred to as "the Contracting Parties";

Desiring to strengthen the friendly relations and the cooperation between the two countries;

In compliance with the principles of the international provisions concerning the rights of migrants and the fundamental rights of workers;

Determined to develop the bilateral cooperation between them, to promote a coordinated and efficient management of migration flows and to implement cooperation mechanisms, also on education issues, in the field of migration;

Aiming at facilitating the procedure of recruitment and insertion of the Sri Lanka nationals in the Italian labour market in case of shortage of local manpower;

Determined to improve seasonal work mechanisms;

Hereby agree as follows:

**CHAPTER I
GENERAL PRINCIPLES**

**Article 1
(Competent Authorities)**

Competent Authorities responsible for enforcement of the present agreement are:

On the part of the Government of the Italian Republic:

- the Ministry of Labour and Social Policies, which will avail itself of:
 - Italia Lavoro s.p.a. – *in house* agency of the Ministry of Labour and Social Policies;
 - Italian bodies authorized for the matching of labour demand and supply, as described in annex A, hereinafter referred to as "Authorized Bodies";
 - Certified Italian training bodies.

On the part of the Government of the Democratic Socialist Republic of Sri Lanka:

- the Ministry of Foreign Employment Promotion and Welfare;
- Sri Lanka Bureau of Foreign Employment, established by the Sri Lanka Bureau of Foreign Employment Act, No. 21 of 1985.

Article 2 (Objectives)

With the purpose of steering the training activity, the Contracting Parties shall regularly exchange information on the situation of the two labour markets, in particular on the most requested vocational profiles.

The Contracting Parties undertake to facilitate the matching between labour demand and supply and to monitor the employment offers available in the two Countries.

Article 3 (Local Coordinating Office)

In order to support the activities for the matching of labour demand and supply as well as the activities of educational cooperation and with the aim of facilitating the relationships between Italy and Sri Lanka and between the Sri Lanka Bureau of Foreign Employment and the relevant Italian Authorities, the Italian Party undertakes to establish in Colombo a Local Coordinating Office which will:

- promote the relations with local services and institutions;
- foster the exchange of information on the situation of both labour markets between the Contracting Parties;
- act in coordination with local authorities for the implementation of search and selection activities as well as for the recruitment of workers in Sri Lanka for the Italian labour market;
- support Authorized Bodies whose list will be updated and communicated to Sri Lankan Authorities on a regular basis;
- facilitate, in agreement with local authorities and local training centres, the implementation of educational cooperation programmes;
- support Italian certified training bodies in the promotion and implementation of training activities;
- promote the implementation of new project activities in the framework of migration.

Article 4
(Entry to Italy for work reasons)

On the basis of the data on the effective demand for labour and in compliance with the domestic laws in force, including the three-year planning document on migration policies, the Italian party will positively consider allowing Sri Lankan nationals to enter Italy for seasonal or non-seasonal subordinate employment.

Migrant workers will be allowed to enter, reside and work in the territory of the other Party within the limits and under the procedures contemplated by the law in force in the host Country.

Article 5
(Protection of rights)

Any national of the Contracting Parties legally working and residing within the territory of the other Party, shall receive equal treatment and full equality of rights as compared to the workers of the host Country, in particular as regards work conditions, social protection, social rights and the respect of the fundamental rights of workers contemplated under the national regulations in force.

CHAPTER II
MIGRATION FLOWS

Article 6
(Flows management)

Competent Authorities will cooperate for the control and management of labour migration flows between the two Countries.

In case of a shortage of manpower the Contracting Parties shall favour the recruitment and insertion of Sri Lankan nationals both in the Italian and in the Sri Lanka labour market, and shall promote educational cooperation initiatives meeting the needs of the Italian and Sri Lanka markets.

Article 7
(Preferential quotas)

On the basis of the labour market effective conditions and in compliance with the national regulations in force, the Italian Party will positively consider the assignment of a preferential entry quota to Sri Lanka nationals.

The use of the preferential quota will be managed also through the use of the lists referred to under article 9 and 10 of this Agreement.

CHAPTER III
SEARCH AND SELECTION OF WORKERS

Article 8
(Search for manpower)

Authorized Bodies willing to select and recruit Sri Lanka nationals during a set time or an indeterminate period, including seasonal, will have to turn to the Local Coordinating Office following the modalities established by the Contracting Parties in this Agreement and in any additional protocol.

Article 9
(Candidate workers and availability lists)

Any Sri Lanka national willing to be employed in Italy, can be included in specific availability lists created by Sri Lanka Bureau of Foreign Employment. The Italian Party, through its Local Coordinating Office, undertakes to assure the necessary technical support to the elaboration of the abovementioned lists. Sri Lanka Bureau of Foreign Employment will disseminate information on the labour opportunities available in the Italian labour market.

Article 10
(Creation of the lists)

The lists will be created following the standard format indicated by the Italian Party through its Local Coordinating Office and will include: professional profile, qualifications, competences and vocational experiences of the candidate, as well as any useful information for its professional insertion. In any event, the lists will have to adhere to the criteria fixed by the Italian Party and comply to the Italian legislation in force. In compliance with the Italian law, the Local Coordinating Office will periodically forward the lists to the local diplomatic representation. By means of the web based pre-selection system for the insertion of candidates in the Italian labour market, the Local Coordinating Office will disseminate the lists among the Authorized Bodies, as well as among Italian enterprises.

Article 11
(Selection of candidates)

The selection of candidates will take place also in Sri Lanka, where Italian enterprises and Authorized Bodies will meet in person the workers previously inserted in the availability lists which will have been disseminated by the Local Coordinating Office following the procedures referred to under article 10 of this Agreement.

Each Party agrees to ensure that candidates meet the entry and residence criteria fixed by the laws and regulations in force in the host Country.

As for the search, selection and potential professional insertion of workers, candidates from Sri Lanka will not bear any cost.

CHAPTER IV LINGUISTIC AND VOCATIONAL TRAINING, INTERNSHIPS

Article 12 (Training courses)

The Contracting Parties, in compliance with their national legislation, will promote the linguistic and vocational training of candidate migrant workers, in order to meet the requirement of the labour market for qualified professional profiles.

The linguistic training will be organized by Italian officially authorized centres to attest the linguistic competences of candidates according to European standards.

The vocational training will be organized by Italian certified training bodies and Authorized Bodies.

Linguistic and vocational training courses started in Sri Lanka can be completed in Italy.

Candidates from Sri Lanka will not bear any cost.

Article 13 (Right to preference)

Sri Lankans who attended training courses in Sri Lanka are given preference for the entry to Italy for work reasons in compliance with the domestic law in force.

The selection of workers and their attendance to training courses aim at the insertion of candidates in the Italian labour market.

Article 14 (Internships)

Italian enterprises and Authorized Bodies will select candidates through the consultation of the availability lists.

Candidates will enter the Italian labour market in compliance with the legislation on the matter.

CHAPTER V
AID TO THE RESIDENT COMMUNITY
AND REMITTANCES

Article 15
(Circular migration)

The Italian Party recognises the importance of the improvement of professional insertion and return paths and will support joint initiatives of circular migration addressed to legally resident Sri Lanka nationals.

The Italian Party will implement circular migration programs in collaboration with the Authorized Bodies and certified training bodies.

In compliance with the national legislation in force, the Italian Party, convinced of the importance of seasonal employment for the promotion of circular migration paths and in consideration of the effective situation of the labour market, will positively consider the inclusion of Sri Lanka among the Countries benefiting from seasonal labour quotas.

Article 16
(Integration)

The Contracting Parties acknowledge the importance of the Sri Lanka community for the social integration of new migrants and for the implementation of development initiatives in the country of origin.

To this aim, Italy will enhance the role of the Sri Lanka community through the direct involvement of Sri Lanka associations.

Sri Lanka Party undertakes to involve and support the abovementioned associations through awareness campaigns addressed to Sri Lanka Institutions in charge of keeping contacts with citizens living abroad.

Article 17
(Remittances)

Within the framework of domestic rules, nationals of Contracting Parties who entered and reside for reasons of work on the territory of the other Party, are allowed to send remittances to their home Country.

The Italian Party agrees to disseminate information on the national remittances system, with the aim of aiding migrant workers in the choice of the most advantageous way.

**CHAPTER VI
FINAL MEASURES**

**Article 18
(Bilateral consultations)**

The Contracting Parties shall hold regular consultations in order to:

- monitor the implementation of the present Agreement and submit proposals for ensuring good functioning;
- evaluate regularly the present Agreement;
- solve practical problems which could hamper the implementation of the present Agreement;
- recommend amendments to the present Agreement.

**Article 19
(Implementation Protocols)**

Implementation provisions of the Agreement will be detailed in Implementation Protocols, which will enter into force in compliance with the national procedures of each Contracting Party.

**Article 20
(Visibility)**

The Contracting Parties undertake to disseminate, on their national territory, the provisions of the present Agreement.

**Article 21
(Settlement of Disputes)**

The Contracting Parties shall settle all the disputes arising from the interpretation or implementation of this Agreement by negotiation and shall not refer to a third party for its settlement.

Pending the negotiations, the Parties shall continue to fulfil their obligations stemming from the provisions of this Agreement.

**Article 22
(Validity of the agreement)**

This Agreement shall enter into force on the first day of the second month following the receipt of the last notification, by which the Contracting Parties shall notify each other through diplomatic channels, regarding their completion of ratification procedures.

The present Agreement shall be valid for an indefinite period.
This Agreement may be amended by mutual agreement between the Contracting Parties.

Each Contracting Party may denounce this Agreement, after informing the other Contracting Party in writing through diplomatic channels.

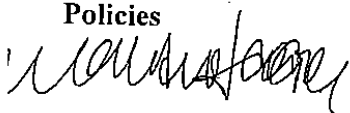
The denunciation should be valid 60 days after the first notification.

In witness thereof, the undersigned Representatives, duly authorized by their Governments, have signed the present Agreement.

Done in Rome on 18/10/2021, in two originals, in Italian, Sinhala and English languages, all texts being equally authentic. In case of any divergence in interpretation, the English text shall prevail.

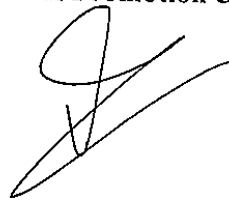
For the Government of the Italian Republic

The Minister of Labour and Social Policies



For the Government of the Democratic Socialist Republic of Sri Lanka

The Minister of Foreign Employment Promotion & Welfare



ANNEX A)

BODIES IN CHARGE OF THE MATCHING BETWEEN LABOUR DEMAND AND SUPPLY CONCERNING NON EU NATIONALS.

The matching of labour demand and supply in Italy, also called *labour intermediation*, can be managed exclusively by bodies in possession of a specific authorization delivered by the Italian Ministry of Labour and Social Policies.

The *labour intermediation* is a service offered both to interested Italian enterprises and to workers searching for job opportunities.

This service includes:

- 1) The collection of curricula;
- 2) The selection of workers;
- 3) The promotion and management of the matching between labour demand and supply;
- 4) The planning and implementation of training activities for the improvement of candidates' vocational competences and capacities;

The bodies authorized by the Italian Ministry of Labour and Social Policies, are listed in a special Register, after the verification of the fulfilment of subjective requirements of reliability, professionalism, ability, integrity and honourableness, as well as of financial criteria, such as a share capital of minimum € 600,000.00.

The main labour intermediation bodies are the Italian Employment Agencies which, after having obtained the authorization, deal with the matching of candidate workers' profiles with the professional requirements indicated by Italian enterprises.

Other bodies authorized for labour intermediation are workers associations, entrepreneurs associations and their bilateral organizations.

The list of the abovementioned bodies will be updated and communicated to Sri Lankan Authorities on a regular basis.

The present Annex constitutes an integral part of the Agreement.