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Project funded by the European Union

News . News . News

25 February 2013
For immediate release

Draft decree to regulate private recruitment agencies in Lebanon

Proposed regulations on private recruitment agencies to bring Lebanon in line with international standards

Beirut (ILO News) – The Ministry of Labour convened a roundtable discussion with government, worker, employer and civil society representatives on a draft decree to regulate private recruitment agencies on Monday (25 February), in collaboration with the International Labour Organization and supported by the European Union and the Swiss Agency for Development and Cooperation.

The decree aims to promote cooperation between private agencies and the National Employment Office, to provide guarantees to migrant workers, to establish an effective complaints and monitoring system, and to provide incentives for private agencies to comply with new regulations.

Private recruitment agencies in Lebanon are regulated under Resolution no. 13/1, which was issued by the Minister of Labour in 2009. The decree builds on a 2011 draft law prepared by former Minister of Labour Boutros Harb and will be reviewed by Minister of Labour Salim Jreissati in light of the roundtable discussion.

Minister Jreissati highlighted the need for greater cooperation between the Ministry of Labour and the Syndicate of Owners of Recruitment Agencies in Lebanon (SORAL): “We must work to regulate the employment of women migrant domestic workers in Lebanon both legally and administratively,” he said.

If adopted, the decree would bring Lebanon’s legal framework closer to international standards, including ILO [Convention 181 on Private Employment Agencies](#) (1997) and [Convention 189 on Decent Work for Domestic Workers](#) (2011) which enters into force this year.

“The lack of legislated labour rights for domestic workers in line with international standards and of standardised recruitment methods for agencies has contributed to the mistreatment and abuse of domestic workers,” said Maceij Madaliski from the Delegation of the European Union to Lebanon.

Under the proposed decree, the National Employment Office would gradually take over the task of managing labour relations between employers and employees; and the role of private agencies would be restricted to job matching and to bringing the workers to Lebanon.

New protections for workers would be put in place, such as the requirement to have a witness upon the signature of contracts before workers travel to Lebanon, to deposit bank guarantees

for compensations, to sign agreements with private agencies in sending countries and to protect the confidentiality of workers.

“Private placement agencies have played an increasing role in the labour market at the global level, placing over 8 million workers worldwide,” said ILO Deputy Regional Director Frank Hagemann. “In Lebanon, we have the opportunity to set the standard for the Arab region, and to support stronger and enforceable regulations in countries of origin.”

Regulations would bar private recruitment agencies from business activities that would disadvantage workers or opening more than one agency, from collecting money from the worker or remaining fees from the employer prior to the successful completion of probation period, from providing services to employers involved in labour disputes, and from recruiting workers for jobs that may expose them to hazardous conditions, abuse or discrimination.

The decree also establishes an effective complaints and monitoring system under which agencies would be subject to the suspension and revocation of licences and grant the Minister the right to accredit independent inspectors to prevent human trafficking.

It also provides incentives to comply with the new regulations; agencies that comply and have a good legal record will be allowed to increase the number of prior approvals per year.

“The sector requires reform and private recruitment agencies are open to reform,” said Hisham Bourji Syndicate of Recruitment Agencies in Lebanon (SORAL). “But this requires a broader consultation process that involves private recruitment agencies.”

“A law regulating the sector would provide more certainty than ministerial decrees,” Bourji added.

The Syndicate of the Owners of Recruitment Agencies in Lebanon (SORAL) adopted a [Code of Conduct](#) for private recruitment agencies in 2012 to raise awareness on the rights of migrant domestic workers and enhance the transparency of the placement process.

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