



National Consultation on Kafala Reform in Lebanon

11-12 March 2020

Mövenpick Hotel, Beirut, Lebanon

Background:

Since the adoption of ILO Convention No. 189 concerning decent work for domestic workers at the International Labour Conference in 2011, the ILO Regional Office for Arab States has been engaged with national constituents in Lebanon to introduce structural and legal reforms with a view to addressing the risks of forced labour and other forms of labour exploitation facing migrant workers in general, and domestic workers in particular.

In light of the current economic crisis facing Lebanon, the world of work is the most affected. While keeping jobs may be the main concern for workers, nationals and migrants alike, evidence shows that migrant workers tend to be the most vulnerable during times of crisis due to weak legal frameworks, challenges in labour inspection operations, and numerous push factors that lead to irregularity.

It is in this spirit that the Ministry of Labour, in collaboration with the ILO, is organizing a national consultation to launch an inclusive dialogue on the short and longer-term measures that are needed to ensure decent work for migrant workers, starting by dismantling the Kafala/sponsorship system.

In April 2019, the Ministry of Labour requested ILO's support to coordinate a Working Group on Kafala Reform¹ with a mandate to recommend practical measures that can be promptly adopted by the Ministry especially with regard to the protection of migrant domestic workers. The Working Group has drawn up a Plan of Action setting out the reforms its members believe would be necessary to dismantle the Kafala system in Lebanon. These range from Labour Law reform and the possible adoption of a distinct law regulating domestic work, to ancillary measures that would need to be taken in collaboration with other concerned government ministries.

The immediate recommendation would be the swift adoption of a revised Standard Unified Contract for the Employment of (Migrant) Domestic Workers that would ensure that some of

¹ The Working Group was formed by the Ministry of Labour in April 2019, and coordinated by the ILO, consisting of the following members: Caritas, Kafa, Legal Agenda, Amnesty International, Human Rights Watch, Anne-Marie El-Hage (journalist).

the most restrictive aspects of the Kafala/sponsorship system can be addressed straightaway. This recommendation takes into account that the Standard Unified Contract is the sole legal document governing the employer-domestic worker relationship in Lebanon, the shortcomings of the Contract in its current form and the need to reduce the risks of forced labour associated with the system. On behalf of the Working Group on Kafala Reform, the ILO presented a revised draft Contract to the Ministry of Labour for its consideration. Based on this document, the Ministry subsequently prepared its own version of the draft Contract that will be put forward for discussion during the national consultation.

The national consultation aims to frame the important discussion on kafala/sponsorship reform in the context of the current economic crisis, building on the knowledge gained from good practices and lessons learned in other countries on the impact of economic crises on national employment and migrant workers. The consultation will be an opportunity for all participants to share their knowledge and experiences, examine the proposed reforms, and discuss in detail the revised draft Standard Unified Contract for the Employment of (Migrant) Domestic Workers in preparation for its adoption by the Ministry of Labour.

The consultation will include officials from a range of government ministries, representatives of workers' and employers' organizations, civil society, academic institutions and diplomatic missions, and relevant staff of international organizations demonstrating a critical grasp of the technical subject matter of the meeting.

The outcome of the meeting is envisaged to launch kafala/sponsorship reform in Lebanon, and lead to the adoption of a revised Standard Unified Contract for the Employment of (Migrant) Domestic Workers that will ensure their protection from forced labour and guarantee them decent work. The Ministry of Labour is leading this process, with support from the ILO's migration team and two ILO development cooperation projects, the Work in Freedom Programme, funded by the United Kingdom Department for International Development (DFID), and the Regional Fair Migration Project in the Middle East (FAIRWAY), funded by the Swiss Agency for Development and Cooperation (SDC).

AGENDA

Day 1 - Wednesday 11 March		
09:00-09:30	Registration of participants	
09:30-10:00	Welcoming notes and Introductory Remarks	Ms. Ruba Jaradat, Regional Director, ILO Regional Office for Arab States H.E. Ms. Lamia Yammine, Minister of Labour, Lebanon
10:00-11:00	Plenary discussion: The impact of the economic crisis on Lebanese and migrant workers	Speaker: Professor Ghassan Dibeh, Chair, Department of Economics, Lebanese American University Moderator: Mr. Tariq Haq, ILO
11:00-11:30	Break	
11:30-12:30	Plenary presentation: Myths and Facts about migrants and unemployment in times of crisis.	Speaker: Mr. Igor Bosc, ILO
12:30-13:30	Lunch Break	
13:30-15:30	Panel discussion: Key areas of interventions to dismantle the Kafala system	Speaker: Mr. Ryszard Cholewinski Respondents: CGTL – Fenasol - ALI- General Security – SORAL - MCC Moderator: Ms. Iman Khazaal, MOL
15:30-16:30	Plenary presentation: The Revised Standard Unified Contract for the Employment of (Migrant) Domestic Workers	Ms. Marlene Attalah, MOL Ms. Zeina Mezher, ILO
Day 2 - Thursday 12 March		
09:00-11:00	Breakout Group Discussions: Revised Standard Unified Contract for the Employment of (Migrant) Domestic Workers	Facilitators of the groups: Members of the Working Group on Kafala Reform
11:00-11:30	Break	
11:30-13:00	Breakout Group Discussions: Revised Standard Unified Contract for the Employment of (Migrant) Domestic Workers (cont'd)	Moderator: Ms. Zeina Mezher, ILO
13:00-14:00	Lunch Break	
14:00-15:30	Plenary session based on the reports of the breakout groups on the Revised Standard Unified Contract	Facilitators: Ms. Iman Khazaal, MOL Ms. Sophia Kagan, ILO
15:30-16:30	Way forward and concluding remarks	Mr. Ryszard Cholewinski, ILO Ms. Marlene Attalah, MOL