



Zero Fees in the Recruitment Process

#NoRecruitmentFees

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1. What are recruitment fees?

People move for various reasons, but most of them migrate to find work and to improve their living conditions. With increased labor migration, international recruitment has become a lucrative business for many recruiters, particularly private for-profit recruitment agencies.

Workers who want to work abroad typically pay recruitment fees and other related costs to recruiters. Recruitment fees or related costs refer to any fees or costs incurred in the recruitment process in order for workers to secure employment or placement. Recruitment fees and related costs can cover a variety of costs, such as travel, passport and visa processing, medical exams, testing fees and many other unspecified fees and service charges.

Recruiters come in various shapes and sizes – from one individual recruiter or loose networks of intermediaries, to small or medium-sized companies, or huge multinational or transnational enterprises. Recruiters often promise the heavens to workers in order to entice them to work abroad. They promise high salaries and excellent conditions of work, and in exchange, charge workers large recruitment fees. Recruiters do not always charge recruitment fees only at the initial recruitment phase; some demand various fees during the other phases of migration.

There is a misconception that migrants' rights abuses only happen to low-paid occupations such as domestic work. However, recruitment abuses including charging of excessive recruitment fees, also happen to nurses, teachers and other professions. Women and young workers are especially vulnerable.

2. Why scrap recruitment fees?

- a. **Recruitment fees are unjust.** *Workers should not pay in order to get decent work.* All workers have the right to decent work whether they stay in their home countries or work abroad.
- b. **Recruitment fees often lead to a cycle of debt.** Out of desperation to find work abroad, to escape poverty, unemployment or disasters, migrant workers often take on substantial debt to pay the recruitment fees. Workers are forced to take out loans, mortgage their homes or sell their property. Many migrant workers find themselves trapped into working for little or no pay, or are unable to leave the employment until the debt is repaid. Due to debt bondage, migrant workers often find themselves unable to complain about poor working conditions, negotiate better working conditions or join unions out of fear. In some countries, employers or recruiters confiscate and withhold migrant workers' passport and immigration documents until the worker is able to pay her "debt."
- c. **Recruitment fees render migrant workers vulnerable to abuses and exploitation.** Motivated by profit and in competition with one another, recruitment agencies recruit as many migrant workers as they can

at the lowest cost, often committing abuses in the process. Some recruiters manipulate workers, enticing them to take up employment opportunities abroad and raking in profits from the hopes and desperation of workers. Trapped in debt bondage, workers end up in precarious working and living conditions. Lack of access to information about their rights and effective means of asserting those rights impede the ability of migrant workers to speak out against unfair treatment and abuse. Under these conditions coupled with weak government oversight, unscrupulous recruiters and employers thrive and act with impunity.

- d. **International labour standards prohibit the charging of recruitment fees on workers.** The International Labor Organization Convention No. 181 states that employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers. The ILO Principles and Guidelines on Recruitment reiterate that no fees or related costs should be charged to workers.

3. Our Call for Zero Recruitment Fees!

- We call on all governments and non-state actors to uphold fair and ethical recruitment of migrant workers. Recruitment should take place in a way that protects human rights, mitigates social costs and upholds core labor standards. Governments must regulate recruitment and scrap recruitment fees and related costs charged to workers. It is the employers who must bear the costs of recruiting workers, not the workers themselves. Recruiters often charge both the employer and the worker for their services. Rather than charging the workers, employers should be responsible for costs associated with any services rendered by recruitment agencies. There are countries in the world that prohibit charging of recruitment fees to migrant workers. There are ethical recruiters who do not charge recruitment fees.
- We urge competent government authorities to take bolder measures against abusive and fraudulent recruitment practices, including the collection of excessive recruitment fees. Many of the abuses stem from the lack of transparency and accountability in the recruitment process. We believe that the entire recruitment process and employment contracts should be clear, transparent and understandable to migrant workers.
- We call on governments to ensure that workers have access to free, comprehensive and accurate information regarding their rights and the conditions of their recruitment and employment.
- We support adequately funded and staffed public services in order to ensure that recruitment practices are regularly monitored and regulatory policies are effectively enforced.
- We call on governments to guarantee workers' access to effective grievance and other dispute resolution mechanisms in cases of abuse of their rights in the recruitment process.
- We call on countries of origin and destination to ratify and implement key international instruments to protect the rights of migrants in the recruitment process, during their work placements, and upon return to their countries of origin. These instruments include:
 - UN Convention for the Protection of the Rights of All Migrant Workers and Members of their Families
 - ILO Convention 87: Freedom of Association and Protection of the Right to Organize
 - ILO Convention 97: Migration for Employment
 - ILO Convention 98: Right to Organize and Collective Bargaining Convention
 - ILO Convention 143: Migrant Workers (Supplementary Provisions) Convention
 - ILO Convention 151: Labour Relations (Public Service) Convention
 - ILO Convention 181: Private Employment Agencies Convention
 - ILO Convention 189: Decent Work for Domestic Workers, and the different conventions against forced labor.

Trade unions, migrant workers groups, civil society organizations, recruiters, employers and governments can work together to make recruitment ethical and fair.

Ensuring zero fees in the recruitment process is key to decent work and social protection for migrant workers.

Let us join efforts in raising awareness, holding joint campaigns, advocating for rights-based policies, unionize workers and engage in social dialogue towards the abolition of recruitment fees.

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