

No. 50457

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**Israel
and
Republic of Moldova**

Agreement between the Government of the State of Israel and the Government of the Republic of Moldova regarding the temporary employment of workers from the Republic of Moldova in specific sectors in the State of Israel. Jerusalem, 16 October 2012

Entry into force: *6 January 2013 by notification, in accordance with article 14*

Authentic texts: *English, Hebrew and Moldovan*

Registration with the Secretariat of the United Nations: *Israel, 4 February 2013*

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**Israël
et
République de Moldova**

Accord entre le Gouvernement de l'État d'Israël et le Gouvernement de la République de Moldova relatif à l'engagement temporaire de travailleurs de la République de Moldova dans certains secteurs en Israël. Jérusalem, 16 octobre 2012

Entrée en vigueur : *6 janvier 2013 par notification, conformément à l'article 14*

Textes authentiques : *anglais, hébreu et moldave*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Israël, 4 février 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

THE GOVERNMENT OF THE STATE OF ISRAEL
AND
THE GOVERNMENT OF THE REPUBLIC OF
MOLDOVA

REGARDING THE TEMPORARY EMPLOYMENT
OF WORKERS FROM THE REPUBLIC OF
MOLDOVA IN SPECIFIC SECTORS IN THE
STATE OF ISRAEL

Whereas the Government of the State of Israel ("GOI") and the Government of the Republic of Moldova ("GRM") (hereinafter collectively referred to as the "**Parties**" and individually as the "**Party**") are desirous of increasing and strengthening the friendship and cooperation between both countries;

Whereas the recruitment and temporary employment of foreign workers in the State of Israel is carried out in accordance with the Israeli Law in force, the state of Israeli national labor markets, and GOI'S policy regarding the sectors in which such employment shall be open for employment of foreign workers, as well as the yearly quotas for temporary foreign workers and the preconditions for issuance of employment permits for each such sector;

Whereas the Parties hereby declare their common goal to combat human trafficking, illegal migration, undocumented and illegal manpower recruitment practices, and illegal employment of foreign workers;

Whereas, the Parties share the mutual desire to eliminate the charging and payment of illegal recruitment fees from foreign workers;

Whereas the Parties wish to ensure legal, fair and well informed recruitment and temporary stay of Moldovan workers arriving for temporary employment in Israel in the sectors and according to procedures agreed upon by the Parties and set out in Implementation Protocols to this Agreement, as well as the return of Moldovan workers to their country upon the conclusion of their legal stay in Israel;

The Parties hereby agree as follows:

Article 1 – General

1. The term "**Temporary Employment**" shall mean legal employment of a Moldovan national in Israel in a specific sector, by an employer holding a valid permit issued by GOI to employ a foreign worker, in accordance with the Israeli national law, regulations, rules, procedures, and government resolutions, for a limited period of time, after which the foreign national must leave Israel.
2. The duration of the temporary employment in each permitted sector will be as specified in the relevant Implementation Protocol and shall not exceed the maximum permitted duration as set out in the relevant national legislation of Israel.
3. Israel shall facilitate issuance of visas and work permits for Moldovan temporary workers recruited under this Agreement in accordance with its national legislation and procedures, for the relevant sector.
4. The maximum number of temporary workers who may be employed under this Agreement in each permitted sector will be as set out in the relevant Implementation Protocol for that sector and will be subject to the number of job offers received from employers in Israel. Nothing in this Agreement or in the

relevant Implementation Protocol shall be construed as an obligation of Israel to recruit workers from Moldova or as giving exclusivity for recruiting workers from Moldova.

5. The workers carrying out temporary employment as set out in the relevant Implementation Protocol, shall not be entitled to carry out any other paid labour activity or employment in any sector other than the sector for which they were issued a visa and a work permit in Israel.
6. The Parties shall endeavour to take necessary actions, as appropriate, to protect Moldovan temporary workers' rights in accordance with their relevant laws and regulations.

Article 2 - Purposes

The purposes of this Agreement are as follows:

- a. To ensure a legal, fair and well-informed recruitment process for Moldovan nationals arriving for temporary work in Israel according to the principles set out in this Agreement, and to prevent illegal recruitment fees;
- b. To set up a framework for exchange of pertinent information and for ongoing cooperation between the Parties regarding temporary foreign labour issues;
- c. To ensure cooperation between the Parties regarding the recruitment, selection, placement, arrival, employment and return of Moldovan workers to Moldova after their temporary employment in Israel.
- d. To ensure that the Moldovan workers recruited under this Agreement understand the terms and conditions for legal stay in Israel and their obligation to return to their country upon the conclusion of their legal employment period in Israel.
- e. To promote the protection of the labour and social rights of Moldovan workers carrying out temporary work in Israel throughout the process of recruitment, selection, placement, arrival, employment and return;

Article 3 – General Implementation Provisions

1. The Parties agree that the recruitment of Moldovan temporary workers for work in Israel shall be implemented jointly by **GRM** and **GOI** as set out by mutual agreement of the Parties in Implementation Protocols attached to this Agreement.¹ Each Implementation Protocol shall set out the procedures for recruitment in a specific sector.
2. Amendments to the Implementation Protocols, as well as additions of Implementation Protocols adding additional sectors shall be carried out by mutual agreement of the Cooperating Authorities and affirmed by an exchange of Notes through diplomatic channels.

¹ Not submitted.

3. The implementation of this Agreement and any activity hereunder shall be in accordance with the respective applicable laws, regulations, rules, procedures and mechanisms of each State Party.

Article 4 – Cooperating Authorities

1. The GRM hereby designates the National Employment Agency of the Ministry of Labour, Social Protection and Family (hereinafter referred to as "NEA") and GOI hereby designates the Population and Immigration Authority in the Ministry of Interior (hereinafter referred to as "PIBA") as their authorized representatives under this Agreement (hereinafter: "The Cooperating Authorities").
2. The implementation of the Implementation Protocols by PIBA or NEA, may be carried out directly by PIBA or NEA or by a non profit or public competent body as agreed upon by the Parties acting on behalf of GOI or GRM or as authorized by GOI or GRM or by PIBA or NEA. Notwithstanding the above, all activities related to recruitment and receipt of applications by NEA as per this Agreement and any relevant Implementation Protocol will be performed solely by NEA or another authorized governmental body.
3. The Cooperating Authorities shall be responsible for the implementation of this Agreement and the relevant Implementation Protocols.

Article 5- Recruitment Authority

The recruitment of temporary workers in the Republic of Moldova shall be carried out by NEA in cooperation with PIBA as per this Agreement, without the involvement of private recruitment agencies in the country of origin.

Article 6 – General Worker Qualifications

NEA shall take all necessary steps to ensure that the temporary workers recruited in accordance with this Agreement shall have all the necessary skills, training and experience as required for the relevant sector, are in good mental and physical health and hold relevant medical certificates, all as stipulated in the relevant Implementation Protocol.

Article 7- Recruitment Process

1. The Parties agree to take all necessary steps to insure that the recruitment process is transparent, that all relevant information is given to the applicants (including their obligations concerning legal stay and employment in Israel and their return to the Republic of Moldova upon the conclusion of their legal employment period in Israel) and that no fees, other than any permitted payments set out in the applicable Implementation Protocol, shall be collected from the applicants or the workers, directly or indirectly, in either country, throughout the recruitment process.