

IMPROVING THE SITUATION OF MIGRANT WORKERS IN QATAR



BY MIGRANT-RIGHTS.ORG

The factsheet is informed by research conducted by Migrant-Rights.Org since the last review period.

Migrants in Qatar constitute 94% of the labour market and 91% of the population. The majority of these workers hail from Asia and Africa and are employed in lower-income jobs in the construction, hospitality, and domestic work sectors.

There are two primary sets of laws that govern them: **labour laws and immigration laws.** The intersection of these laws alongside customary practices form the foundation of the Kafala system. While all the foreign workers are governed by the same set of laws, low-income workers face greater exploitation within the system.

Employer-tied visas and how they manifest as human rights abuses against migrant workers

Work and residence visas are linked to the sponsor/employer. Under this system, the worker has little to no power to protest contract violations and other abuses, as they risk being evicted from their homes, reported as absconding, or having their visas cancelled and deported without receiving all due entitlements. This power imbalance plays out in different ways, with the use or abuse of provisions within the law and the leveraging of influence that citizen-employers have within the legal system.

ISSUES	CHANGES	CHALLENGES	RECOMMENDATIONS
JOB MOBILITY	In 2020, Qatar reformed various aspects of the labour law to allow workers to change jobs without the need for permission (in the form of a 'No Objection Certificate' (NOC)) from their sponsor/employer.	A requirement for a signed resignation letter was introduced within months, resulting in a de facto NOC. The digital platform that facilitates job change approval still allows employers to reject the application due to a host of reasons, including fabricated accusations.	The digital platform that enables job change should require irrefutable and transparent proof of why an application is rejected. Workers must be able to report any threats from employers on this platform.

ISSUES	CHANGES	CHALLENGES	RECOMMENDATIONS
WAGES	Qatar established a non-discriminatory basic minimum wage of QR1000 (US\$274) in 2021.	<p>Qatar has one of the highest cost of living in the world. The minimum wage is woefully low and is neither a decent nor living wage.</p> <p>By keeping wages so low, workers are dependent on employers for their very survival, from food to housing. This dependency discourages them from raising complaints against the employer when labour abuse occurs, as they would risk eviction and even deportation.</p>	Qatar must revise the minimum wage to reflect the cost of living in the country.
WAGE THEFT	All salary payments must be made through bank transfers under the Wage Protection System (WPS), which was rolled out in phases from 2015.	<p>The WPS is mainly a digital system and does not effectively protect wages. The lack of pay slips and monitoring of unfair deductions is a pressing concern.</p> <p>Furthermore, even if the system flags non-payment, workers still have to file a complaint to have their case heard, thereby risking their work and living status in the country.</p>	<p>The WPS must issue a payslip, which is checked automatically with the registered contract.</p> <p>When employers default on payment, the system must immediately raise a complaint to ensure immediate payment.</p>
ABSCONDING CHARGES	Workers are informed by SMS of absconding charges and are allowed to challenge it.	<p>Though some of the processes for reporting a worker as 'absconding' have changed, it is still as simple as pressing a button on the Ministry of Interior app.</p> <p>The burden of proof is on the worker, not the employer.</p> <p>The SMS is usually in Arabic, and if they are no longer in possession of the phone number originally registered to their Qatar ID, they may miss the notification.</p>	<p>The labour law already has a provision giving notice for workers who are missing from work, leading to termination.</p> <p>The absconding law must be abolished.</p>
ACCESS TO JUSTICE	The state has established several channels for workers to file complaints against employers, including a unified platform for complaints and whistleblowers, the National Human Rights Committee, the Labour Dispute Settlement Committees (DSC), and in-person at Ministry of Labour offices.	<p>Workers can be coerced into settling their cases by the presiding officials.</p> <p>All judicial procedures and legal paperwork within the country are conducted in Arabic.</p> <p>Even if several cases involve a single employer, they are dealt with individually.</p> <p>Workers face more pressure pursuing cases alone rather than collectively.</p>	<p>Provide free translation services to low-income workers.</p> <p>Improve knowledge and capacity among officials involved in the dispute process.</p> <p>Strengthen enforcement mechanisms, including penalties against employers who violate the law.</p> <p>Provide drop-in shelter facilities so that workers are able to stay in the country and fight cases without fear of destitution.</p>

IMPROVING THE SITUATION OF WOMEN MIGRANT DOMESTIC WORKERS IN QATAR



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In Qatar, a large percentage of female migrant workers are employed in the domestic work sector. **In 2022, women made up 60% of the 168,640 workers in this sector.** This group of women live and work in great isolation, with their mobility and sustenance controlled by their employers.

Domestic workers are not included in Qatar's labour laws and are governed by the Domestic Workers Law of 2017. Migrant domestic workers were included in most of the significant reforms Qatar announced in 2020. However, implementation is particularly poor in this sector, and they have limited access to the mechanisms provided under the Labour Law.

Live-in domestic work and other vulnerabilities

Live-in arrangements are the only legal mode of employment for women migrant domestic workers, entrapping them in employers' households 24x7. Cleaning companies that offer part-time and freelance services to households are not yet a viable alternative, as the sector remains poorly regulated, and workers employed by these companies continue to face severe exploitation. The combination of being excluded from labour laws and required to live in their employers' households not only forces workers to live in isolation, but makes it almost impossible for them to access the few legal remedies that do exist.

The overarching recommendation is that domestic workers must be included fully in the labour law.

ISSUES	CHANGES	CHALLENGES	RECOMMENDATIONS
WORKING HOURS	As per the law, daily working hours cannot exceed 10 a day. As per the standard contract, this is calculated as 8 hours and 2 hours of maximum overtime. Workers must receive one day weekly off.	According to our research, workers, recruitment agents, and employers themselves report that workers consistently work upwards of 10-12 hours a day. Of the live-in domestic workers who receive a weekly off, few are allowed to leave their employers household to spend their free time at their discretion.	Alternatives to the live-in employment model must be provided. Workers must be allowed to spend their off-duty hours and off days as they see fit, and this must be stated explicitly in the law.

ISSUES	CHANGES	CHALLENGES	RECOMMENDATIONS
JOB MOBILITY	As per the 2020 reforms, domestic workers can now change jobs without employer permission and are also allowed to leave the country without an exit permit.	<p>New regulations have been introduced requiring employer’s permission on the Metrash system (a Ministry of Interior app that provides various services for residents and citizens) to change jobs. Though exit permits are not required, domestic workers must inform their employers of their intended departure 72 hours in advance, leaving them vulnerable to detention and deportation if their sponsor files a false absconding report to prevent them from leaving.</p> <p>Qatar has also introduced a parallel probation period of nine months between recruitment agent and employer, effectively extending the 3-month probation period stipulated by the domestic workers law.</p>	<p>Domestic workers must be allowed to provide notice to terminate their work without interference or permission from the employer.</p> <p>Workers also must be allowed to leave the country without the need for a de facto exit permit. Workers must be allowed to claim their end-of-service benefits in full or pro-rata, without penalties for terminating the contract, before they leave the country.</p>
WAGES AND WAGE THEFT	Domestic workers are included in the non-discriminatory minimum wage of QR1000 (US\$274).	<p>Though the law is clear on overtime payment (hourly basic wage plus 25%), enforcement is nonexistent as neither work hours nor payments are monitored.</p> <p>Domestic workers are excluded from the Wage Protection System (WPS), so there is no way of monitoring their payment or proving wage theft.</p> <p>Additionally, it is still far below the mandatory minimum wage determined through bilateral agreements for workers of certain nationalities, perpetuating race-based wage disparities.</p>	<p>Domestic workers must be included in the WPS immediately, and this must include payslips and hours worked.</p> <p>The minimum wage must reflect the wages set by countries of origin.</p>
ABSCONDING CHARGES	If the domestic worker has filed an official complaint already, then employers cannot file an absconding charge as easily.	Domestic workers are among the most vulnerable to misuse of absconding charges. Since their employer’s household is also their work space, any attempt to leave the household of the employer can be construed as running away. Once the worker leaves the household, they risk irregular status, unless they reach their embassies first. Not all nationalities have diplomatic presence.	Absconding laws must be abolished immediately, and in the interim, workers who leave their employer’s household due to a contract violation or abuse must not face criminal penalties.
SHELTERS	Qatar currently has two shelters. One is for victims of domestic violence, and the other is for victims of trafficking.	Both shelters are only accessible through police or ministry referrals. Drop-in shelters are needed as workers may not have the wherewithal to go through lengthy complaint processes to obtain a referral. Some embassies allow female migrants to stay on their premises on an ad hoc basis, but only a few have the resources to run a proper shelter.	Establish drop-in shelters that provide legal aid and counselling. Once the worker comes to any shelter, the complaint process must be initiated immediately. Workers must also be allowed to seek work while still at the shelter and awaiting resolution of their case.
ACCESS TO JUSTICE	There are designated hours for women migrants to visit the labour departments. They can also access the hotlines and online platforms.	<p>There is a severe gender disparity in accessing justice for women domestic workers, who work and live in isolated conditions. Domestic workers face the risk of absconding charges if they attempt to leave the household to file complaints or escape abuse. Interviews with local lawyers and independent research indicate that the number of women who pursue complaints, including lawsuits, is lower than their male counterparts. Additionally, workers risk becoming homeless when they file complaints against their employer. Moreover, domestic workers must file complaints personally, as complaints raised by witnesses or third parties are not considered.</p> <p>Many live-in domestic workers are either denied or have limited access to communication making it difficult for them to reach out to family and officials when in trouble.</p>	<p>Domestic workers who file complaints must be allowed to seek temporary or freelance work to sustain themselves until their case is resolved.</p> <p>Access to shelters must be made easier.</p> <p>Complaints from third-parties must be permitted.</p>

CASE STUDIES OF HUMAN RIGHTS ABUSE AGAINST MIGRANT WORKERS IN QATAR



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1



Kate and Mia* were both on a domestic work visa, but the employer had housed them in separate accommodations, and they were put to work providing services for other households and establishments. While they had their Qatar ID (QID) with them, their passports had been confiscated. When the national COVID-19 lock-down began, the two women were abandoned without a salary or allowance to cover food. In May 2020, both of them received an SMS informing them of absconding charges filed against them.

“We were still in the accommodation provided by the madam. How can we run away?”

After a counter-complaint with the ministry and weeks of negotiations later, the workers were picked up by the ‘madam’ and dropped off at their embassy shelter, along with an open air ticket and their passports. They received none of their due wages.

WAGE THEFT | ABSCONDING | DOMESTIC WORKERS

2



When Peter, William, James, and Emmanuel came to Qatar from Kenya in July 2022, they did not expect that seven months later they would be homeless, with no income, no passport, and no support system. The four Kenyans were recruited to work for Wafiq Limousine, a new company providing dispatch riders for food delivery services, Rafeeq and Snoonu. Their experience is among a slew of similar cases in which dispatch riders and gig economy workers

have been cheated and left stranded by employers. The web of sponsorship and subcontracting is particularly convoluted in the gig sector, making it easier for sponsors and employers to shirk contractual responsibility. Qatar has not introduced any regulation to monitor this sector.

WAGE THEFT | CONTRACT SUBSTITUTION | FORCED LABOUR | TRAFFICKING

3



Judith Nyakangi worked as a domestic worker in Qatar, where she suffered extreme abuse at the hands of her employer and sponsor. Debilitating injuries left her in need of multiple surgeries and ongoing physical therapy. After months of waiting for her employer to be punished and to receive adequate compensation for her injuries, she returned to her home country, Kenya, on 25 February

2023. Judith had put up a brave fight against a system that was hostile and an employer who was powerful. However, as officials repeatedly ‘archived’ her case and refused to investigate, she remained destitute and dependent on charity.

**WAGE THEFT | ABSCONDING | GENDER BASED VIOLENCE
ACCESS TO JUSTICE | DOMESTIC WORKERS**

4



Mel came to Qatar in May 2018. Though she was paid her contracted salary every month, she did not get a weekly day off and worked almost round-the-clock. At the end of her contract, she asked to return home. “My baba said my contract is for three years, but I said all OFW (Overseas Foreign Workers, a term used by the Philippines government) only have a two-year contract. But he refused, and then Covid-19 happened, and he said, “I cannot leave now.”

Mel did not even have a phone number until she had to get the vaccination. “Only for vaccination, they got me a SIM card and phone (a requirement to install the Ehteraz app). Then this year in April, I contacted a community group on social media and they got in touch with the embassy.”

WAGE THEFT | JOB MOBILITY | ACCESS TO COMMUNICATION

5



About 550 employees of a once successful Qatari company, Imperial Trading and Contracting Company (ITCC), had to protest non-payment of wages for over 11 months, which has pushed them and their families back home to destitution. The workers were primarily from India, Nepal, Bangladesh, and Egypt and have worked for between five and 13 years with ITCC. ITCC worked on

several high-profile projects, including the Gharafa stadium (for the Qatar Olympic Committee), Al Rayyan Palace, and Katara shopping mall as well as a few for Ashghal and Kahramaa, which are government agencies.

The Wage Protection System failed to flag the long period of wage theft, and no action was taken until workers protested.

WAGE THEFT | WPS | ACCESS TO JUSTICE

6



Indian national Jayanthi arrived in Doha at the end of 2019 to work as a domestic worker. She suffered extreme physical, emotional, and mental abuse at the hands of her employer. Several months later, she left the home to complain to the police and the Indian Embassy. She was returned to the employer, as officials said it would be difficult to send her home during the pandemic. The employer punished her by locking her up in a room without

food for a few days. On 15 March 2021, she attempted to go to the embassy again to file a complaint and seek shelter. She was apprehended by the employer as she tried to take a taxi, and was not heard from for several days. She was later sent out of the house and was repatriated. No case was filed against the employer despite evidence of abuse.

ABUSE | WAGE THEFT | ACCESS TO JUSTICE