

Qatar

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**MIGRANT-
RIGHTS.ORG**

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Context

- **Migrants account for over 91% of Qatar's population** and 94% of its economically active population.
- A large portion of female migrant workers are employed in the domestic work sector. **In 2022, the domestic work sector employed 168,640 migrant workers, of whom 101,880 (60%) were women.**
- Qatar has dismantled some aspects of the Kafala system over the last six years. However, **the Kafala system is not abolished** as work and residence permits are still linked to the sponsor/employer.

Wages

- Qatar accepted recommendations made by Liechtenstein and Thailand to establish a fair minimum wage.
- At the time of the previous review (2019), Qatar had introduced a temporary minimum wage of US\$206. **In 2021, the state enforced a national non-discriminatory minimum wage of US\$274**, with allowances of US\$137 for accommodation and US\$82 for food when not provided by the employer.
- Qatar has introduced the **Wage Protection System (WPS)** to monitor salary payments and to eliminate wage theft. However, the WPS is ineffective in curbing wage theft.
- The **Workers Support and Insurance Fund (WISF)** was established in 2018 (Law No 17) to “pay the workers' entitlements decided by Labour Disputes Settlement.” However, the process is lengthy and not transparent.

Wages - Recommendations

- Establish **a fair living wage that is in line with the cost of living in Qatar,** and review the wage periodically in consultation with workers' groups
- Ensure the WPS flags wage theft immediately, and official mechanism intervenes without waiting for workers' complaints.
- Ensure the WISF process is shorter and simpler, and that workers receive all due entitlements.

Migrant Domestic Workers

- Qatar accepted recommendations from Bulgaria, Norway, Japan, Myanmar, Slovenia, Ghana, Ireland, Liechtenstein, Denmark, and Thailand to improve various aspects of MDW protection.
- MDWs were included in all the significant reforms of 2020, including job mobility and minimum wage.
- **MDWs are excluded from the labour laws** and therefore from the WPS and labour inspection systems.
- Conflicting legislation such as a 3-month probation for domestic workers, but a 9-month probation between recruitment agent and employer, makes implementation of reforms futile.

Migrant Domestic Workers

- Reintroduction of a **de-facto No Objection Certificate** to change jobs by making a notice period on Metrash (government app for residency services) mandatory.
- Currently, the **Shura Council is recommending reintroduction of exit permits for MDWs.**
- The state does not have a law on domestic violence, and there are no avenues for justice for MDWs who are subject to such violence. MDWs who get pregnant out of wedlock, even if the result of rape, face detention and deportation.
- The law allows a weekly day off. However, the majority of employers, recruitment agents, and workers interviewed by MR say workers either do not get a day off or are not allowed to leave the household if they do have it.

MDWS: Recommendations

- **Establish a drop-in shelter for MDWs** so that they are not criminalised for leaving exploitative employers.
- Amend the WPS law to include MDWs.
- Include MDWs fully in the labour laws of the state in order to benefit from its mechanisms.
- Pass a law on domestic violence that includes MDWs.
- **Ensure they have a weekly day off that they can spend as they see fit.**
- Ratify ILO conventions 189 (domestic workers) and 190 (gender based violence).

Absconding Charges and Job Mobility

- Qatar supported recommendations from Belgium, Uganda, Spain, Sweden, Ireland, and France that called for the complete abolishment of exit permits and the dismantling of the Kafala system.
- Many components of the kafala system have been reformed, but key nodes of control remain intact. Qatar amended the process of reporting a worker as absconding, but there is no penalty for filing a false case, resulting in widespread forced labour.
- **Absconding laws are still used to control workers' mobility, and are particularly exploitative of MDWs who live and work in isolation.**
- Official requirement for NOC was abolished, but workers continue to report demand for a signed resignation letter in its place.

Absconding Charges and Job Mobility: Recommendations

- Implement Kafala reforms in full, with specific focus on ensuring job mobility, and removing employer controls in all its forms.
- Set up drop-in shelters for male and female domestic workers, with legal aid and counselling facilities

Access to Justice

- Qatar supported recommendations from Nepal, Canada, Afghanistan, Norway, Myanmar, Bulgaria, and Bahrain regarding issues pertaining to access to justice.
- The state has established several channels for workers to file complaints including: a unified platform for complaints and whistleblowers, the National Human Rights Committee, the Labour Dispute Settlement Committees (DSC), and in-person at certain MoL offices, police stations and Ministry of Interior Human Rights department.
- Access to justice for migrant workers remains encumbered with obstacles. There is a severe gender disparity in access to justice.
- Based on interviews with local lawyers and independent research, the portion of working women who file lawsuits is still lower than that of their male counterparts.

Access to Justice

- All judicial procedures and legal documentation within the country are carried out in Arabic.
- Class action suits are still not allowed, so courts and workers are burdened by a long waitlist to resolve cases concerning the same employer.
- Migrant workers remain unable to join or form trade unions, and there are no civil society mechanisms to support their access to justice.
- Workers voices are stifled, and those who protest injustices are detained and deported, without receiving their entitlements.
- There are two shelters – for victims of domestic violence and human trafficking. Both require police complaints and official referrals.

Access to Justice Recommendations

- Establish gender-responsive judicial processes, expanding timing and locations to take into consideration needs of workers.
- Provide simultaneous interpretation in multiple languages.
- Allow class action suits.
- Allow independent civil society organising, including establishment of migrant resource centres.

Concluding Recommendations

- Qatar has already taken a significant step in allowing Worker Joint Committees. As a next step, **it must allow freedom of association and collective bargaining, including for MDWs** .
- End legal and de-facto restrictions on migrant mobility.
- Ensure migrants enjoy equal legal, social, and economic rights regardless of race, colour, origin, or gender.
- Abolish Law No. 15 of 2010 and allow family reunification.