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COMMITTEE ON CULTURE, SCIENCE, EDUCATION AND MEDIA COMMITTEE ON SOCIAL AFFAIRS, HEALTH AND SUSTAINABLE DEVELOPMENT

Labour reforms in Qatar

Information note

The present note includes information extracted from ILO reports and documents; it has been drafted by the PACE Secretariat in close collaboration with the ILO Project Office for the State of Qatar.

1. Background

1. In 2014, international trade unions made a complaint under Article 26 of the ILO Constitution, alleging Qatar's failure to comply with its obligations having ratified the ILO Conventions on forced labour and labour inspection. This triggered a series of steps under the ILO supervisory mechanism, including a decision by the Governing Body to deploy a high-level tripartite mission to Qatar.

2. After a period of negotiations, the State of Qatar and the ILO agreed on a programme to enact major labour reforms, which was endorsed by the ILO Governing Body, and led to the closure of the complaint procedure in 2017.¹ Five months later, the ILO Project Office opened in Doha. As part of the agreement signed by the ILO and the Government of Qatar, annual progress reports on the technical cooperation programme were prepared and presented to the ILO Governing Body in 2018, 2019 and 2020.²

3. During the first phase of the programme, the ILO Project Office for the State of Qatar worked with the Ministry of Administrative Development, Labour and Social Affairs to jointly implement the programme. The international trade unions³ and employer organisations⁴ are also partners in the labour reform agenda, and meet on a regular basis with the Government, the ILO and other entities to assess progress and define future priorities. Other partner institutions include the Qatar Chamber of Commerce and Industry and private sector representatives, the Supreme Committee for Delivery & Legacy, the Qatar Foundation, the Ministry of Public Health, academia, diplomatic missions in Doha and civil society organisations, particularly in Asia.

4. The first phase of the ILO-Qatar programme ended in June 2021, and a second phase that started in July 2021 will run until December 2023. In October 2021, the Ministry of Administrative Development, Labour and Social Affairs was restructured into different ministries, including the Ministry of Labour (MOL) and the Ministry for Social Development and Family. The newly established MOL became the main partner of the ILO in the implementation of the second phase of the ILO-Qatar programme.

¹ The details of this process can be found on pages 51-56 of this publication on the ILO supervisory mechanism. https://www.ilo.org/global/standards/WCMS_730866/lang--en/index.htm.

² See: https://www.ilo.org/gb/GBSessions/GB334/ins/WCMS_647832/lang--en/index.htm;
https://www.ilo.org/gb/GBSessions/GB337/ins/WCMS_723203/lang--en/index.htm;
https://www.ilo.org/gb/GBSessions/GB340/ins/WCMS_757599/lang--en/index.htm.

³ The International Trade Union Confederation, Building and Wood Worker's International, International Domestic Workers Federation, International Transport Workers' Federation and UNI Global Union. The ILO Qatar Project Office also hosts five community liaison officers from these unions to promote the labour reforms among workers, document workers' complaints and refer them to the MADLSA.

⁴ The Qatar Chamber of Commerce and Industry and the International Organization of Employers.

5. While the second phase of the programme does not require formal annual reporting to the ILO Governing Body, there remained a need to communicate with interested parties on the broad scope of the work under way in Qatar, and especially on the key developments and remaining priorities. For this reason, a progress report was published in December 2021,⁵ and a new one is expected in November 2022. The following are the main achievements seen in Qatar in the past 4 years.

2. Main achievements of the labour reform agenda

2.1. Kafala and labour mobility

6. Qatar became the first state in the region to dismantle the most problematic aspects of the kafala (sponsorship) system. As such, workers no longer need to obtain an exit permit to leave the country and can now change jobs without their employer's consent. Following the adoption of the new legislation in September 2020, during the first year over 240,000 workers (approximately ten percent of the overall workforce) have changed jobs. The reforms that suppressed the exit permit and introduced real labour market mobility have redressed the level of control that employers had over workers.

2.2. Minimum wage

7. In March 2021, the first non-discriminatory minimum wage came into force, applying to all workers regardless of their nationality and occupation, including domestic workers. In addition to a minimum monthly basic wage of 1,000 Qatari Riyals (QAR), the law stipulates that employers must provide decent accommodation and food, or monthly allowances of at least QAR 500 for housing and QAR 300 for food. Approximately 280,000 workers or 13 per cent of total workforce of the private sector have seen their basic wage increase to the minimum threshold, and many more will benefit from the new requirements on allowances. It is important to note that low-wage migrant workers tend to send between 80 and 90 percent of their income back home, and thus the wage rise has had a significant ripple effect on thousands of family members in countries of origin.

8. The Minimum Wage Law also created a commission to assess the impact of the new minimum wage and propose revisions on an annual basis. The Minimum Wage Commission consists of representatives from several government agencies, and will consult with workers, employers and experts.

2.3. Wage protection system

9. Qatar's Wage Protection System (WPS) is an essential tool to monitor the payment of workers' wages. The WPS, introduced in 2015, obliges all employers in the private sector to transfer their employees' wages through Qatari banks within seven days of their due date. The system has played an important role in reducing wage abuses and resolving wage disputes.

10. In 2019, a comprehensive and independent assessment of the WPS⁶ was commissioned and published. It contains a series of recommendations on how the WPS could better fulfil its potential, and how wage protection efforts could be more effective. While improvements are still ongoing, the Government has already acted on several of the recommendations. The report highlighted the need to strengthen the WPS's operational capacity to detect and deter various forms of wage-related violations. The WPS Unit is now able to better detect additional violations, including payment under the minimum wage and unlawful deductions. A total of 96 per cent of eligible workers and 94 per cent of companies were registered in the WPS in 2020, up from 58 per cent and 78 per cent in 2019.

2.4. Occupational Safety and Health

11. The Government of Qatar and the ILO are working to strengthen occupational safety and health (OSH) at the policy and strategic level, and to enhance the ability of the labour inspectorate to enforce regulations. The MOL and the Ministry of Public Health adopted a National Policy on OSH,⁷ which is built on the principles of prevention, continuous improvement in assessing and addressing workplace hazards, and further strengthening the culture of safety and health nationwide.

⁵ https://www.ilo.org/beirut/countries/qatar/WCMS_832122/lang--en/index.htm.

⁶ https://www.ilo.org/beirut/projects/qatar-office/WCMS_726174/lang--en/index.htm.

⁷ [https://www.adlsa.gov.qa/en/Labour/Attachments/Occupational Safety and Health Policy in the State of Qatar.pdf](https://www.adlsa.gov.qa/en/Labour/Attachments/Occupational%20Safety%20and%20Health%20Policy%20in%20the%20State%20of%20Qatar.pdf).

12. A national labour inspection policy⁸ with a strong focus on strategic, evidence-based planning was adopted in April 2019, to increase efficiency and achieve sustained compliance with national and international standards. The policy was guided by an assessment of the Qatar labour inspection system.⁹

13. In November 2021, the ILO published a report¹⁰ which presented the most comprehensive data on occupational injuries that occurred in Qatar in 2020, and put forward a series of recommendations, calling for better quality of data and more accurate data collection, with greater efforts to investigate injuries and fatalities that may be work-related but are not currently categorized as such. The report found that there were 50 work-related deaths in 2020, 506 severe injuries and over 37,000 mild and moderate injuries. These injuries cover all workers in the country, irrespective of where they worked. This data was disaggregated by cause of injury, nationality, age, sex and sector of work.

2.5. Heat stress

14. In May 2021, the Government adopted new legislation to further address heat stress.¹¹ The new Ministerial Decision¹² increases the period when outdoor work is prohibited during the summer: outdoor work is now prohibited between 10 a.m. and 3:30 p.m. from 1 June to 15 September. In addition, the legislation requires that all outdoor work stop when conditions exceed 32.1° on the WBGT¹³ index, which takes into account temperature, humidity, wind factor and solar radiation.

15. For the first time, national legislation stipulates that workers have the right to stop work if they feel their health is in jeopardy, and explicitly requires employers to conduct a risk assessment on heat stress. Importantly, annual health check-ups are required for outdoor workers to ensure that those who are more susceptible to heat related disorders are assigned to appropriate tasks or take additional mitigation measures. The ILO worked closely with the Government and the Supreme Committee for Delivery and Legacy on the field research that informed these new measures.¹⁴

16. To support compliance with the new legislation, the MOL and the ILO developed guidance for employers.¹⁵ Labour inspectors are also trained in assessing whether companies implement heat stress prevention measures, and inspection and communication campaigns are carried out during the summer months. In the summer of 2021, over 338 companies were shut down for non-compliance with the new legislation. In June 2022, the MOL published a decision, clarifying that security guards and delivery riders are protected by the legislation and also banned any delivery by motorbikes throughout the prohibited working hours.

2.6. Social dialogue

17. The ILO project is supporting the government and the private sector to promote social dialogue through the establishment of joint committees at the enterprise level. Representatives from these committees also participate in platforms for social dialogue at the sectoral and national level.

18. Joint Committees bring together equal numbers of management and workers' representatives to discuss workplace matters. Management representatives are nominated by employers while workers' representatives are selected through an election process. The members meet at least once a month to discuss all matters related to work.

19. To date, joint committees have been established in 40 private companies, with over 30,000 employees across various sectors of the economy, and more are in the pipeline. In addition to support to the elections, the ILO and MOL provide guidance and training on the roles and responsibilities of the committees.

20. In addition to joint committees, Qatar's hospitality sector inaugurated a sectoral level social dialogue platform on 31 May 2022, known as the Central Labour Management Consultation Committee (CLMCC). This organization, created by the MOL, ILO, and the Supreme Committee for Delivery & Legacy (SC), enables worker and management representatives from each joint committee in the sector to discuss pressing and

⁸ [https://www.adlsa.gov.qa/en/Labour/Labour-Inspection/Attachments/Labour Inspection Policy.pdf](https://www.adlsa.gov.qa/en/Labour/Labour-Inspection/Attachments/Labour%20Inspection%20Policy.pdf).

⁹ https://www.ilo.org/beirut/projects/qatar-office/WCMS_726173/lang--en/index.htm.

¹⁰ https://www.ilo.org/beirut/countries/qatar/WCMS_828395/lang--en/index.htm.

¹¹ https://www.ilo.org/beirut/projects/qatar-office/WCMS_794475/lang--en/index.htm.

¹² https://www.ilo.org/beirut/projects/qatar-office/labinsp-osh/WCMS_794551/lang--en/index.htm.

¹³ Wet Bulb Globe Temperature (WBGT).

¹⁴ https://www.ilo.org/beirut/projects/qatar-office/WCMS_723545/lang--en/index.htm.

¹⁵ https://www.ilo.org/beirut/projects/qatar-office/WCMS_794519/lang--en/index.htm.

relevant labour issues beyond the company level. The CLMCC enables workers' and management representatives to take sectoral action through guidelines, collective agreements, action plans, etc. A recent initiative from the CLMCC was a collaboration with the National Committee for Combatting Human Trafficking and the ILO to jointly draft a sectoral plan of action to tackle and prevent forced labour and exploitative labour practices in the hospitality sector.

2.7. Access to justice

21. Over the past few years, Qatar has taken steps to improve workers' access to justice, including through the establishment of Labour Dispute Settlement Committees. In 2021, the Government also established an online platform for workers to submit complaints online, including anonymous whistleblower complaints. Of the complaints received in 2021, 75% were settled, 24% were sent to the labour courts and 1% are still under review.

22. Workers regularly visit or contact the ILO Project Office with queries on the labour law and their ongoing cases or applications. The ILO follows up on these cases with the MOL. The ILO has assisted on cases involving over 11,000 workers. This allows the Office to be in touch with the challenges that remain in the application of the laws, and how the institutions could be further strengthened.

3. Remaining challenges

23. While the achievements in Qatar's labour reform agenda are laudable, there is still much to be done. The reform is faced with implementation challenges and with some level of resistance to change, which is not surprising given its magnitude.

24. According to a report by *Amnesty international* of May 2022, "(...) persistent structural problems coupled with a lack of proper enforcement means that thousands of migrant workers continue to face abuse and exploitation. All migrant workers still depend on their employers from the moment they enter the country and throughout their employment. Research by Amnesty International and other organisations show that thousands continue to face wage theft, unsafe working and living conditions, and sometimes insurmountable barriers to changing jobs (...)." ¹⁶ Also the *Equidem* report "[We work like robots](#)" denounces violations of workers' rights at FIFA World Cup Qatar 2022 partner hotels, including "sexual harassment, nationality- and gender-based discrimination, wage theft, health and safety risks, sudden loss of employment, and illegal recruitment charges". The report also highlights that workers are denied the fundamental right to associate, are subjected to intensive surveillance and employer control, and fear retaliation, including employer-instigated deportation for defending their rights and interests. ¹⁷

25. Remaining challenges include the following.

- i. Non-payment of wages remains the priority concern of workers, and of the ILO. The WPS has improved the situation in terms of detection, and the penalties for non-payment of wages have been increased (larger fines and longer prison sentences). However, these penalties still need to be enacted more swiftly, and workers need to be paid their outstanding wages more quickly. The ILO and the Government of Qatar are working on measures to streamline access to justice and to operationalise a Workers' Insurance Fund. As of August 2022, the Fund has disbursed US\$160 million to cover non-paid wages of around 37,000 workers.
- ii. Some unscrupulous employers are using different means to try to retain control of their workers, including for example by cancelling the Qatari identity cards (QID) to those trying to change jobs, ¹⁸ introducing new clauses into contracts and filing absconding charges. The MOL and ILO are working to ensure employers cannot retaliate against workers, or otherwise abuse employment contracts.
- iii. The major reforms adopted in recent years also apply to domestic workers. In addition, legislation protecting the rights of domestic workers was adopted in 2017, and a new standard contract for domestic workers was adopted in 2021. That said, many of the laws that apply to them in practice are not being fully applied and enforced, especially in relation to working hours and the right to a day off.

¹⁶ "*Predictable and preventable: why FIFA and Qatar should remedy abuses behind the 2022 world cup*", page 17. Available at: <https://www.amnesty.org/en/documents/mde22/5586/2022/en/>.

¹⁷ In August 2022, at least 60 foreign workers were arrested, after a demonstration they had held to protest that they had not been paid for months, and some of them were deported; see [here](#).

¹⁸ Every resident in Qatar (nationals and foreigners) must have a QID. For a foreigner, this document coincides with the residence permit; it shows the name of the sponsor (employer), in addition to the holder's nationality, passport number, profession, etc.

- iv. There is a need to expand the structures within the MOL to continue to support the establishment of joint committees. In addition to the social dialogue occurring at the enterprise level, there is a need to see workers' and management representatives to increasingly engage at the sectoral and national level.
- v. There have been ongoing efforts to enhance the capacity of the labour inspectorate. This remains an ongoing priority and an area for continuous improvement. In addition to training, the ILO is providing support to adopt more strategic inspection interventions.

24. The ILO Committee of Experts on the Application of Conventions and Recommendations continues its regular supervision of the implementation by the Government of Qatar of the relevant ratified conventions – the Forced Labour Convention, 1930 (C29) and the Labour Inspection Convention, 1947 (C.81).¹⁹

¹⁹ Their latest comments can be found here:

- C029 Direct Request 2020
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4062899:NO;
- C029 Observation 2020
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4062895:NO;
- C081 Direct Request 2020
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4062761:NO;
- C081 Observation 2020
[https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4062764:NO.](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4062764:NO;)