



COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW (2000-2008)¹: QATAR

THE ELIMINATION OF DISCRIMINATION IN RESPECT OF EMPLOYMENT AND OCCUPATION (DISC)

| | | | |
|---|--|---|---|
| REPORTING | Fulfillment of Government's reporting obligations | YES , since the start of the Annual Reviews (AR) in 2000. | |
| | Involvement of Employers' and Workers' organizations in the reporting process | YES , according to the Government: Involvement of the Qatar Chamber of Commerce and Industry (QCCI) and the Qatar Petroleum Workers' Committee (QPWC) through consultations and communication of government's reports. | |
| OBSERVATIONS BY THE SOCIAL PARTNERS | Employers' organizations | AR 2007: Observations by the QCCI. | |
| | Workers' organizations | 2008 AR: Observations by the QPWC. 2007 AR: Observations by the QPWC. 2006 AR: Observations by the QPWC. Observations by the International Confederation of Free Trade Unions (ICFTU). | |
| EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT | Ratification | Ratification status | Qatar ratified in 1976 the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) (C.111). However, it has not ratified the Equal Remuneration Convention, 1951 (No. 100) (C.100). |
| | | Ratification intention | YES, since 2002 for the Equal Remuneration Convention, 1951 (No. 100) (C.100). 2007 AR: According to the Government: The «ambiguity» of the text of C. 100 is deemed to be an obstacle to ratification of C.100. Despite this fact, the Government intends to meet the conditions that would allow for its ratification. 2006 AR: The Government stated the following: the Government endorses the ILO Fundamental Principles and Rights. C.100 is in the process of ratification and the Government expects some positive developments by the end of 2005 in this regard. 2001 AR: Based on information in GB.282/LILS/7 and GB.282/8/2 (Nov. 2001): The Government intended to ratify C.100. |

¹ Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: information provided by the Government under the Declaration Annual Review, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention, please see: www.ilo.org/ilolex

| | | | |
|---|--|---|--|
| | Recognition of the principle and right (prospect(s), means of action, basic legal provisions) | Constitution | NIL |
| | | Policy, legislation and/or regulations | <ul style="list-style-type: none"> • Policy: 2003-2005 ARs: According to the Government, there is a national policy concerning the elimination of discrimination in employment and occupation through the amendment of the provisional basic law. • Legislation: (i) Labour Law No. 3, (ii) the Public Service Law; and (iii) the Civil Service Act, 1967. • Regulations: The Executive Regulations of the Public Service Law. |
| | | Basic legal provisions | (i) the Labour Law No. 3 (sections 2 and 28); (ii) the Public Service Law and its Executive Regulations; and (iii) the Civil Service Act, 1967 |
| | | Grounds of discrimination | 2003 AR: According to the Government: Discrimination in respect of employment and occupation is prohibited on grounds of race, colour, sex, religion, political opinion, national extraction and social origin. |
| | | Judicial decisions | NIL |
| | Exercise of the principle and right | Special attention to particular situations | 2003-2005 ARs: According to the Government: (i) all categories of workers in the public service; (ii) workers in particular types of employment; (iii) agricultural workers; (iv) workers engaged in domestic work; (v) workers in EPZs; (vi) migrant workers; and (vii) workers in the informal economy. |
| Information/Data collection and dissemination | | 2002 AR: According to the Government: Questionnaires and requests for information addressed to companies and enterprises confirm the non-existence of discrimination. | |
| EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT | Prevention/Monitoring, enforcement and sanctions mechanisms | <p>2007 AR: According to the Government: The new Labour Code provides that women workers shall be granted equal remuneration to that of male workers for work of equal value. Thus, the Labour Department ensures, through labour inspectors and by legalizing labour contracts that undertakings and companies comply with the law, and hence pay a female worker an equal remuneration as a male worker for work of equal value.</p> <p>2002-2005 ARs: According to the Government: The realization of the principle and right (PR) is ensured through the inspection and supervision of enterprises.</p> | |
| | Involvement of the social partners | <p>2004 AR: According to the Government: Workers' and employers' organizations have been involved in the development and implementation of governmental measures regarding the PR.</p> <p>2002 AR: According to the Government: The Labour Department cooperates closely with employers in realizing the PR. A national training scheme had been set up to prepare Qatari for employment after consultations were held with the private and public sectors.</p> | |
| | Promotional activities | Institutions to promote equality | 2003-2005 ARs: The Government stated that it would consider establishing such machinery, if necessary. |
| Other activities: | | <p>2008 AR: The QPWC participated in the 5th ILO/Gulf Cooperation Council (GCC) Regional Seminar on the ILO Declaration and International Labour Standards (ILS) in Oman.</p> <p>2007 AR: The Government, the QCCI and the QPWC referred to their participation in the Fourth ILO/Gulf Cooperation Council (GCC) Regional Workshop on the ILO Declaration and International Labour Standards held in Kuwait City in April 2006.</p> | |

| | | | |
|--|---|--|--|
| | | | 2002 AR: According to the Government: A committee had been established to study the Declaration and to define the position of the State of Qatar vis-à-vis the PR and obligations contained therein. |
| | Special initiatives/Progress | NIL | |
| CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT | According to the social partners | Employers' organizations | 2007 AR: According to the QCCI: There is a lack of social dialogue on the PR. Tripartite discussions should be organized in view of a better understanding of the ILO Declaration in Qatar. |
| | | Workers' organizations | 2007 AR: According to the QPWC: There is a lack of social dialogue on the PR. As has been mentioned by the QCCI, tripartite discussions should be organized in view of a better understanding of the ILO Declaration in Qatar. 2006 AR: According to the ICFTU: challenges in realizing the PR in Qatar are as follows: (i) lack of ratification of C.100 and (ii) the vulnerability of migrant workers and domestic workers. |
| | According to the Government | 2007 AR: According to the Government: No challenges are worth mentioning, as most of the companies adopt regulations that defines remuneration on the basis of occupation or job, regardless of whether the candidate is a man or a woman. However, some employers, in particular those in small enterprises, need to have clarifications regarding allowances and premiums falling under the concept of salary. Thus, specialists in labour administration are available to give answers to their inquiries on this matter. 2003 AR: According to the Government: There is no statistical or information collection. | |
| TECHNICAL COOPERATION | Request | 2008 AR: The QPWC reiterated the same request mentioned in the 2007 AR regarding a better understanding of the ILO Declaration in Qatar. 2007 AR: According to the Government: In the framework of the Plan of Joint Activities signed in 2001 between the Council of Ministers of Labour and Social Affairs in the Gulf Cooperation Council (GCC) and its Executive Bureau and the ILO, an activity should be dedicated to explaining the text of C.100, and in particular what is meant by work of equal value, and the practical mechanism to follow up this matter in regulations and practice. Moreover, according to the Government, the QCCI and the QPWC, the ILO technical cooperation is needed to promote a better understanding of the ILO Declaration in Qatar. 2006 AR: According to the Qatar Petroleum Workers' Committee: ILO technical cooperation would be needed soon to facilitate the realization of the PR and other fundamental principles and rights at work when the Workers' Committees will be located across the country. 2005 AR: According to the Government: There is a need for ILO technical cooperation to facilitate the realization of the PR, in the following areas in order of priority: (1) assessment of the difficulties identified and their implications; and (2) training of other officials (e.g. police, judiciary, social workers, teachers). | |
| | Offer | ILO, GCC, NGOs and bilateral donors. | |
| EXPERT-ADVISERS' OBSERVATIONS/ RECOMMENDATIONS | 2008 AR: The ILO Declaration Expert-Advisers (IDEAs) observed that the Annual Review had made it possible to highlight and follow up country situations that required greater attention, and that some countries, such as the Gulf States (as well as China and new member States, in particular in the South Pacific), had made important efforts during this process. However, according to them, more needed to be done. The IDEAs noted the intentions expressed by most governments, including the Government of Qatar, to ratify or consider ratification of Conventions Nos.100 and/or 111. They encouraged the governments to accelerate this process so as to make an important step forward towards universal ratification (Cf. Paragraphs 12 and 66 of the 2008 Annual Review Introduction – ILO: GB.301/3). 2005 AR: The IDEAs noted with interest the continuing efforts made by the countries of the Gulf Cooperation. They further complimented the Government of Qatar (and four other governments) for having given special attention to specific categories of workers or enterprises and encouraged the country to enhance its efforts in | | |

| | |
|--|--|
| | <p>reducing and eliminating this type of discrimination (Cf. Paragraphs 48 and 270 of the 2005 Annual Review Introduction – ILO: GB.292/4).</p> <p>2004 AR: The IDEAs noted that the GCC States had been providing more information on freedom of association and the right to collective bargaining, but not enough on the other three PRs. This would help to illustrate the link between all four PRs (Cf. Paragraph 85 of the 2004 Annual Review Introduction – ILO: GB.289/4).</p> <p>2003 AR: The IDEAs commended Qatar and other GCC States for their continuing dialogue with the Office through the annual review process (Cf. Paragraph 4 of the 2003 Annual Review Introduction – ILO: GB.286/4).</p> <p>2002 AR: The IDEAs acknowledged the high-level dialogue and agreement on a plan of activities between the Office and the GCC Governments, including Qatar (Cf. Paragraph 82 of the 2002 Annual Review Introduction – ILO: GB.283/3/1).</p> <p>2001 AR: The IDEAs hoped in particular that the governments of GCC countries would continue a dialogue with the Office regarding the ways in which respect for fundamental principles and rights at work and positive changes could be achieved through technical cooperation (Cf. Paragraph 77 of the 2001 Annual Review Introduction – ILO: GB.280/3/1).</p> |
| <p>GOVERNING BODY OBSERVATIONS/ RECOMMENDATIONS</p> | <p>2007 AR: It should be recalled that the Constitution of the State of Qatar has guaranteed the right of equality to all in article 35: «All people are equal before the law. There shall be no discrimination on account of sex, origin, language, or religion.</p> |