

QATAR (2018-2019)

THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR

Protocol of 2014 (P029) to the Forced Labour Convention

REPORTING	Fulfillment of Government's reporting obligations	Yes.	
	Involvement of Employers' and Workers' organizations in the reporting process	2018-2019 ARs: An initial draft of the replies to the questions was sent to Qatar Chamber (representing employers) and to Qatar Petroleum (representing workers).	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	No.	
	Workers' organizations	No.	
EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL	Ratification	Ratification status	Qatar has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		Ratification intention	
	Existence of a policy and / or plan of action for the suppression of forced or compulsory labour	<p>2019 AR: No, but work is underway in cooperation with the International Labour Office in Doha to develop and implement a national plan of action to eliminate forced labour.</p> <p>2018 AR: There is no national policy and/or plan of action for the suppression of forced or compulsory labour but a plan of action for combatting trafficking in persons for the purposes of forced or compulsory labour does exist. The Government intends to develop and implement a national plan of action on forced labour which includes measures to address the problem of passport retention and contract substitution, the obstacles which impede victims' access to justice and, if necessary, the legal reforms in collaboration, and with the assistance of the ILO Technical Cooperation Project Office in Doha. This project is currently being implemented for the period from 2018-2020, and strengthening the prevention and protection from forced labour and the prosecution of perpetrators is one of the five pillars of this program, which aims to achieve the following activities and objectives: i) Effective policies on combating human trafficking on the basis of a clear definition and indicators of forced labour; ii) Implementation of a national plan of action on forced labour which includes measures to address the process of passport retention, the substitution of contracts and the obstacles which impede victims' access to justice; iii) Provide assistance for the development of a national strategy on human trafficking; iv) Provide support in collaboration with the National Committee to Combat Human Trafficking to improve coordination with relevant international bodies on forced labour and human trafficking; v) Develop and implement training plans to build the capacity of the national enforcement authorities (police, prosecutors, judges and labour inspectors); vi) Provide technical assistance to consider the ratification of the 2014 Protocol to the Forced Labour Convention, 1930 (No. 29); and vii) Implement awareness-raising activities on forced labour, the ILO general principles and the operational guidelines for fair employment, in cooperation with the Qatar Chamber of Commerce.</p>	

	<p>Measures taken or envisaged for systematic and coordinated action</p>	<p>2019 AR: The Government recalls the adoption of the National Plan to Combat Human Trafficking (2017-2022) to serve as guidelines for the Committee and the relevant parties to prevent, monitor and combat all forms of human trafficking, including forced labour.</p> <p>2018 AR: The following measures have been taken: a) Promulgation of Law No. (15) of 2011 on combating human trafficking; b) issuance of Cabinet Resolution No. 15 of 2017. It includes the establishment of the National Committee to Combat Human Trafficking. The first article of the Cabinet Resolution specifies the establishment of a committee called the National Committee to Combat Human Trafficking; and c) Adoption in June 2017 of the National Plan to Combat Human Trafficking (2017-2022): the National Committee to Combat Human Trafficking (NCCHT) adopted this national plan to serve as guidelines for the Committee and the relevant parties so as to prevent, monitor and combat all forms of human trafficking. Pillars of the National Plan to Combat Human Trafficking: 1) Prevention - Formulate a national policy to prevent, monitor and combat human trafficking crimes. - Prepare an awareness strategy on all forms of human trafficking. - Provide specialized training to law enforcement officials in preventing, monitoring and combating human trafficking. 2) Protection - Identify victims of, and aggrieved persons from human trafficking crimes. - Protect and support victims of human trafficking. 3) Prosecution - Strengthen the rule of law and seek to provide specialized justice. And 4) Regional and International Cooperation - Promote transparency, regional and international cooperation.</p>
	<p>Measures taken or envisaged to prevent forms of forced labour</p>	<p>2019 AR: The measures taken include: a) Information, education and awareness raising targeting especially people in vulnerable situation and employers; b) Strengthening and broadening of the coverage of legislation, particularly labour law: publication of Law No. 13 of 2018 suppressing exit permits for workers covered by the Labour Law, and approval of the Council of Ministers on a draft law aimed at expanding the scope of Law No. 13 of 2018, giving workers of ministries and other government entities, workers of public institutions, domestic workers, workers employed at sea, workers in agriculture and grazing, and workers employed in casual work the right to leave the country temporarily or permanently during their contract period; c) Regulation and supervision of the labour recruitment and placement process; and d) Capacity building for the competent authorities.</p> <p>2018 AR: The following measures have been taken or envisaged: a) <i>Information, education and awareness raising targeting especially people in vulnerable situation and employers:</i> the Government has carried out campaigns (workshops, seminars, the dissemination of leaflets) to introduce and raise awareness of new labour legislation including: i) awareness seminar on the law of domestic workers, held in collaboration with trade unions (International Federation of Construction and Timber Workers and the International Domestic Workers' Federation) and ii) a workshop of the National Committee to Combat Human Trafficking was organized with the assistance of the International Labour Office in Doha to inform participants of its strategic plan of action; b) <i>Strengthening and broadening of the coverage of legislation, particularly labour law:</i> the Labour Law No. 14 of 2004 and Ministerial Decree No. 8 of 2005 related to the regulation of licensing conditions and procedures governing workers' recruitment from abroad. The Government also underlines Law No. 13 of 2018 revised Article (7) Law No. 21 of 2015 on the regulation of the entry and exit of expatriates and their residence, which repeals exit permits. Workers are entitled to leave the country temporarily or permanently during the period of the employment contract without the need to request permission from the employer; c) <i>Regulation and supervision of the labour recruitment and placement process:</i> Law No. 15 of 2017 which relates to domestic workers prohibits employers from employing any worker prior to signing an employment contract and obtaining his approval from the Ministry of Administrative Development, Labour and Social Affairs so as to protect workers from</p>

		<p>any exploitation or exposure to forced labour. The Government further reports the following events: i) Adoption of a model contract for domestic workers, which was distributed to employers, foreign labour recruitment offices and embassies of sending countries of domestic workers; ii) The State signed 38 bilateral agreements and 14 Memoranda of Understanding with labour-sending countries to provide legal protection for expatriate workers before their recruitment; iii) The Government launched an “electronic link project” by commissioning an international company specialized in the provision of visa services, in collaboration with a number of labour sending countries. The project aims to provide protection to workers before their recruitment from abroad and to tighten control over employment practices in labour sending countries. The International Labour Organization (ILO) was also appointed as a project consultant to ensure the best application of international labour standards with a view to providing greater protection to the rights of expatriate workers. The project will be implemented in several phases. The first phase will include eight countries: Sri Lanka - Philippines (three centres) - Pakistan (two centres) - Nepal - Indonesia (three centres) - Bangladesh (two centres in two cities) -India (7 centres) and Tunisia. The project has already been implemented in Sri Lanka; and iv) Work is under way to establish a company called “WIZA”, which specializes in providing domestic workers (and the like), as well as specialized, technical and regular workers for the private and government sectors as well as for private persons. The company is managed by the relevant authorities in the State (Ministry of Administrative Development, Labour and Social Affairs - Ministry of the Interior - Ministry of Economy and Trade - Ministry of Finance - Chamber of Industry and Commerce of Qatar); d) <i>Supporting due diligence by the public and private sectors</i>: organize awareness campaigns for enterprises and recruitment agencies of expatriate workers; e) <i>Addressing the root causes that perpetuate forced labour</i>: Inaugurate offices for services in the labour-sending countries to ensure that recruitment fees are not imposed on migrant workers; Raise the financial penalty for the offence of passport retention; Limit the restrictions that prevent the transfer of a worker to another employer when the abuse by an employer is confirmed, by revoking the exit permit of workers who are prescribed by the Labour Law; f) <i>Promotion of safe and regular migration</i>: collaborate with labour sending countries to regulate the process of workers’ recruitment. In this connection, the State has signed 38 bilateral agreements and 14 Memoranda of Understanding with labour sending countries so as to provide legal protection to expatriate workers before their recruitment form abroad; g) <i>Education/vocational training</i>: train expatriate workers before starting work; and h) <i>Capacity building for the competent authorities</i>: strengthen the capacities of the relevant staff of the Ministry of Labour and the Ministry of the Interior, and in the area of justice through specialized training courses; conduct regular training courses for labour inspectors. Under the fourth pillar of the Technical Cooperation Program on improving the prevention and protection from forced labour, the capacity-building part was launched with the participation of the ILO, the United Nations Office on Drugs and Crime and the Ministry of Administrative Development, Labour and Social Affairs, by hosting a workshop on human trafficking and forced labour for the Ministry and the preparation and publication by the ILO of an Arabic handbook on forced labour indicators for the relevant government offices. A Memorandum of Understanding was signed between the Government of Qatar and the Government of the United States of America. It is within its framework that in 2019, a program will be specifically designed on forced labour and human trafficking for its inclusion in the mandatory training course for all new judges in the State of Qatar.</p>
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	<p>Measures taken or envisaged to protect victims of forced labour</p>	<p>2019 AR: The measures taken include: a) Training of relevant actors for identification of forced labour practices; b) Legal protection of victims; c) Material assistance for victims; d) Medical and psychological assistance for victims: the Government completed the national victim referral system and continued using it to coordinate the efforts of government authorities and NGOs regarding the identification and referral of victims. The referral system included the provision of shelter, health care, and legal assistance to human trafficking victims; e) Measures for the rehabilitation and social and professional reintegration of victims; f) Protection of privacy and identity; and g) Appropriate accommodation.</p> <p>2018 AR: The following measures have been taken or envisaged: a) Training of relevant actors for identification of forced labour practices; b) Legal protection of victims; c) Material assistance for victims: according to the Government, the National Committee to Combat Human Trafficking, in cooperation with the Centre for Protection and Rehabilitation of the Qatar Foundation for Social Work, provides legal and psychological protection and assistance to victims of forced labour; d) Medical and psychological assistance for victims; and e) Specific measures for migrants.</p>
	<p>Measures taken or envisaged to facilitate access to remedies</p>	<p>2019 AR: The measures taken include: a) Information and counselling for victims regarding their rights; b) Free legal assistance; c) Cost-free proceedings; d) Access to remedies and compensation; and e) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges.</p> <p>2018 AR: The following measures have been taken or envisaged: a) Information and counselling for victims regarding their rights; b) Free legal assistance; c) Cost-free proceedings; d) Access to remedies and compensation; e) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges; and f) Provision of penalties such as the confiscation of assets and criminal liability of legal persons.</p>
	<p>Non-prosecution of victims for unlawful acts that they would have been forced to carry out</p>	
	<p>Cooperation with other Member States, international / regional organizations or NGOs</p>	<p>2019 AR: The Government underlines the following cooperation: i) United Nations Regional Office for Drugs and Crime: Technical cooperation to train law enforcement officials on forms of human trafficking, and on the referral system; ii) Memorandum of Understanding with the Swiss Agency for Development and Cooperation (SDC) on cooperation in the area of recruitment of migrant workers and combating the human trafficking; iii) Memorandum of Understanding with the USA to cooperate in combating human trafficking; iv) Cooperation with the ILO within the framework of the technical cooperation programme (2018-2020); and v) International trade unions, especially the ITUC, the BWI, the ITF, the IOE and the private sector.</p> <p>2018 AR: The Government cooperates with other member States as well as with international and regional organizations. The Government reports the following activities: Cooperation with the International Labour Organization (ILO), especially through the Technical Co- operation Project and the United Nations Office on Drugs and Crime (UNODC); Cooperation with trade unions (International Trade Union Confederation (ITUC), the International Federation of Building and Wood Workers, and the International Domestic Workers' Federation; Cooperation with the International Organization of Employers; Cooperation with labour-sending countries through Memoranda of Understanding with more than 38 countries; and bilateral cooperation to benefit from experiences and good practices.</p>
	<p>Promotional activities</p>	

	Special initiatives/Progress	<p>2019 AR: The Workers' Support and Insurance Fund was established under Law No. 17 of 2018, concerning the payment of workers' entitlements, required by labour dispute settlement committees. On October 16, 2019, the Council of Ministers approved the publication of new legislations related to establishing regulations to facilitate the movement of workers to another employer during their contract period in a manner that preserves the rights of both parties. A draft law canceling exit permits and applicable to workers of ministries and other government entities, workers of public institutions, domestic workers, workers employed at sea, workers in agriculture, and temporary workers granting them the right to leave the country temporarily or permanently during their contract.</p> <p>2018 AR: During the past two years, there have been significant changes at the legislative and institutional level, as follows: i) Law No. 13 of 2018 which repeals the exit permit for workers prescribed by the Labour Law; ii) Law No. (21) of 2015 on the entry and exit of expatriates and their residence; iii) Law No. 15 of 2017 on domestic workers; iv) Establishment of the Wage Protection System; v) Establishment of the Workers' Dispute Resolution Committees; and vi) Establishment of the National Committee to Combat Human Trafficking.</p>	
CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL	According to the social partners	Employers' organizations	
		Workers' organizations	
	According to the Government	<p>2019 AR: The main obstacles are: a) Lack of awareness; b) Lack of information and data; and c) Challenges linked to the labour recruitment and placement process.</p> <p>2018 AR: The lack of awareness is an obstacle.</p>	
TECHNICAL COOPERATION NEEDS	Request	2018-2019 ARs: The Government requires ILO technical cooperation	
	Offer		