



Governing Body

328th Session, Geneva, 27 October–10 November 2016

GB.328/INS/11(Rev.)

Institutional Section

INS

Date: 2 November 2016

Original: English

ELEVENTH ITEM ON THE AGENDA

Complaint concerning non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution

1. At the 103rd Session of the International Labour Conference (ILC), the Director-General received a communication dated 12 June 2014, signed by the following delegates: Mr Luc Cortebeek (Belgium), Ms Nermin Sharif (Libya), Mr Mazen Maayta (Jordan), Mr Mohamed Kabbaj (Morocco), Ms Keth Thapper (Sweden), Mr Sam Gurney (United Kingdom), Mr Jens Erik Ohrt (Denmark), Ms Marjorie Alexandre (France), Mr Lucien Royer (Canada), Mr Zahoor Awan (Pakistan), Mr Francis Atwoli (Kenya) and Mr Hassine Abassi (Tunisia) in which the aforementioned delegates, under article 26 of the International Labour Organisation (ILO) Constitution, filed a complaint against the Government of Qatar relating to the violation of Convention No. 29 and Convention No. 81.
2. At its 322nd Session (November 2014), the Governing Body had before it a report by its Officers regarding the complaint. The complainant alleges that the problem of forced labour affects the migrant worker population of roughly 1.5 million. From the moment migrant workers begin the process of seeking work in Qatar, they are drawn into a highly exploitative system that facilitates the exaction of forced labour by their employers. This includes practices such as contract substitution, recruitment fees (for which many take out large, high interest loans) and passport confiscation. The Government of Qatar fails to maintain a legal framework sufficient to protect the rights of migrant workers consistent with international law and to enforce the legal protections that currently do exist. Of particular concern, the sponsorship law, among the most restrictive in the Gulf region, facilitates the exaction of forced labour by, among other things, making it very difficult for a migrant worker to leave an abusive employer.
3. The text of the complaint is contained in Appendix I.

4. At its 322nd Session (November 2014), the Governing Body acting upon the recommendation of its Officers following their finding of the receivability of the complaint:
 - (a) requested that the Director-General transmit the complaint to the Government;
 - (b) invited the Office to obtain relevant information from the Government and employers' and workers' organizations of Qatar, and to report to the Governing Body at its 323rd Session (March 2015); and
 - (c) placed this issue on the agenda of its 323rd Session (March 2015) in order to decide whether further action on the complaint was required in the light of the information provided by the Office in connection with paragraph (b).
5. By letters dated 5 January 2015 the Government, the Qatar Chamber of Commerce and Industry and the Human Resources and Personnel Affair of Qatar Petroleum were invited by the Office to supply their observations on the complaint. The Government's reply was received in a communication dated 26 January 2015.
6. An invitation was extended by the Ministry of Labour and Social Affairs, on behalf of the Government of Qatar on 16 January 2015, to the International Labour Standards Department, to undertake a high-level mission to the country. This mission took place from 7 to 11 February 2015.
7. At its 323rd Session (March 2015), and on the basis of the discussions which had taken place, the Governing Body decided:
 - (a) to request the Government of Qatar to submit to the Governing Body for consideration at its 325th Session (November 2015), information on action taken to address all issues raised in the complaint; and
 - (b) to defer further consideration of agenda item GB.323/INS/8 until the 325th Session (November 2015) of the Governing Body, in light of the information referred to in paragraph (a) above.
8. At its 325th Session (November 2015), and in light of the reports submitted by the Government on measures taken to address the issues raised in the complaint, the Governing Body decided to request the Government of Qatar to:
 - (a) provide an official copy of Law No. 21 of 27 October 2015 in its report on the Forced Labour Convention, 1930 (No. 29), in time for its review by the Committee of Experts on the Application of Conventions and Recommendations at its upcoming session (18 November–5 December 2015);
 - (b) receive a high-level tripartite visit, before the 326th Session (March 2016), to assess all the measures taken to address all issues raised in the complaint, including on measures taken to effectively implement the newly adopted Law relating to the regulation of the entry and exit of expatriates and their residency;
 - (c) avail itself of ILO technical assistance to support an integrated approach to the annulment of the sponsorship system, the improvement of labour inspection and occupational safety and health (OSH) systems, and giving a voice to workers; and
 - (d) defer further consideration on setting up a Commission of Inquiry until its 326th Session (March 2016), in light of the information referred to in paragraphs (a), (b) and (c) above.
9. An invitation was extended by the Minister of Administrative Development, Labour and Social Affairs on behalf of the Government of Qatar in a communication of 4 February 2016 to the ILO to undertake a high-level tripartite visit to the country. This high level visit was undertaken by the Chairperson and Vice-Chairpersons of the Governing Body from 1 to 5 March 2016.

10. The report of the high-level tripartite visit is contained in Appendix II.
11. At its 326th Session (March 2016), recalling its November 2015 decision and taking into account the Assessment contained in the report of the high-level tripartite visit, the Governing Body decided to:
- (a) request the Government of Qatar to follow up on the assessment of the high-level tripartite delegation, particularly with respect to the most vulnerable migrant workers;
 - (b) request the Government of Qatar to report on the follow-up to the assessment of the high-level tripartite delegation to be discussed at the 328th Session (November 2016) and on the implementation of Law No. 21 of 2015 upon its entry into force to the 329th Session (March 2017); and
 - (c) defer further consideration on the appointment of a commission of inquiry until its 329th Session (March 2017), in light of the information referred to in paragraphs (a) and (b) above.
12. By a letter dated 1 April 2016, the Government was invited by the Office to report on action taken to follow-up on the assessment of the high-level tripartite visit. The Government's reply was received in communications dated 30 September and 4 October 2016 and a summary thereof is contained in Appendix III.

Draft decision

13. *Recalling the decisions adopted in its 325th Session (November 2015) and 326th Session (March 2016) and taking into account the reports submitted by the Government on its follow-up to the high-level tripartite visit's assessment, the Governing Body decides to:*
- (a) request the Government of Qatar to provide information to the Governing Body at its 329th Session (March 2017) on measures taken to effectively implement Law No. 21 of 2015 relating to the entry, exit and residence of migrant workers upon its entry into force;*
 - (b) in light of the discussions that took place at its 328th Session (November 2016), request the Government of Qatar to report to the Governing Body at its 329th Session (March 2017) on further follow-up to the assessment of the high-level tripartite delegation;*
 - (c) request the Government of Qatar to avail itself of ILO technical assistance to support an integrated approach to the annulment of the sponsorship system, the improvement of labour inspection and occupational safety and health systems, and giving a voice to workers; and*
 - (d) defer further consideration on setting up a Commission of Inquiry until its 329th Session (March 2017), in light of the information referred to in paragraphs (a), (b) and (c) above.*

Appendix I

Mr Guy Ryder
 Director-General
 International Labour Organization
 4 Route des Morillons
 CH-1211 Geneve 22
 Switzerland

12 June 2014

**Complaint under Article 26 of the ILO Constitution against the
 Government of Qatar for non-observance of Convention No. 29
 on Forced Labour and Convention No. 81 on Labour Inspection**

1. We, the undersigned worker delegates to the 103rd Session of the International Labour Conference (Geneva, 2014) request the establishment without delay of a Commission of Inquiry against the Government of Qatar (GoQ) for its egregious non-observance of Convention No. 29 and Convention No. 81, which were ratified in 1998 and 1976 respectively.
2. The fact of widespread and systematic violations of Convention 29 in Qatar, namely human trafficking for forced labour, is not in any doubt. Indeed, this has been recently confirmed by the United Nations Human Rights Council (2014 Universal Periodic Review),¹ the UN Special Rapporteur on the Human Rights of Migrants,² the International Labour Organization (ILO),³ the US Department of State,⁴ Human Rights Watch,⁵ Amnesty International⁶ and countless media outlets around the world, including The Guardian. Indeed, even the international law firm hired to advise the GoQ suggests that the problems they identified could contribute to the exaction of forced labour.⁷
3. Since well-documented concerns regarding the regular exaction of forced labour were presented to the GoQ, it has undertaken no effective measures to stop it. At best, the government has moved from outright denial of the problem to significantly downplaying it.

¹ Human Rights Council Working Group on the Universal Periodic Review, Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15(b) of the annex to Human Rights Council Resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, February 2014.

² UN Human Rights Council, Report of the Special Rapporteur on the human rights of migrants, François Crépeau, April 2014.

³ ILO Governing Body, Report of the committee set up to examine the representation alleging non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), made under article 24 of the ILO Constitution by the International Trade Union Confederation and the Building and Woodworkers International, March 2014.

⁴ US Department of State, Trafficking in Persons Report, Qatar (June 2013).

⁵ Human Rights Watch, Building a Better World Cup, Protecting Migrant Workers in Qatar Ahead of FIFA 2022, June 2012.

⁶ Amnesty International, Qatar: “My Sleep Is My Break”: Exploitation Of Migrant Domestic Workers In Qatar, April 2014; Amnesty International, The Dark Side Of Migration: Spotlight on Qatar’s Construction Sector Ahead of The World Cup, November 2013.

⁷ DLA Piper, Migrant Labor in the Construction Sector in the State of Qatar, April 2014.

Earlier this year, the GoQ made vague promises to reform the *kafala* system and to shift to a “contract system.” However, the few details available to date point to a reform in name rather than in substance. Moreover, no reforms have been enacted and no timetable has been put forward. Given the number of long-overdue promises, including legislation to protect domestic workers, the undersigned delegates remain skeptical.

4. The problem of forced labour affects the migrant worker population of roughly 1.5 million. From the moment migrant workers begin the process of seeking work in Qatar, they are drawn into a highly exploitative system that facilitates the exaction of forced labour by their employers. This includes practices such as contract substitution, recruitment fees (for which many take out large, high interest loans) and passport confiscation. The GoQ fails to maintain a legal framework sufficient to protect the rights of migrant workers consistent with international law and to enforce the legal protections that currently do exist.⁸ Of particular concern, the sponsorship law, among the most restrictive in the Gulf region, facilitates the exaction of forced labour by, among other things, making it very difficult for a migrant worker to leave an abusive employer.
5. The country’s labour inspection and justice system have proven highly inadequate to enforce the few rights that migrant workers do have under Qatari law. Indeed, the inspectorate is miniscule compared to the task (roughly 200), and is unable to speak the languages of most workers. Inspectors have little power to enforce findings and fines are far from dissuasive or in some cases non-existent. The different complaint mechanisms available are ineffective. Migrants have difficulty accessing these mechanisms, partly because of lack of information, legal aid and interpreters and partly because they fear retaliation. Indeed, the valid fear of retaliation is an important obstacle to the use of existing mechanisms, leaving many workers to suffer the exploitation. Moreover, workers working outside of Doha find it difficult to get the time off or the transportation necessary to file a claim in person in the limited hours when the complaints department is open. In any case, employers often fail to appear in the complaints process, allowing claims to languish. Workers brave enough to lodge complaints face the additional hurdle of supporting oneself through the process. Workers often have no income or legal accommodation through this process, making the pursuit of a remedy daunting at best.
6. Finally, not only is there no effective redress but the victims of trafficking for forced labour trafficking are sometimes further victimized by the GoQ. Authorities arrest, detain and deport potential trafficking victims for immigration violations and running away from their employers or sponsors. Some trafficking victims languish in detention centers for months because of debts or false charges of theft filed against them by employers.⁹
7. We note that the ILO Governing Body has already found that, “it would appear to the committee that certain migrant workers in the country may find themselves in situations prohibited by the Convention, due to several factors enumerated above, such as contract substitution, restrictions on leaving either the employment relationship or the country, the non-payment of wages, or the threat of retaliation.”¹⁰
8. Its decisions should also guide the work of the members of the Commission of Inquiry if and when established.
9. In conclusion, there has been no progress whatsoever on ensuring that laws and practices are brought into conformity with Convention No. 29, and ineffectively small steps with regard

⁸ The employment of migrant workers in Qatar is governed largely by three laws – Law 14 of 2004 (Labour Law); Law 4 of 2009 (Sponsorship Law); and Law 15 of 2011 (Trafficking in Persons Law).

⁹ TIP Report, p. 308.

¹⁰ *Id.*, fn 3.

to Convention No. 81. The undersigned delegates to the 103rd International Labour Conference therefore request the establishment of a Commission of Inquiry.

(Signed)

Luc Cortebeeck, Belgium

Nermin Sharif, Libya

Mazen Maayta, Jordan

Mohamed Kabbaj, Morocco

Keth Thapper, Sweden

Sam Gurney, United Kingdom

Jens Erik Ohrt, Denmark

Marjorie Alexandre, France

Lucien Royer, Canada

Zahoor Awan, Pakistan

Francis Atwoli, Kenya

Hassine Abassi, Tunisia

Appendix II

Report of the high-level tripartite visit to Qatar (1–5 March 2016)

I. Background

1. At the 103rd Session of the International Labour Conference, the Director-General of the International Labour Office received a communication dated 12 June 2014, signed by 12 delegates, filing a complaint under article 26 of the International Labour Organization Constitution against the Government of Qatar relating to the violation of the Forced Labour Convention, 1930 (No. 29) and the Labour Inspection Convention, 1947 (No. 81).
2. At its 322nd Session (November 2014), the Governing Body, acting upon the recommendation of its Officers following their finding of its receivability, requested the Director-General to transmit the complaint to the Government. It invited the Office to obtain relevant information from the Government and employers' and workers' organizations of Qatar, and to report to the Governing Body at its 323rd Session (March 2015). It placed this issue on the agenda of its 323rd Session (March 2015), in order to decide whether further action on the complaint was required in the light of the information provided by the Office.
3. An invitation was extended by the Ministry of Labour and Social Affairs, on behalf of the Government of Qatar, on 16 January 2015 to the International Labour Standards Department to undertake a high-level mission to the country. This mission took place from 7 to 11 February 2015.
4. At its 323rd Session (March 2015), in light of the information provided by the Government in a communication dated 26 January 2015, the information contained in the report of the high-level visit, as well as discussions that had taken place in the Governing Body, the latter decided: (a) to request the Government of Qatar to submit to the Governing Body for consideration at its 325th Session (November 2015), information on action taken to address all the issues raised in the complaint; and (b) to defer further consideration of the establishment of a Commission of Inquiry until the 325th Session (November 2015) of the Governing Body, in light of the information referred to in paragraph (a) above.
5. At its 325th Session (November 2015), and in light of the reports submitted by the Government on measures taken to address the issues raised in the complaint, the Governing Body decided to request the Government of Qatar to: (a) provide an official copy of Law No. 21 of 27 October 2015 in its report on the Forced Labour Convention, 1930 (No. 29), in time for its review by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) at its upcoming session (18 November–5 December 2015); (b) receive a high-level tripartite visit, before the 326th Session (March 2016), to assess all the measures taken to address all issues raised in the complaint, including on measures taken to effectively implement the newly adopted Law relating to the regulation of the entry and exit of expatriates and their residency; (c) to avail itself of ILO technical assistance to support an integrated approach to the annulment of the sponsorship system, the improvement of labour inspection and OSH systems, and giving a voice to workers; and (d) defer further consideration on setting up a Commission of Inquiry until its 326th Session (March 2016), in light of the information referred to in paragraphs (a), (b) and (c) above.
6. An invitation was extended by the Minister of Administrative Development, Labour and Social Affairs on behalf of the Government of Qatar in a communication of 4 February 2016 to the ILO to undertake a high-level tripartite visit to the country from 1 to 5 March 2016. This high-level visit was undertaken by the Chairperson and Vice-Chairpersons of the

Governing Body, namely H.E. Ambassador Misako Kaji (Japan), Chairperson, Mr Jorgen Rønne (Denmark), Employer Vice-Chairperson, and Mr Luc Cortebeeck (Belgium), Worker Vice-Chairperson. They were accompanied by Ms Corinne Vargha, Director of the International Labour Standards Department, Ms Deepa Rishikesh, Head of Unit, Child Labour and Forced Labour Conventions, and Mr Torsten Schackel, Senior International Labour Standards and Labour Law Specialist based in the ILO Regional Office for the Arab States in Beirut.

7. With a view to fulfilling its terms of reference, i.e. *assessing all the measures taken to address all issues raised in the complaint, including on measures taken to effectively implement the newly adopted Law relating to the regulation of the entry and exit of expatriates and their residency*, the ILO high-level tripartite delegation requested meetings with a wide range of actors, site visits and up-to-date data on specific issues raised in the complaint.
8. Part II of this report, presents the information and data collected by the high-level tripartite delegation while Part III presents the high-level tripartite delegation's assessment.
9. The members of the ILO high-level tripartite delegation would like to thank the authorities in Qatar, the Prime Minister, the Secretary-General of the Council of Ministers, and the Minister of Administrative Development, Labour and Social Affairs, as well as the Minister of Justice, the Minister of Health and officials from Ministries of Justice, Health, Interior, Foreign Affairs, Municipalities and the Environment, the President of the Supreme Council of the Judiciary, the Chief Public Prosecutor, the Chairman of the National Human Rights Committee, the Secretary-General of the Supreme Committee for Delivery and Legacy, the workers, the Chamber of Commerce and Industry, the companies, the ambassadors and all other parties the tripartite delegation met with for the high level of cooperation and the open and engaging approach they have taken to the high-level visit.

II. Meetings and visits

Meeting with the Prime Minister

10. In welcoming the ILO high-level tripartite visit to Qatar, the Prime Minister acknowledged that the country had a big challenge on the labour front. He also stressed that his Government was firmly committed to deliver on Qatar Vision 2030 but that a well-staged implementation strategy was necessary. He discussed in particular four measures adopted by his Government to address the labour-related challenges. Referring to the Wage Protection System (WPS) and to Law No. 21 of 2015, he stressed the importance of these two reforms and the fact that the WPS was enforced very strictly while preparation of the entry into force of Law No. 21 was well under way. He also highlighted the significant importance of the Accommodation Strategy implemented by his Government which aims at building up-to standards accommodation for migrant workers. A small inter-ministerial committee had been established under his authority to monitor its implementation and ensure that targets are met. Lastly, he indicated that the main issues today relate to recruitment practices in labour-sending countries and that regular dialogues were now engaged with their governments on these issues. The Government of Qatar was asking that recruitment agencies in sending countries be properly monitored by the national authorities to avoid contract substitution and payment of fees by workers.

**Meeting with the Minister and senior officials of
the Ministry of Administrative Development,
Labour and Social Affairs**

11. A detailed presentation was made to the tripartite delegation by officials from the Ministry of Administrative Development, Labour and Social Affairs on the various issues raised in the complaint as follows:

(i) The sponsorship system

12. The Minister of Administrative Development and Labour and Social Affairs informed the tripartite delegation that his Government had taken several measures recently to protect migrant workers' rights thereby addressing the various issues raised in the complaint. With respect to the revision of the Sponsorship Law, the tripartite delegation was informed that the Government had issued Law No. 21 of 2015 regulating the entry, exit and residency of expatriate workers which abolishes the sponsorship system (the *kafala* system). This law which had been published in the *Official Gazette* in December 2015 will enter into force in December 2016 and will replace Law No. 4 of 2009 which currently regulates the *kafala* system. The positive features of this new law are that it will remove all restrictions on the freedom of the worker's movement at any time, and thus it will no longer be possible to force the worker to continue the contractual relationship if he/she is subjected to abuse or exploitation.

13. As from 13 December 2016, the new law authorizes the transfer of an expatriate worker to another employer when a specified fixed-term contract expires. It also authorizes the transfer after five years of the initial appointment in the case of contracts of indefinite duration without the employer's consent. If the transfer is requested before the end of the duration of a fixed-term contract, then the worker needs the employer's consent unless there are violations of the law such as passport confiscation or non-payment of wages in which case the competent authority would approve the temporary transfer of the migrant worker to another employer pending the settlement of the lawsuit. Moreover, it cancels the requirement for migrant workers to stay two years out of the country before receiving a new residency permit. It also abolishes the requirement to obtain the employer's approval for an exit permit to leave the country, and requires the worker to request an authorization from the competent government authority to leave the country. If the employer objects to this departure, the worker can appeal to an Appeals Committee which was established in February 2016 by Ministerial Decree. The Council of Ministers had approved the establishment of the Permanent Committee on Grievances, which is referred to as "the competent authority" in several articles of Law No. 21 (for example articles 4, 8 and 14). This Committee will be presided by the Ministry of Interior and its membership includes the Ministry of Administrative Development, Labour and Social Affairs, the Ministry of Justice and the National Human Rights Committee. In accordance with section 48 of Law No. 21, the Minister of Interior had established a committee to draft the by-laws necessary to give effect to this Law.

(ii) Recruitment fees and contract substitution

14. Concerning the issue of recruitment fees, the tripartite delegation was informed that the report of the UN Special Rapporteur on the Human Rights of Migrants, François Crépeau, previously highlighted the responsibility of the labour-supplying countries to workers, who, prior to their arrival in Qatar, are subject to high recruitment fees by recruitment agencies in their countries of origin. Labour Law No. 2004 and Ministerial Order No. 8 of 2005 issued thereunder strictly forbid the charging of fees to workers. Inspection of recruitment agencies carried out in Qatar by the Ministry of Administrative Development, Labour and Social Affairs resulted in 182 warnings, four investigation reports and the cancellation of 80 licences. With respect to the issue of contract substitution, the Labour Law of 2004

obliges the competent authority at the Ministry of Administrative Development, Labour and Social Affairs to record labour contracts to ensure that the contracts are not changed after the workers' arrival in Qatar. The number of labour contracts on record in the Ministry reached 467,639 contracts during 2015. The Ministry would begin to operate electronic contracts in the near future so as to reduce the risks of deception in the early phase of recruitment in sending countries. Moreover, after its entry into force in December 2016, Law No. 21 of 2015 will establish new controls to protect workers and prevent them from being deceived by those who give them lucrative contracts in the country of origin which are changed upon their arrival in the receiving country. Hence no work visa will be granted after the entry into force of Law No. 21, except under a contract signed directly between the recruiting party and the new expatriate worker. This will help to combat trafficking carried out by the recruitment offices in labour-supplying countries and will put an end to the issue of contract substitution referred to in the complaint. The electronic communications between the Ministry of Administrative Development, Labour and Social Affairs have already started with a number of embassies including those of Nepal, the Philippines, Sri Lanka and Bangladesh. A total of 35 agreements and five memoranda of understanding have been signed to date between the Government of Qatar and that of sending countries, calling on the latter, among others, to closely monitor recruitment agencies through an accreditation system. After the entry into force of Law No. 21 in December 2016, the worker would sign the employment contract in his/her mother tongue and receive a copy of it before getting the visa, which would put an end to many instances of exploitation, and fictitious contracts.

(iii) Passport confiscation

15. The tripartite delegation was informed that, as from December 2016, section 8 of Law No. 21 of 2015 will oblige the employer to deliver the passport or travel document to the worker after the completion of the procedures for residence or its renewal. Section 39 makes it a crime to confiscate the expatriate worker's passport, and imposes a fine of up to 25,000 Riyals on the perpetrator of such an offence. At present, Ministerial Decree No. 18 of 2014 specifies the requirements and specifications of adequate housing for migrant workers, and provides for the allocation of safe places where lockable storage is available so that workers could access them freely, to keep their documents and personal belongings, including their passports. On this basis, the Human Rights Department at the Ministry of Interior in 2015 received 168 complaints on the confiscation of passports. All of them were referred to the Public Prosecutor, where investigations were carried out on most cases and the offenders were ordered to return the passports. However, there were also 40 complaints on passport confiscation referred to court where judgments were handed down and some offenders imprisoned.

(iv) Late payment and non-payment of wages

16. With respect to the issue of non-payment of wages, the tripartite delegation was informed that Law No. 1 of 2015 amended some provisions of the Labour Law of 2004 to establish the WPS. It further imposes dissuasive penalties on employers who are not compliant with the WPS. In addition, Ministerial Order No. 4 of 2015 has been issued and includes oversight of the WPS for workers who come under the Labour Law, which obliges employers to transfer a worker's wages, within seven days of the due date, to financial institutions. In the event of a violation, the Minister will be granted the authority of refusing any new work permit or all transactions between the Ministry and the employer. This system was put in place with the cooperation of the Qatar Central Bank and ensures full monitoring of the transfer of wages of all workers covered by the Labour Code to their bank accounts, in addition to detecting any person found in violation. A Wage Protection Unit has been set up in the Labour Inspection Department by virtue of Order No. 19 of 2014. This Unit monitors the implementation of the WPS for workers prescribed by the Labour Law. The tripartite delegation was informed that the number of companies who transferred the wages of workers to financial institutions had grown from 3,211 in October 2015 to 11,312 in January 2016.

Similarly, the number of workers who were listed in the statements of the financial institutions as having received their wages had increased from 407,051 to 914,176 over the same period.

(v) Accessible and effective complaints procedures

17. The tripartite delegation was apprised that the Ministry had set up an office at the State's courts in order to help workers with their lawsuits at no cost. This office is equipped with the necessary technical equipment in addition to qualified staff, proficient in the workers' most prevalent languages so as to communicate with workers, irrespective of their nationalities and languages. The visit was provided with statistics on the number of complaints presented to the labour courts in 2014 (6,878), the number of complaints withdrawn due to mediation (2,595) as well as the number of judgments handed down (2,116). The data on complaints for 2015 were (8,379 in total); complaints withdrawn (3,778); and number of judgments (2,012).
18. The Government has also established service centres to deal with the complaints of migrant workers who work outside the city of Doha and who may find it difficult to have a day off or obtain the necessary transportation to lodge a complaint during working hours. These service centres are established in various locations outside Doha and host a number of automated teller machines (ATMs) which allow the worker to deposit a complaint in one of the 11 most commonly spoken languages of migrant workers.
19. The Ministry has also launched a hotline service to receive complaints on the phone and via email, and to respond quickly to queries received. It has also created accounts on social media where the worker could code the complaint and get the information he/she needed. More than 20,000 inquiries were received by the Ministry via the hotline in 2015, all of them were sent to the relevant departments to be dealt with. Moreover, a team specialized in providing guidance and counselling to workers has made more than 150 field visits to large companies and conducted 100 workshops in order to communicate with the workers at their worksites and accommodation. It has also sent 125,000 text messages to counsel employers and workers concerning the WPS.

(vi) Draft law on migrant domestic workers

20. Officials from the Ministry pointed out that a draft Bill on migrant domestic workers is under preparation and that consideration is being given to ILO Convention No. 189 concerning decent work for domestic workers. However, the Ministry was unable to provide a time frame for the adoption of this draft law. Currently, migrant domestic workers are regulated by the provisions of the national civil law and criminal law, as they fall outside of the scope of the Labour Law.

(vii) Strengthening the capacity of the labour inspectorate

21. The Director of Labour Inspection explained that the Ministry placed emphasis on effective labour inspection services to ensure the enforcement of laws providing for the protection of workers. For this reason, and in order to keep up with the expansion of economic activities in the country, the number of labour inspectors had been further increased to reach a number of 375, including 50 women. About a third of inspectors focus their visits on OSH issues. In addition, the Government is placing emphasis on the use of modern technology, including palm devices to allow for speedy entry and transmission of data and inspection reports from the inspection site. This system allows inspectors to visit a larger number of worksites. In 2015, 110 inspectors, including women, were trained in cooperation with the Arab Labour Organization, and additional training measures are planned for this year.
22. According to the provisions of Labour Law No. 4, labour inspectors in Qatar may enter workplaces at any time without prior notice to ensure compliance with applicable legislation.

They may also inspect workers' accommodation. In response to questions by the tripartite delegation, it was explained that, in addition to referring to the judiciary cases of infringements that may give rise to the imposition of penal sanctions, inspectors may directly impose administrative sanctions, including the suspension of commercial or construction activities and a ban on the recruitment of workers, whose powers had been exercised in relation to a number of companies that had violated relevant provisions of the law.

23. In addition to issues of OSH, violations monitored by inspectors included, among others, those relating to working hours, non-payment of wages and work performed in the midday sun during summer, which is prohibited by the Labour Law. Overall, figures produced by the Ministry show an increase in the number of total visits, including OSH-related inspections, in 2015 (57,013 visits) compared to the preceding year (50,994 visits)
24. In order to better enable inspectors to communicate with workers, ten interpreters had been recruited so far, and additional positions were envisaged by the Ministry. Penalties for the violation of the Labour Law, including criminal sanctions that could be imposed against employers for non-payment of wages, were strengthened through the adoption of Law No. 1 (2015) and Ministerial Order No. 4 (2015).

Meeting with the Search and Follow-up Department of the General Directorate of Borders, Passports and Expatriates Affairs and with the Department of Human Rights of the Ministry of Interior

25. The Director of the Search and Follow-up Department indicated that the Department was responsible for the implementation of Law No. 4 of 2009 which regulates the entry and exit of expatriates, and their residence and for the implementation of Law No. 21 of 2015 which will enter into force in December 2016. Its functions include executing judicial decisions related to deportation and the cancellation of residence permits in coordination with the concerned authorities as well as managing the detention centres where expatriates who have violated the law are placed in temporary detention until the completion of their exit visa and travel arrangements. Information was provided to the visit on the facilities and services available to detainees, including humanitarian services. In 2015, the latter included the issuance of 10,068 travel tickets, the waving of 120 traffic fines for those unable to pay the fine, the provision of health care and the issuance of 1,138 birth certificates for new born children of detained persons in order to facilitate the procedure of issuance of passports. In accordance with article 12 of Law No. 4 of 2009, workers' complaints about abusive employers are followed up by the Legal Office in the Search and Follow-up Department, which benefited recently from the support of an office of the Labour Department within its premises to that effect. In 2015, temporary transfer of sponsors were granted in 181 cases for the duration of legal proceedings; permanent sponsorship transfers were granted in 242 cases; 5,440 companies and 3,460 persons were blacklisted and banned from the recruitment of expatriates and 168 cases were transferred to the Public Prosecutor on the charges of holding workers' passports without legal justification. Expatriates against whom absconding charges existed were not placed in detention during the examination of their request for temporary transfer. A search and screening team was set up to investigate cases of visa trading with a view to collecting evidence to be submitted to the Public Prosecutor. Statistics provided to the visit indicated the following decline in the number of companies and persons charged with visa trading: in 2013, 184 companies and 1,203 persons were convicted of visa trading as opposed to 120 companies and 75 persons in 2014 and to five companies and seven persons in 2015.
26. The Director of the Human Rights Department of the Ministry of Interior indicated that the Department was in charge of investigating complaints and of overseeing the deportation centres. The statistics provided indicate that 2,635 complaints were examined during the period 2014–15. This resulted in 2,185 transfers of sponsorship in 2015, contrasting with

450 transfers in 2014. The Department undertook 96 visits of deportation centres since its establishment in 2005.

Meeting with the Minister of Health

27. The Minister of Health informed the visit about the Qatar National Health Strategy which aims at ensuring that the pace of development of health-care services match the needs of a fast growing population while ensuring free quality health care to all without any distinction. Occupational Safety and Health being an integral part of Qatar National Vision 2030, her Ministry is accountable to deliver measurable outcomes on a number of health-related policies. This was illustrated by the policy implemented to reduce road traffic accidents. Clarifying that her Ministry was in charge of occupational diseases and not of occupational injuries, she explained that one of their OSH campaigns concerned “Heat Stress” which affected expatriate workers.

Meeting with Qatar Petroleum

28. The CEO of Qatar Petroleum (QP) indicated that the state-owned company had 9,000 employees, 60 per cent of whom were foreign workers. QP tried to have stringent conditions for workers, including with respect to safety and health, accommodation and the payment of wages, and contractors were obligated to follow all applicable health, safety and environmental standards. All occupational injuries were recorded, and there had been no fatal accidents. QP had a health, safety and environment group, and recognized that improvement was still possible as the company maintained a high standard in order to recruit qualified workers. The company worked with contractors, who hired subcontractors. QP’s standards were enforceable through contractual mechanisms also vis-à-vis contractors and subcontractors, for example, if a contractor was late in paying wages. With respect to compliance, the company stated that it audited and inspected its contractors. Workers were paid directly through the bank to ensure the timely payment of wages. The tripartite delegation would have the opportunity to visit a workers’ city to view the accommodation of workers of QP. There was an employee relation unit where workers could file grievances. There were also organized forums with worker representation. With respect to the new law revising the *kafala* system, the CEO indicated that his company stood ready to implement its requirements once it entered into force although it was already being applied in QP which was an employer of choice and allowed its employees to leave freely.

Meeting with the Chief Public Prosecutor

29. The Chief Public Prosecutor indicated that the new Law of 2015 would definitely provide a new roadmap for migrant workers’ human rights. This new law is moving away from the *kafala* system to a labour contract system. However, this new law will not apply to migrant domestic workers whose situation will remain a challenge.

Meeting with the Minister of Justice and officials of the Ministry of Justice

30. The Minister of Justice indicated that his Government was making a lot of efforts to improve the living and working conditions of migrant workers, including full access to justice. Qatar was one of the countries that enjoyed a fully independent judiciary. According to Qatari Labour Law, migrant workers have access to the Human Rights Departments of the Ministry of Labour and of the Ministry of Interior. If complaints cannot be settled amicably, then these cases are referred to court. In addition, Law No. 21 of 2015 will balance the interests of business and the rights of workers, as those workers are partners in building the country. The new law which came about at the initiative of the Government and not the employers who preferred the *kafala* system, would be a model for the Gulf States. The main change

that the new law will bring is the replacement of the *kafala* system by a system where the labour contract will regulate the labour relationship between parties. The new amendments would mean that the worker could change employers after the completion of the contract. A contract could be for a maximum of five years, and could be renewed. However, as under the current legislation, if the employer would not honour his/her obligations or in the case of abuse, a worker could transfer employers before the completion of the contractual period. However, if the employer refused, the worker could apply to the Ministry of Interior to be released. The new Law also provides for penal sanctions for employers who prevent workers from changing employers or for confiscating passports. Moreover, under the new legislation, workers would apply to the Government rather than the employer to request an exit permit at the end of the contract, which normally would have to be granted within 72 hours. Finally, the visit was informed of a draft Law to regulate the working conditions of migrant domestic workers who were currently covered by the provisions of the civil law and criminal law. This draft law had been pending since 2012 but the Minister hoped that it would be promulgated by the end of 2016. In this regard, he indicated that the technical assistance and cooperation of the ILO would be most welcome.

Meeting with the President of the Supreme Council of the Judiciary

31. The President explained that the Supreme Council of the Judiciary supervised the proper functioning of the courts of law in Qatar. He emphasized the independence of the courts in the exercise of their judicial functions. Although a number of the judges in Qatar were of foreign nationality, they enjoyed the same security of tenure as national judges.
32. Regarding adjudication in labour-related cases, the President noted that the Labour Law was among one of the oldest laws in the country and that the courts had developed considerable expertise in the handling of cases in this area. Thus, the courts take into account the fact that workers are typically the weaker party in the employment relationship and that the provisions of the Labour Law have to be interpreted in line with its primary purpose to ensure adequate protections for workers. In order to ensure access to justice for workers in practice, joint offices have been established with the Ministry of Labour, and efforts are made to allow for the speedy settlement of cases through mediation, albeit without precluding the possibility of direct resort to litigation. In light of the diverse workforce, translation and interpretation services are provided or arranged free of charge for all workers.
33. While most labour-related cases brought to the courts are of a civil law nature, certain matters, such as the confiscation of passports by employers, are treated as penal matters and sanctioned accordingly. Overall, the expectation is that recent changes to the legislation regarding the employment relationship and residence would help to reduce employment-related grievances, although a clear finding in this regard would have to await the entry into force of the new legislation and the subsequent development of related case law.

Meeting with the Human Rights Department of the Ministry of Foreign Affairs

34. The Director of the Human Rights Department explained that the emphasis placed on human rights was a strategic choice for Qatar and that Qatar had made considerable efforts to build the required institutional base underpinning this strategy. Thus Qatar also had an open door policy regarding its engagements with international organizations and mechanisms in the human rights area, as demonstrated for instance by the extension of a standing invitation to UN Special Rapporteurs. The Director pointed out that Qatar's National Human Rights Institution was the only such institution in the region that had reached the highest level of accreditation, and that it had served as an example for others. Qatar valued the exchange of experience on human rights issues with other countries and international organizations.

35. With regard to the administration of migrant workers, the Director stated that this was a complex subject that involved sending as well as receiving countries, and that all stakeholders needed to be engaged in finding appropriate solutions. The payment of recruitment fees by workers in the sending countries had been identified as a key issue, and Qatar was committed to achieving transparency in the recruitment process. The Director acknowledged that further discussions were also needed to address challenges faced by migrant domestic workers. Qatar's determination to further improve on the situation of migrant workers' rights was also reflected in the provisions of the new Law regulating the entry and exit of workers, which provided additional protection.

Meeting with the Chairman and members of the National Human Rights Committee

36. The Directors of the Legal and Administrative Departments of the National Human Rights Committee (NHRC) stated that the NHRC was established in 2004 to protect and promote human rights in Qatar. It received a significant number of complaints from migrant workers through its legal department and was the first organization in the country to speak about the challenges faced by migrant workers. The NHRC receives complaints in person, and through a hotline as well as through community leaders (representatives of migrant workers of a particular nationality). In addition, the service centre has the support of a representative of the Solidarity Centre of the AFL-CIO. When the NHRC receives complaints from workers, it approaches the company concerned directly, and provides informal mediation. However, if the company refuses to resolve the issue, the NHRC would send a letter, with its recommendations to the migrant worker concerned and it would follow up with the Human Rights Department of the Ministry of the Interior, as well as to the Ministry of Labour, as appropriate. These institutions then carry out their own investigations and take appropriate action. The NHRC also has 27 lawyers that assist with providing legal aid for migrant workers. The NHRC has a section with foreign nationals in its legal department, and works with embassies from labour-sending countries. Many challenges exist, including addressing the behaviour of recruitment agencies outside of the country and further cooperation is needed with labour-sending countries.
37. The NHRC had provided the Government with its comments on Law No. 21 of 2015 to replace the *kafala* system, most of which had been taken on-board. This new law will cancel the *kafala* system and will allow the transfer of employment following the expiration of the term specified in the employment contract, and such contracts could be for a maximum duration of five years. Also, workers would be able to apply to the Ministry of Interior for an exit permit (currently, under Law No. 4 of 2009, this has to be done through the employer) and would then receive their exit permit within 72 hours, except if there is an issue pending in court. These are positive changes, but further details would need to be addressed through the implementing regulations. The NHRC has not yet received the draft Bill on domestic migrant workers but would eventually provide its inputs.

Meeting with the Secretary-General of the Council of Ministers

38. The Secretary-General indicated that recent legislative enactments on labour-related issues reflected the interest of the Government of Qatar in protecting workers' rights. The Labour Code of 2004 has been amended to ensure that workers' wages are transferred to them through a bank transfer in a timely manner. The failure of an employer to transfer salaries and wages makes him/her liable to sanctions, including penalties of imprisonment. In addition, a Ministerial Decree has been adopted concerning the Wages Department which has been set up in the Ministry of Labour to better protect workers. Finally, Law No. 21 of 2015 represents a huge stride for Qatar. This new Law will cancel the *kafala* system and will enable workers to move more freely from one employer to another. Moreover, it will ensure that relations between employers and workers are governed by employment contracts. This

Law will enter into force on 11 December 2016. Finally, the Secretary-General indicated that a draft migrant domestic workers' Bill was pending; the Government was looking at ILO Convention No. 189 on decent work for domestic workers in order to incorporate excerpts from it into the draft Law. This Bill would therefore take some time before it was enacted. The Secretary-General concluded by stating that the above overview of the legislative programme of work illustrated the Government's commitment to carrying out legislative reforms that went in the right direction of improving migrant workers' rights in Qatar.

Presentation by the Ministry of Municipalities and the Environment

39. The tripartite delegation heard a presentation on Qatar's overall labour accommodation strategy, within the framework of the Qatar National Development Framework 2032 (QNDF). The strategy is part of Qatar's efforts to attract and develop a capable and motivated workforce, while ensuring the protection of their rights and safety. The strategy, which had been approved by the Prime Minister, comprises policies for the development of adequate housing for workers as well as regulations and guidelines to ensure implementation and compliance. An inter-ministerial committee has been formed for this purpose, referred to as the Workers Accommodation Strategy Study and Projects Committee. In particular, the Ministry of Municipalities and the Environment is working in close coordination with the Ministry of Administrative Development, Labour and Social Affairs in order to achieve the objectives of the strategy.
40. To date, four locations have been developed and 60,000 workers have been accommodated in efforts to achieve the strategy's short-term objective. Twelve additional locations have been identified to cater for 140,000 additional workers under the short-term strategy. The long-term objective is to create communities in seven different locations that will comprise all amenities and facilities and cater for an additional 179,000 residents. Sites are developed in partnership with the private sector through BOT (Build, Operate, Transfer) projects, by which the Government is investing US\$440 million, predominantly in the necessary infrastructure, while the private sector investment amounts to US\$3 billion. Overall, it is envisaged that the strategy for construction of workers' accommodation would be completed by the end of 2017. Measures to ensure compliance with the Government's housing standards by companies not only include enforcement, but also incentives for companies to construct or refurbish their own workers' housing sites, with the aim of ensuring compliance for the total number of workers in Qatar as projected on the basis of available data.
41. The tripartite delegation was informed that the accommodation strategy was developed taking into account statistical data and projections; however no data could be shared with respect to the current ratio of migrant workers working and living in standard conditions versus migrant workers working and living in substandard conditions.

Meeting with the Qatar Chamber of Commerce and Industry

42. The Chairperson of the Qatar Chamber of Commerce and Industry (Qatar Chamber) indicated that they were consulted throughout the drafting of Law No. 21 of 2015 on exit and residence. Given that Law No. 21 of 2015 had not yet come into force, they could not anticipate the effects of its implementation nor the challenges it would bring along for the business community. To date, 1 million workers were benefiting from the newly established WPS and were therefore receiving their salaries through bank transfer. He indicated that the government was very firmly monitoring the timely payment of wages through this new system and that penalties were imposed on companies, including suspension or withdrawal of licences. Monitoring by the Ministry of Labour included not only the timely payment of wages but also deductions to the wage actually paid to migrant workers. Deductions

regularly reflected the reimbursement of loans granted to workers, often to pay back the fees of their recruitment agencies in their country of origin. The implementation of the WPS was particularly challenging for small and medium-sized enterprises (SMEs) and start-ups. The possibility for a worker to transfer from one employer to another provided for by Law No. 21 of 2015 under certain conditions is a positive change that will facilitate the recruitment by employers of already well-known and well-trained migrant workers. He also mentioned their collaboration with the International Organisation of Employers (IOE), in the context of which the Qatar Chamber will participate on 18 April in a workshop on human rights and business.

Meetings with workers

43. The tripartite delegation had the opportunity to meet with several groups of migrant workers, mostly of Philippine and Nepalese origin including those in the Saliya Workers' Accommodation which is housing thousands of workers working for small companies who are subcontracted by larger companies, as well as for workers of manpower companies (a company that sponsors a large number of workers and then contracts these workers out to other companies). Concerns raised by migrant workers related to the payment of wages (non-payment, late payment and/or reduction of agreed wages), passport confiscation, long hours of work, refusal by employers to give a no-objection certificate to workers (even after their contract had expired), the non-renewal of their identity cards by the employer and difficulty in transferring sponsorship. They indicated that the complaints process was not easily accessible and that courts' processes were lengthy. Many workers were not aware of the electronic machines for lodging a complaint, and those workers that were aware of these indicated that they did not have the resources to travel such a long distance to file a complaint. Some workers had faced retaliation by their employers after filing complaints, including one who was sent to the deportation centre after the employer filed a criminal complaint against her. The tripartite delegation spoke with several workers who had filed complaints to the labour courts or to the High Court where decisions were pending for several months, often because the employer was not present during the proceedings. These workers are awaiting for a decision for several months for their salaries to be paid to them and for their passports to be returned so that they could return home, relying on their community solidarity as they are left with no income. The fact that some workers had no ID cards also meant that they had no access to free health care. In addition, many workers confirmed that they have taken out a large loan with a recruiting company in their home country. In their view, inspections are not frequent, and employers are not punished for violating the law. With respect to living conditions, the tripartite delegation was able to see in the Saliya Workers' Accommodation that their accommodation does not satisfy by far the minimum standards, with most accommodation housing ten to 12 workers per small room, unhygienic and poor kitchen and sanitary facilities. These workers were not aware of nor did they benefit from the electronic payment of wages through the establishment of the newly established WPS.

Meeting with the Secretary-General of the Supreme Committee for Delivery and Legacy

44. The Secretary-General of the Supreme Committee for Delivery and Legacy (SC) updated the visit on action taken by the SC and its stakeholders to develop and implement workers' welfare standards (WWS) that exceed the requirements of the Labour Law and are incorporated into contracts with contractors working on the World Cup sites. These contracts would eventually cover over 70,000 workers. The WWS aim to cover the full cycle of workers' welfare, including ethical recruitment, accommodation, working conditions and repatriation. The SC is issuing regular progress reports on workers' welfare to inform all interested parties of the state of implementation. As part of its efforts to ensure full compliance, an external auditor would be appointed this year. In addition, an electronic

auditing tool is being developed to allow main contractors to register self-audits directly via tablets or desktops. Compliance of subcontractors is ensured through inclusion of relevant provisions in their contracts. The Secretary-General particularly emphasized the SC's focus on occupational safety and health, noting that major investments have been made in this area to avoid accidents and ensure full compliance with international standards. He also explained the functioning of the Workers' Welfare Forum which is to be established by contractors. Workers within each accommodation site elect representatives by nationality to attend a monthly forum where matters of concern can be raised, addressed and resolved. Overall, he hoped and believed that the World Cup would be a catalyst for change in Qatar and that the high standards set by the SC in the implementation of its projects would be followed well beyond the scope of these projects.

Meetings with representatives of the Diplomatic Community

45. The tripartite delegation met with senior level representatives including ambassadors of several embassies based in Qatar. These officials indicated that some progress had been noted in the country. Several entities have specific self-enforced standards for workers' welfare, including the Qatar Foundation and the Supreme Committee for Delivery and Legacy, while this represents distinct components of the economy. Some international NGOs have criticized the development of a two-tier system where large and often multinational companies under standardized norms and criteria, such as those of petrol and gas, are adhering to common standards but smaller companies including the subcontractors fall short. The most common complaint relates to the late or partial payment of wages, and the non-payment of wages. This would be addressed through the new wage protection system, which some large companies have already started to implement. Efforts are being made to make complaints mechanisms more accessible. The National Human Rights Committee does work that represents the interests of migrant workers. The Human Rights Department of the Ministry of the Interior is also meeting with leaders from migrant workers' communities. The changes to the sponsorship law through the adoption of Law No. 15 of 2015 are to be welcomed, although one needs to wait and see how it will be implemented. It appears that the Government of Qatar is willing to engage with constructive criticism, and is looking for logical solutions to address the issues in the country. In this regard, the ambassadors recommended that the ILO has a significant role to play in continuing to monitor the situation in Qatar and to support the necessary reforms. Moreover, to address the situation which amounts to human trafficking, effective cooperation and collaboration among governments is needed, including those of the countries whose workers migrate and whose companies invest in the region. The improvement in systems in Qatar whereby more mobility among migrant workers takes place could have positive effects in the larger market extending to other GCC countries.

Visit to workers' accommodation in Al-Wakra area

46. A site visit was made to a housing complex for workers employed on a project related to the construction of a new infrastructure project (Metro line). The accommodation site, designed to house approximately 1,500 workers, was composed of rooms typically shared by four workers, with adequate bathroom and kitchen facilities, air conditioning and lighting, as well as basic on-site amenities such as a grocery, barber shop and sports facilities. The tripartite delegation's attention was drawn in particular to a computer-Internet facility, at which workers were trained by volunteers in basic computer skills in order to enable them to access key work-related rights and other information in different languages, and to familiarize themselves with the use of ATMs and money transfer options with a view to ensuring the safe withdrawal and handling of wages. The tripartite delegation was informed that over 100 such centres were now operational in the country, as part of Qatar's Digital Integration Strategy and Better Connections Program, in which the Ministry of Information

and Communications Technology was partnering with the Ministry of Labour for the benefit of workers.

Visit to Government Services Complex

47. The tripartite delegation also had the opportunity, in the presence of the Minister of Labour, to visit a Government Services Complex, which facilitated workers' interactions with relevant government agencies in so far as it brought together different government offices in one location to allow for the processing of applications related to diverse, yet typical government services such as utility-related matters, notary functions, consular affairs, etc. The tripartite delegation's attention was drawn to electronic kiosks at which workers could directly submit labour-related complaints to the authorities through a simplified interface in different languages. The tripartite delegation was informed that nine such Government Services Complexes were now operational in the country, mostly in areas with a high concentration of foreign workers.

Visit to Khalifa stadium

48. The tripartite delegation visited the construction site of Khalifa stadium, one of the major World Cup construction sites. The site manager briefed the tripartite delegation on measures taken to avoid work accidents and ensure a high standard of occupational safety and health. It was noted, among other things, that there was one safety officer for every 50 workers, as required under the Qatar Construction Standards (QCS). The site was certified as having achieved 3 million work-hours without any lost-time incident (LTI). The tripartite delegation was also briefed on general working conditions applicable to workers on the site, including with regard to working hours and rest periods, overtime pay and paid annual leave. It was also shown the workers' canteen, which took account of dietary preferences and restrictions under the different cultures and religions to which the workers adhered.

Site visit to Labour City

49. The tripartite delegation visited the Labour City at Mseimir, which is the biggest workers' accommodation project in Qatar, completed over the past three years and designed to house 100,000 workers. The tripartite delegation was informed that the project had been completed two months previously and that so far 30,000 workers had been accommodated at the site. Rooms measured 24 square metres and were shared by four workers. The buildings included canteens, computer rooms, gym facilities and a TV room, and the Labour City benefited from facilities such as a health centre, shops, a police station and green areas.

Site visit to Qatar Rail project

50. The tripartite delegation conducted a site visit to a project of Qatar Rail, which is overseeing the construction of an integrated rail network, comprising the Doha Metro, the Lusail Light Rail Transit (LRT) network and the long-distance passenger and freight network, which will be connected to the wider GCC network. It was envisaged that all projects would be completed by 2030. The tripartite delegation was briefed on phase 1 of the Metro line project, with completion envisaged by 2019. The company in charge of the project emphasized the importance it placed on compliance with international standards on occupational safety and health, as well as protections to ensure adequate working conditions generally. Compliance was ensured through adherence to internationally recognized quality management systems, in particular ISO 9001, and management systems on occupational safety and health, in particular OHSAS 18001. The company also monitored compliance by its programme partners. The tripartite delegation was informed that no major incidents had been recorded to date, and that the Accident Frequency Rate (AFR) on the project was 0.064, indicative of a high level of safety by the international comparison. The company aimed to ensure

workers' safety and health through a number of training measures, including an annual Workers' Awareness Programme on safety and security, local traditions and customs, drug and alcohol awareness, driving and traffic regulations and community safety. Regarding working conditions, the tripartite delegation was informed that the working week was 48 hours. During the summer, all heavy work was performed during night-time only. In addition to the workers' salary, the company ensured accommodation, transport, medical insurance, three daily meals and paid annual leave with a return ticket home free of charge. The accommodation standards ensured a minimum of 6 square metres per person, with rooms shared by four workers. Canteens and recreational facilities available on site were shown to the tripartite delegation. These standards also applied to subcontractors. The company explained that they were directly involved in the recruitment of workers abroad and did not allow the charging of fees to workers by recruiting agencies.

Site visit to construction site of Doha Souq Shopping Mall

51. The tripartite delegation visited the construction site of Doha Souq Shopping Mall, as an example of a smaller sized site which is not fully compliant with safety regulations according to the OSH inspector of the Ministry of Administrative Development, Labour and Social Affairs. The project manager indicated that 300 workers were working at the site and that a safety induction was given to every new worker. Daily working hours had been set from 6 a.m. to 11 a.m. and 12 p.m. to 5 p.m., which included two hours' overtime. In the summer, from 15 June to 1 September, it was prohibited to work from 11 a.m. to 3 p.m. During that period, therefore, the afternoon working hours had been set from 3 p.m. to 7 p.m. The project manager explained that wages were transferred to the workers electronically, under the new WPS. The site is visited by labour inspectors about once or twice a month, and there have been no major accidents to date.

Final round table with the Minister of Administrative Development, Labour and Social Affairs and representatives from other concerned government offices

52. At the final meeting, the Minister thanked the tripartite delegation for its visits and for its transparent engagement with the Ministry and other counterparts. The Minister acknowledged remaining challenges, but highlighted again the positive steps that had been taken in recent years and months, including the WPS, which had been successfully activated three months ago and which already covered more than half of the 1.7 million workers in the country. Similar efforts had been made with regard to workers' accommodation, with progressive implementation of the current strategy, which was scheduled to be completed within two years. In order to improve workers' access to complaints mechanisms, a hotline had been established and multilingual complaints kiosks had been integrated in government service centres, in addition to the assignment of officials from the Ministry to several industrial locations. The number of labour inspectors had been increased and training efforts had been intensified. The Minister acknowledged remaining challenges in the recruitment process with sending countries and explained that the Government was working with these countries to address these problems. Thus, a list of accredited recruitment agencies had been agreed with a number of these countries. The Ministry was also planning to introduce an electronic contract as an additional measure to prevent contract substitution.

III. Assessment of measures taken

53. The fact-finding that the tripartite high-level visit was able to carry out has provided useful information in relation to the application of the laws, as well as practices that the tripartite delegation considers of particular bearing regarding the situation of migrant workers in

Qatar. In order to have an understanding of the real impact of these laws and practices on the rights of migrant workers in the country, the tripartite delegation proposes to proceed with an assessment of the measures taken in law and in practice to address the issues raised in the complaint.

With respect to the existence of a legal framework sufficient to protect the rights of migrant workers consistent with international labour standards

(i) Law No. 21 of 2015 regulating the entry, exit and residence of migrant workers

54. The tripartite delegation was informed that the recruitment of migrant workers and their employment are governed by Law No. 4 of 2009 regulating the *kafala* system. This law will be replaced by Law No. 21 of 2015 regulating the entry, exit and residence of migrant workers, which will enter into force in December 2016. The tripartite delegation was informed by several interlocutors that the new Law No. 21 of 2015 would replace the *kafala* system by a system where the labour contract would regulate the labour relationship between parties and this would mean that workers will be able to change employers following the completion of the contract, and that workers will be able to apply directly to the Government for an exit permit. The tripartite delegation considers the enactment and the eventual entry into force of Law No. 21 of 2015 to be a concrete measure taken by the Government which could address the long-standing challenges faced by migrant workers in respect of the *kafala* system. At the same time, the tripartite delegation is not in a position to assess whether this new legal framework will be sufficient to protect migrant workers *in practice*, as Law No. 21 will enter into force in December 2016. In this regard, the tripartite delegation observes that the ILO Committee of Experts on the Application of Conventions and Recommendations noted, in its most recent observation of December 2015 on the application by the Government of Qatar of Convention No. 29, that a number of provisions of Law No. 21 still places restrictions on the possibility of workers to leave the country or to change employers and would prevent workers who might be victims of abusive practices from freeing themselves from these situations. The tripartite delegation considers that further information on the effects of Law No. 21 under its implementation stage is needed to assess the effects of the measures in place, and it is important that the implementing regulations be clear.

(ii) The new Wage Protection System

55. The tripartite delegation was apprised during the course of its visit that a significant number of the complaints made by migrant workers relate to the late or non-payment of wages. The tripartite delegation was informed by several stakeholders that this issue had been addressed by Law No. 1 of 2015 amending some provisions of the Labour Law of 2004 and which establishes the WPS. This new law requires wage payments to be made directly to the bank accounts of workers through the Qatar Central Bank and establishes penalties for non-compliant employers. A new Wage Protection Unit division has been established within the Labour Inspection Department to implement the WPS, whereby any wage irregularities detected will then be followed up by labour inspectors, and subsequently referred to courts. The tripartite delegation was informed that the number of companies who transferred the wages of workers to financial institutions had grown from 3,211 in October 2015 to 11,312 in January 2016. Similarly, the number of workers who were listed in the statements of the financial institutions as having received their wages had increased from 407,051 to 914,176 over the same period. The tripartite delegation considers that the establishment of the WPS to be a positive measure which, if implemented effectively, could contribute to address the recurring issue of the non-payment of wages. At the same time, the tripartite delegation also learnt during the course of its visit that it is mostly the large companies that are already implementing the WPS which does not appear to be implemented vis-à-vis

workers working for small companies which are subcontracted by larger companies, or for workers of manpower companies (that sponsors a large number of workers and then contract out these workers to other companies). While acknowledging that the WPS is a recent measure and will take time to function effectively, the tripartite delegation considers it essential that the WPS be implemented by all companies including SMEs, joint ventures and foreign-owned companies so as to benefit all migrant workers in Qatar.

(iii) Migrant domestic workers

56. The tripartite delegation took note that migrant domestic workers are regulated by the provisions of the national civil law and criminal law, since they are excluded from the scope of both the Labour Law of 2004 and Law No. 4 of 2009 regulating the *kafala* system. Moreover, Law No. 21 of 2015 will not apply to them once it enters into force in December 2016. A draft bill on migrant workers has been pending since 2012 but there is no time frame for its adoption. Given that the system of employment of migrant domestic workers could place the workers concerned in a situation of increased vulnerability and in light of their large number in Qatar, the tripartite delegation considers it essential that prompt and effective action be taken to protect them in law and in practice without delay.

With respect to the enforcement of the legal protections

(i) Strengthening the capacity of the labour inspectorate

57. The tripartite delegation was informed that the number of labour inspectors had been further increased in 2016 to reach a number of 375, including 50 women. About a third of inspectors focus their visits on OSH issues. In addition, the Government placed emphasis on the use of modern technology, including palm devices to allow for speedy entry and transmission of data and inspection reports from the inspection site. This system allows inspectors to visit a larger number of worksites. In addition to issues of OSH, violations monitored by inspectors include, among others, those relating to working hours, non-payment of wages and work performed in the midday sun during summer, which is prohibited by the Labour Law. Overall, figures produced by the Ministry showed an increase in the number of total visits, including OSH-related inspections, in 2015, compared to the preceding year. While recognizing these concrete measures taken by the Government, the tripartite delegation, considers that many challenges still exist as regards the capacity of the labour inspectorate to detect various irregularities, including the ability to communicate with workers in smaller companies. This is borne out by the relatively small number of violations detected in comparison to the large number of migrant workers in the country. Moreover, the capacity of the labour inspectorate needs to be expanded in order to detect irregularities in smaller companies. The tripartite delegation is of the view that the ongoing measures taken by the Government should be supported by a robust training programme of labour inspectors and the development of an inspection strategy targeting as a priority the protection of the most vulnerable migrant workers working for small companies which are subcontracted by larger companies, as well as workers of manpower companies against the following abusive practices: the non-payment and the late payment of wages; passport confiscation; contract substitution including reduction of agreed wages; long hours of work; refusal by employers to give a no objection certificate to workers (even after their contract has expired); the non-renewal of their identity cards by the employer; and difficulty in transferring sponsorship.

(ii) Access to the complaints mechanisms

58. The tripartite delegation learnt of some concrete efforts being made to make the complaints mechanisms more accessible, including the introduction of complaints kiosk machines, where workers could submit labour-related complaints electronically in different languages. The Government had also been aiming at providing an effective complaint mechanism to

migrant workers who work outside the city of Doha and who may find it difficult to have a day off or to get the necessary transportation to lodge a complaint during working hours. Accordingly, a number of ATM devices in different locations outside Doha had been launched which allowed workers to deposit their complaints in 11 of the workers' most commonly spoken languages. The Ministry of Labour had also launched a hotline service to receive complaints on the phone and via email, and to quickly respond to queries received and it had created accounts on social media where the worker could code the complaint and get the information needed. The tripartite delegation recognizes that such initiatives can contribute to making the complaints system more accessible to migrant workers. At the same time, the visit learnt that large numbers of migrant workers, especially those working in small companies who are subcontracted by larger companies, as well as workers of manpower companies, do not in practice access these complaints mechanisms and some are not even aware of their existence. The tripartite delegation is therefore of the view that these initiatives should be complemented by a range of actions, including awareness-raising measures developed and implemented in collaboration with representatives of migrant communities, to sensitize the most vulnerable migrant workers with a view to closing the operational gaps between these mechanisms and the persons that should be using them.

(iii) Payment of fees to recruitment agencies

59. The tripartite delegation heard on several occasions that migrant workers had, prior to their arrival, been subject to high recruitment fees by recruitment agencies in their country of origin, which in turn contributes to the vulnerability of these workers. Several government representatives with whom the tripartite delegation met indicated that this practice presented a significant challenge, as it was outside of the Government's jurisdiction. In this regard, the tripartite delegation wishes to emphasize the importance of enhancing cooperation between the Government of Qatar and labour-sending countries to address this issue. The tripartite delegation was also informed of several specific initiatives by para-public entities aimed at addressing recruitment fees, such as the subsequent repayment by the employer of any fees paid by the worker and assisting labour-sending countries with the development of improved regulations on the activities of recruitment agencies. The tripartite delegation considers that such initiatives should be expanded in order to ensure that all migrant workers including the most vulnerable are protected against these abusive practices which still prevail.

(iv) Passport confiscation and non-renewal of ID card

60. The tripartite delegation was informed that new Law No. 21 of 2015 prohibits passport confiscation and contains criminal penalties for such offences. The tripartite delegation observes that passport confiscation has already been prohibited by Law No. 4 of 2009. It also notes that the Human Rights Department at the Ministry of Interior in 2015 received 168 complaints on the confiscation of passports and all of them were referred to the Public Prosecution, where investigations were carried out in most cases and the offenders were ordered to return the passports. Moreover, 40 complaints on passport confiscation were referred to court where judgments were handed down and some of the offenders were imprisoned. While noting the measures taken to punish employers who confiscate passports of migrant workers, as well as to introduce stiffer penalties in the new Law No. 21 of 2015, the tripartite delegation observes that the number of complaints processed are much smaller than the number of instances of passport confiscation taking place in the country. In effect, the tripartite delegation had the opportunity to meet with a large number of workers working in small enterprises who indicated that employers systematically confiscated their passports upon their arrival in Qatar. Many stated that in addition to having their passports confiscated, their identity cards were frequently not renewed by their employer, leaving them undocumented and vulnerable to deportation. While acknowledging the legislative measures taken by the Government to protect migrant workers against these practices, the tripartite delegation is of the view that efforts to enforce these legislative prohibitions need to be

considerably stepped up to guarantee effective protection to migrant workers against these abusive practices.

(v) Transfer of sponsors in practice

61. The tripartite delegation was informed that the new Law No. 21 of 2015, upon its entry into force in December 2016, will cancel the *kafala* system, which would be replaced by a system where the labour contract regulates the labour relationship between parties, thereby enabling workers to move more freely from one employer to another after the completion of the duration of their contract. The tripartite delegation observes that pending the entry into force of Law No. 21 in December 2016, Law No. 4 of 2009 is still applicable. In this regard, the tripartite delegation was provided with statistical information by the Human Rights Department of the Ministry of Interior indicating that 2,635 complaints were examined during the period 2014–15. This resulted in 2,185 transfers of sponsorship in 2015, contrasting with 450 transfers in 2014. While acknowledging that this represents a significant increase in the transfer of sponsors, the tripartite delegation considers that this still represents a low number given the extremely high number of migrant workers in Qatar. The tripartite delegation is of the view that pending the entry into force of Law No. 21 of 2015, measures should be stepped up to remove the restrictions that prevent migrant workers from terminating their employment relationship in the event of abuse.

(vi) Contract substitution

62. The tripartite delegation was informed that, after its entry into force in December 2016, Law No. 21 of 2015 will establish new controls to protect workers and prevent them from being deceived by those who give them lucrative contracts in the country of origin which are changed in the receiving country. Hence, no work visa will be granted after the entry into force of Law No. 21, except under a contract signed directly between the recruiting party and the new expatriate worker. The enforcement of Law No. 21 will put an end to the practice of contract substitution referred to in the complaint. The electronic linking operations with the Ministry of Administrative Development, Labour and Social Affairs had already started with a number of embassies including those of Nepal, the Philippines, Sri Lanka and Bangladesh. After the entry into force of Law No. 21, the worker would sign his/her contract in his/her mother tongue and receive a copy of the contract before getting the visa, which would mean putting an end to many instances of exploitation, and fictitious contracts. The tripartite delegation observes that contract substitution is widespread in Qatar especially for workers working for small companies and manpower companies. It considers the abovementioned measures represent a useful tool that could potentially put an end to the issue of contract substitution if effectively used. These measures could be reinforced through the application of penalties to employers who violate the terms of the employment contract.

(vii) Procedure for issuing exit visas

63. The tripartite delegation learnt that, while Law No. 4 of 2009, which is currently in force, contains the obligation for the employee to have the exit permit signed by the sponsor in order to leave the country, Law No. 21 of 2015, which will enter into force in 2016, removes this obligation and requires the migrant worker to notify the competent authority at least three days prior to the departure date; workers would then receive their exit permits within 72 hours. In this regard, the tripartite delegation notes that, according to the most recent observation of the CEACR in December 2015, on the application by Qatar of Convention No. 29, even under the new Law, the employer may object to the departure from the country of the migrant worker, in which case the latter shall have the right to appeal to an Appeals Committee. The tripartite delegation was informed during the course of its visit that the Council of Ministers has approved the establishment of the Permanent Committee on Grievances, which is referred to as “the competent authority” in several articles of Law No. 21. This Permanent Committee will be presided over by the Ministry of the Interior and

its membership includes the Ministry of Administrative Development, Labour and Social Affairs, the Ministry of Justice and the National Human Rights Committee. In accordance with section 48 of Law No. 21, the Minister of the Interior has established a committee to draft the by-laws which are referred to in the article. The tripartite delegation considers that by-laws should contain clear criteria on the grounds for which the employer may object to a worker's departure from the country. Moreover, such grounds should not amount to restrictions which prevent workers who might be victims of abusive practices from leaving the country.

(viii) Effective imposition of adequate penalties

64. The tripartite delegation was provided with statistics on the number of complaints presented to the labour courts in 2014 and 2015, as well as the number of judgments handed down. The tripartite delegation was provided, upon request, with information on the concrete outcome of court cases or the actual penalties that had been imposed on employers in the case of violation of the Labour Law or Law No. 4 of 2009. As the information was provided in Arabic on the last day, the judgments received are yet to be examined by the Office. The tripartite delegation at this stage stresses the importance of effective and dissuasive penalties being applied in practice to those who impose forced labour practices.

* * *

65. The tripartite delegation acknowledges the recent concrete measures taken by the Government and other interlocutors it met with in Qatar to improve the working conditions of the migrant workforce. At the same time, the tripartite delegation is of the view that certain challenges remain and the implementation of the measures to overcome them are still under way. The findings of the high-level visit appear to reveal that problems relating to working conditions and compliance with existing standards are more prevalent for workers in small companies operating at the subcontractual level, as well as for workers whose primary employers are manpower companies who represent a very vulnerable category of workers. Pending the entry into force of Law No. 21 of 2015, the tripartite delegation considers that it might be useful to engage with representatives of communities of labour-supplying countries that could reach out to this vulnerable category of workers.

66. The tripartite delegation recognizes the open and engaging posture of the Government of Qatar towards the ILO and its Governing Body, revealed through its willingness to explain and demonstrate the recent measures in place throughout the visit of the delegation.

Appendix III

Information submitted by the Government

1. In communications dated 30 September and 4 October 2016, the Government provides information on the following measures taken to follow-up on the assessment of the high-level tripartite visit.

With respect to the existence of a legal framework sufficient to protect the rights of migrant workers consistent with international labour standards

- (i) Law No. 21 of 2015 regulating the entry, exit and residence of migrant workers
 2. The Government states that Law No. 21 of 2015 regulating the entry, exit and residence of migrant workers, which will enter into force in December 2016, will repeal the *kafala* system by a system where the labour contract would regulate the labour relationship between parties and this would mean that workers will be able to change employers following the completion of an employment contract of definite duration. As for contracts of indefinite duration, Law No. 21 of 2015 authorizes a migrant worker to transfer to a new employer after five years of employment in the previous job. Law No. 21 also allows workers to apply directly to the Government for an exit permit without going back to the employer. Moreover, it cancels the requirement for migrant workers to stay two years out of the country before receiving a new residency permit. The Government points out that it has convened several meetings, workshops and symposia on a regular basis with employers and communities of expatriate workers to sensitize them to the new provisions of Law No. 21.
- (ii) The new wage protection system
 3. With respect to the issue of the protection of wages, the Government indicates that Law No. 1 of 2015 which amends several sections of the Labour Code promulgated by Act No. 14 of 2014 has been promulgated. It imposes dissuasive penalties on employers who are in violation of this Code. Order No. 4 of 2015 taken by the Minister of Labour and Social Affairs, and which relates to the rules of the wage protection system of workers who are prescribed by the Labour Code was also promulgated. A Wage Protection Unit was set up by virtue of Order No. 19 of 2014 taken by the Minister of Labour and Social Affairs. This unit monitors the implementation of the wage protection system (WPS) for workers prescribed by the Labour Code. The WPS will oblige employers to transfer a worker's wages to the financial institution within seven days as of the day of its entitlement. In the event of a violation, the Minister will be granted the authority of refusing any new work permit or all transactions between the Ministry and the employer found in violation of this order. This system ensures full monitoring of the transfer of wages of all workers covered by the Labour Code to their bank accounts, in addition to detecting any person found in violation. The Wage Protection Unit at the labour inspection department will carry out the following:
 - (1) supervise the application of the wage protection programme for the workers covered by the Labour Code;
 - (2) monitor and ensure the payment of wages and entitlements of workers covered by the Labour Code within the legally specified deadlines, in coordination with the competent bodies in the State;
 - (3) propose the necessary programmes, tools and plans to carry out and implement the programme;

- (4) request any necessary data which clarify the position of employers with respect to the payment of wages to workers; and
 - (5) submit recommendations to the Minister or his representative, on employers found in violation of the wage protection system so as to consider taking the necessary measures in their regard.
4. The Government describes how the WPS has evolved and how it is being applied to small enterprises and not just medium-sized and large enterprises. The following table and the two consecutive graphs indicate the number of undertakings which joined the WPS and the number of workers who were on the wage payslips as of 21 September 2016 in addition to the evolution in the number of undertakings and workers whose wages were transferred to financial institutions during the period from April to August 2016.

Table 1. Wage protection system on 24 September 2016

Category/classification	Number of undertakings	Number of undertakings, which have registered to date	Number of undertakings, which completed procedures relating to the opening of bank accounts, and dispatch of files according to procedure	Overall number of workers included in lists of correct wages
More than 500 workers	324	319	313	796 205
101 to 500 workers	1 588	1 537	1 456	396 450
51 to 100 workers	2 473	2 299	2 109	177 989
11 to 50 workers	16 267	13 145	10 870	302 317
10 workers or less	31 251	19 234	13 548	127 129
Total	51 903	36 534	28 296	1 800 090

Figure 1. Evolution over several months in the number of undertakings which joined the wage protection system

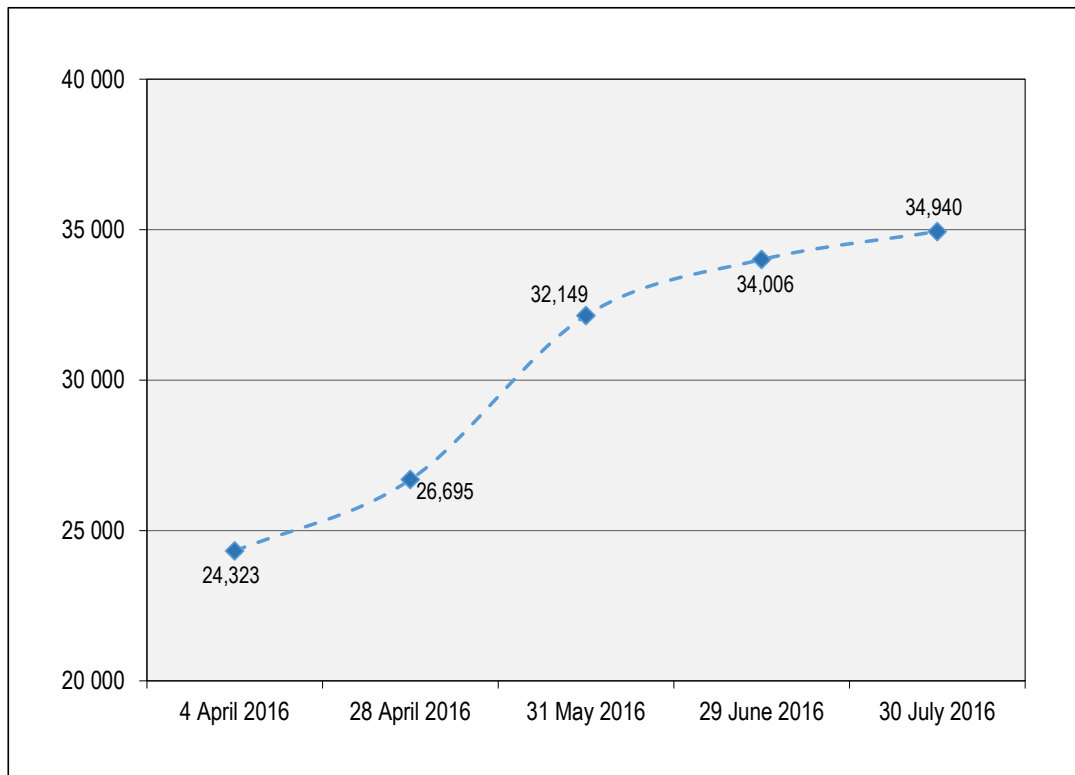


Figure 2. Companies who have joined the wage protection system

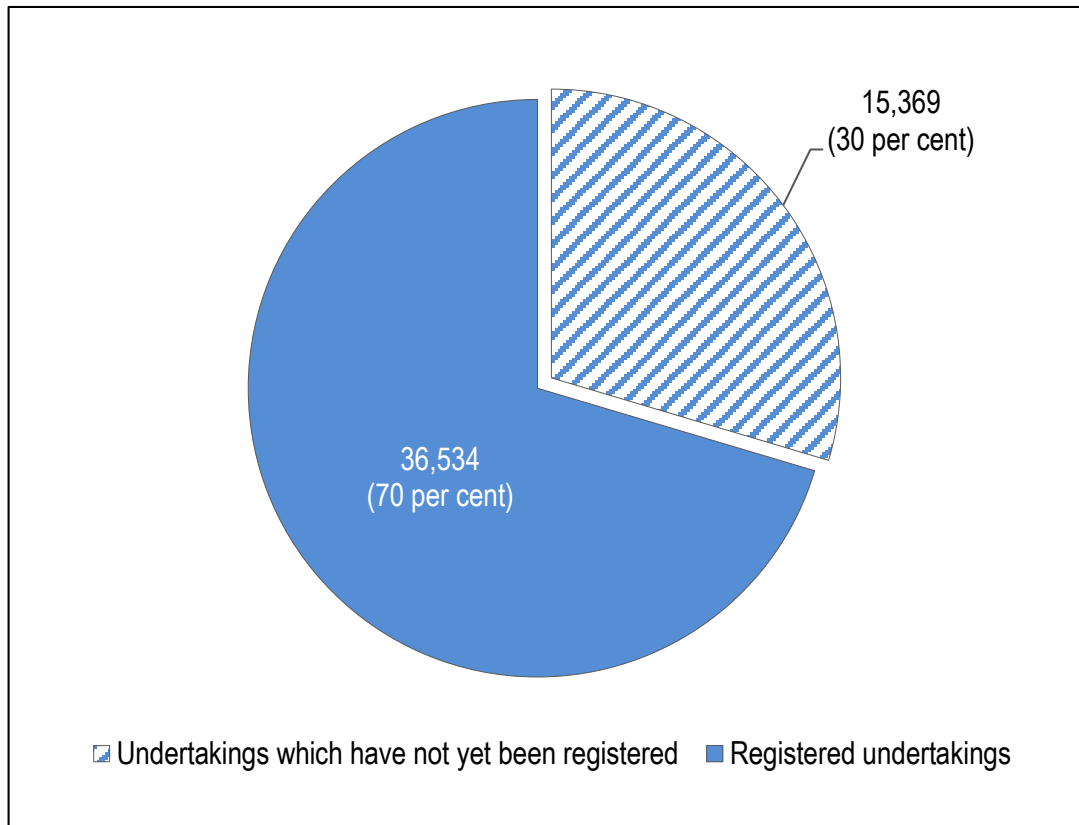
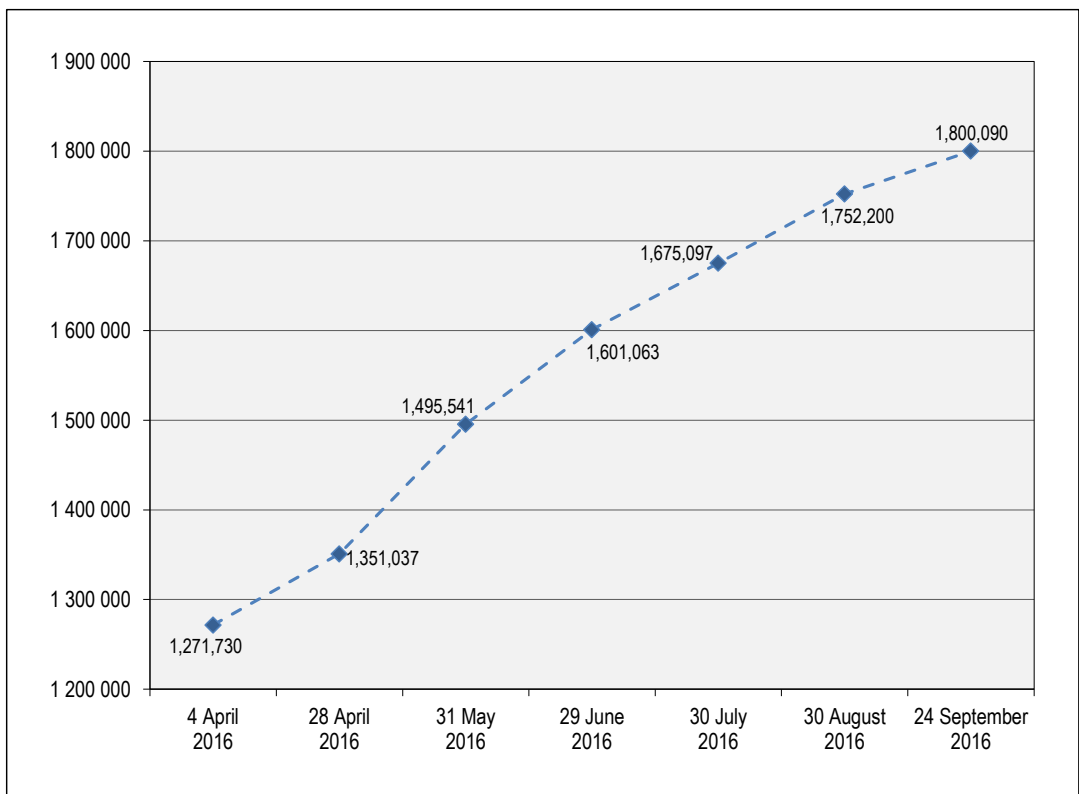


Figure 3. Evolution in the number of workers included in the wage protection system (2015–16)



(iii) Migrant domestic workers

5. The Government indicates that currently, migrant domestic workers are regulated by the provisions of the national civil law and criminal law, as they fall outside of the scope of the Labour Law. However, a draft bill on migrant domestic workers is under preparation and is being reviewed to verify its conformity with the provisions of ILO Convention No. 189 concerning decent work for domestic workers.
6. The Government points out that the Ministry of Administrative Development, Labour and Social Affairs certifies the employment contracts of domestic workers in spite of their exclusion from the provisions of Qatar's Labour Code, in order to safeguard their rights specified in such contracts. There are 24,224 certified recruitment contracts from abroad. The Ministry also monitors the work of the domestic workers' recruitment agencies, and inspects them periodically through unannounced visits in order to verify the non-exploitation of such workers and safeguard their rights. A few domestic workers' recruitment agencies were shut down because they violated the provisions of the Labour Code and the Ministerial Order which regulate the work of such agencies.

Table 2. Statistics relating to foreign labour recruitment agencies in 2016 (29 September 2016)

Number of certified recruitment agencies	304
Number of recruitment agencies which were requested to stop their activity	94
Number of recruitment agencies whose permits were withdrawn because they violated Labour Code No. 14 of 2004 and Ministerial Order No. 8 of 2005	19

7. Moreover, the following procedures were adopted to ensure the legal protection of the rights of this category of workers, until the promulgation of the law which relates specifically to domestic workers. The Human Rights Department at the Ministry of the Interior is considered to be a part of the National System for Human Rights whose aim is to protect and promote human rights in the State of Qatar. To this end, the Department receives complaints and grievances submitted by the public, including domestic workers for whom a special programme was prepared called "Equity and Confidence Building". It will undertake the following: (a) examine the complaints submitted by domestic workers against their recruiters; (b) provide advice and guidance to domestic workers and employers; (c) refer domestic workers to the competent judicial authorities for the submission of their complaint upon the receipt of the complaint of the domestic worker and its examination, as well as the evidence of existing criminal violations perpetrated by employers. In both cases, the possibility of transferring a worker to another employer is examined until the lawsuits have been decided upon; and (d) provide legal support.

With respect to the enforcement of the legal protections

(i) Strengthening the capacity of the labour inspectorate

8. The Government indicates that the number of labour inspectors rose considerably from 29 inspectors in 2000, to 150 inspectors in February 2013, 198 inspectors in May 2014, 277 inspectors in August 2014 and 296 in May 2015, to reach 397 inspectors in 2016, which includes four translators for the most important languages spoken by workers, in order to facilitate communications with migrant workers. It is to be noted that female inspectors increased considerably from 16 in May 2014 to 96 inspectors in May 2016. In addition, the Government places emphasis on the use of modern technology, including palm devices to allow for the speedy entry and transmission of data and inspection reports from the inspection site. This system allows inspectors to visit a larger number of worksites. The

Government then goes on to describe various training packages and programmes that have been organized during the course of 2016. It also underlines that the Supreme Committee for Delivery and Legacy, in coordination with the Ministry of Administrative Development, Labour and Social Affairs agreed with the Building and Woodworkers' International (BWI) on a draft Memorandum of Understanding (MoU) which has been finalized. It will be signed in November 2016, and will have a positive impact on the protection of workers in the World Cup projects. The most important elements of the MoU include joint collaboration of both parties on issues related to the occupational safety and health of workers who are employed in the World Cup projects, the organization of joint inspection visits related to occupational safety and health at specific worksites, where construction activities are being implemented, as well as several workers' accommodation sites. The BWI also collaborates with the Supreme Committee for Delivery and Legacy on training a team specialized in occupational safety and health, inspection, verification and welfare, affiliated to the Supreme Committee, as well as other employees working on occupational safety and health at construction sites.

9. The Government provides statistical information in relation to the number of visits carried out by the inspectors of the Department and the infringements which were detected in 2014, 2015 and 2016 up to 31 July 2016, as well as the follow-up measures which were taken. The figures mentioned below refer to the number of companies which were prohibited (in other words, they were not granted any new work permits or whose transactions were stopped with the Ministry of Administrative Development, Labour and Social Affairs), the number of infringement reports against non-compliant companies (in other words, the referral to public prosecution) as well the number of simple violations such as a warning to remedy the violation.

Table 3. 2014: Inspection visits according to result and type of inspection

Outcome of inspection	Number of inspection visits		Total
	Labour inspection	OSH	
Acceptable	29 853	10 114	39 967
Warning to remedy the violation	2 182	6 499	8 681
Prohibition	1 331	156	1 487
Infringement report	511	348	859
Total number of visits	33 877	17 117	50 994
Number of undertakings	24 760	3 355	–

Table 4. 2014: Inspection visits according to type of site inspected

Type of site inspected	Number of inspection visits		Total
	Labour inspection	OSH	
Undertaking	33 877	1 866	35 743
Accommodation	–	3 108	3 108
Worksite	–	10 983	10 983
Unspecified	–	1 160	1 160
Total number of visits	33 877	17 117	50 994

Table 5. 2015: Inspection visits according to type and outcome of site inspected

Outcome of inspection	Number of inspection visits		Total
	Labour inspection	OSH	
Acceptable	24 622	11 807	36 429
Warning to remedy the violation	10 527	8 452	18 979
Prohibition	755	174	929
Infringement report	332	344	676
Total number of visits	36 236	20 777	57 013
Number of undertakings	23 648	4 473	–

Table 6. Inspection visits according to type of site inspected

Type of site inspected	Number of inspection visits		Total
	Labour inspection	OSH	
Undertaking	36 236	2 916	39 152
Accommodation	–	4 606	4 606
Worksite	–	11 507	11 507
Unspecified	–	1 748	1 748
Total number of visits	36 236	20 777	57 013

Table 7. Inspection visits between 1 January 2016 and 31 July 2016 – Inspection visits according to type and outcome of inspection (labour inspection and OSH)

Type and outcome of inspection	Jan.	Feb.	Mar.	Apr.	May	June	July	Total
Labour inspection	1 862	2 715	3 149	2 635	2 689	2 128	1 887	17 065
Acceptable	722	1 020	1 119	1 071	1 461	1 541	1 336	8 300
Warning to remedy the violation	1 061	1 617	1 875	1 421	1 111	518	443	8 046
Infringement report	74	64	125	64	73	66	74	540
Prohibition	5	14	30	79	44	3	4	179
OSH	974	1 229	1 322	1 221	958	1 128	1 016	7 848
Acceptable	541	641	762	697	643	916	793	4 993
Warning to remedy the violation	416	564	422	300	237	189	151	2 279
Infringement report	7	10	9	28	43	9	28	134
Prohibition	10	14	129	196	35	14	44	442
Total no. of OSH and labour inspection visits	2 836	3 944	4 471	3 856	3 647	3 256	2 903	24 913
Field survey visits	–	–	–	485	1 883	468	550	3 386
Grand total	2 836	3 944	4 471	4 341	5 530	3 724	3 453	28 299

Table 8. Inspection visits according to size of undertaking

Number of workers at undertakings visited	No. of inspection visits	Per cent
Undertaking with ten workers or less	10 052	40.3
Undertaking with 11–50 workers	7 274	29.2
Undertaking with 51–100 workers	3 006	12.1
Undertaking with more than 500 workers	4 581	18.4
Total	24 913	100.0

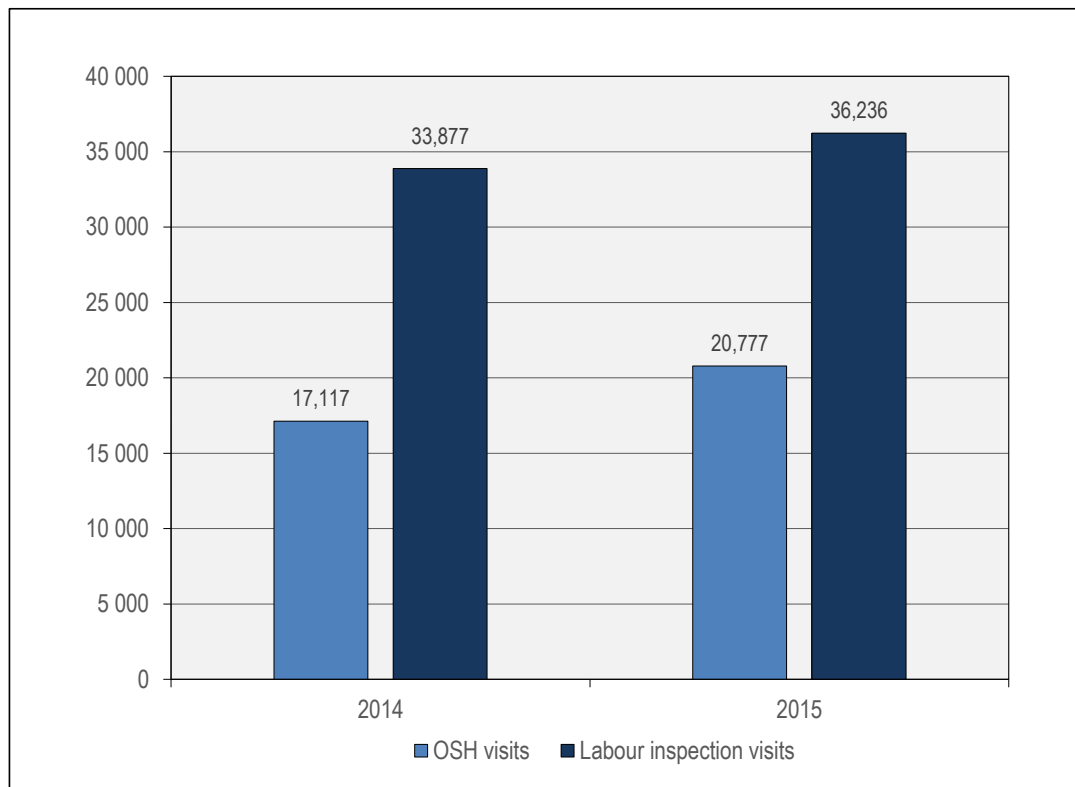
Table 9. Inspection visits according to type and place of worksite inspected (labour and OSH inspection) (2016)

Type and place of inspection	Jan.	Feb.	Mar.	Apr.	May	June	July	Total
Labour inspection	1 862	2 715	3 149	2 635	2 689	2 128	1 887	17 065
Undertaking	1 862	2 715	3 149	2 635	2 689	2 128	1 887	17 065
OSH	974	1 229	1 322	1 221	958	1 128	1 016	7 848
Worksite	596	844	845	702	417	531	653	4 588
Accommodation	204	218	279	338	257	311	97	1 704
Undertaking	108	127	134	110	137	118	134	868
Other	66	40	64	71	147	168	132	688

Table 10. Inspection visits and undertakings inspected (labour and OSH inspection) (2016)

No. of visits and no. of undertakings covered by visits	Jan.	Feb.	Mar.	Apr.	May	June	July
Labour inspection	1 862	2 715	3 149	2 635	2 689	2 128	1 887
Undertaking	1 813	2 660	3 071	2 603	2 626	2 045	1 834
OSH	974	1 229	1 322	1 221	958	1 128	1 016
Undertaking	544	589	743	742	606	808	665

Figure 4. Inspection visits conducted between 2014 and 2015



10. In addition, the Government refers to the National Committee on Occupational Safety and Health whose tasks include proposing a national policy, programme and system for OSH; studying the causes of work-related injuries and suggesting ways to prevent future occurrences; proposing and reviewing OSH regulations and rules at the state level; proposing mechanisms for the implementation of legislation, regulations and decisions related to OSH; reviewing insurance requirements for workplace injuries, occupational diseases and compensation due to employees; and reviewing the schedule of occupational diseases annexed to the Labour Law and proposing its update in coordination with the relevant authorities.
11. Moreover, the Government is seeking to upgrade the OSH Unit to a full Department in addition to strengthening the capacities and potential of this Department with a view to ensuring the monitoring and follow-up of migrant workers' safety and health, especially in the construction sector.
12. The Government also provides statistical information obtained from the Ministry of Public Health on occupational injuries and deaths of migrant workers, which is reflected in tables 11–14 below.

Table 11. Injuries of migrant workers as a result of occupational injuries in 2014

Nationality	Cause of injury		Injured limb(s)		Outcome of injury		Total injuries by gender		
Nepal	135	Fall	245	Head	158	Injured	480	Male	488
India	103	Car accident	108	Chest	143	Death	19	Female	11
Bangladesh	62	Exposure to heavy object	64	Stomach	88				
Egypt	58	Machines	26	Spinal cord	155				
Sri Lanka	31	Accidents	23	Hands and wrists	132				
Pakistan	31	Explosion	6	Feet and legs	191				
Philippines	15	Motor bike collision	5						
Democratic People's Republic of Korea	11	Aggression	3						
Syrian Arab Republic	10	Other	19						
Ethiopia	8								
Other	35								
Total	499		499		499		499		499

Source: Injuries Registration Office, Hamad hospital.

Table 12. Deaths of migrant workers as a result of occupational injuries in 2015

Nationality	Cause of death		Age category		Total deaths by gender		
Nepal	6	Fall	11	20–25	6	Male	24
Bangladesh	5	Car accident	5	26–30	6	Female	–
India	5	Pedestrian accident	4	31–35	4		
Egypt	3	Exposure to heavy object	2	36–40	1		
Philippines	2	Burns	1	41–45	2		
Pakistan	1	Machines	1	+46	3		
Unknown	2			Unspecified	2		
Total	24		24		24		24

Source: Injuries Registration Office, Hamad hospital.

Table 13. Injuries of migrant workers as a result of occupational injuries in the first quarter of 2016

Nationality	Cause of injury		Injured limb(s)		Outcome of injury		Total injuries by gender		
					Injured	Death	Male	Female	
India	38	Fall	64	Head	41	Injured	135	Male	137
Nepal	26	Exposure to heavy object	30	Chest	47	Death	6	Female	4
Bangladesh	21	Car accident	27	Stomach	23				
Egypt	16	Pedestrian accident	7	Spinal cord	46				
Philippines	7	Machines	5	Hands and wrists	31				
Sri Lanka	6	Explosion	2	Feet and legs	47				
Pakistan	5	Aggression	2						
Syrian Arab Republic	4	Other	4						
Kenya	3								
Other	15								
Total	141		141				141		141

Source: Injuries Registration Office, Hamad hospital.

Table 14. Deaths of migrant workers due to occupational injuries in the first quarter of 2016

Nationality	Cause of death		Age category		Total deaths by gender		
			Age	Deaths	Male	Female	
Philippines	3	Fall	3	20–25	1	Male	6
Nepal	2	Exposure to heavy object	3	31–35	2	Female	–
India	1			36–40	1		
				41–50	1		
				+51	1		
Total	6		6		6		6

Source: Injuries Registration Office, Hamad hospital.

(ii) Access to the complaints mechanisms

13. The Government points out that the Ministry of Administrative Development, Labour and Social Affairs has played an important role in awareness raising. For instance, it makes field visits to large companies where it meets workers at their workplaces and at their homes so as to inform them of their rights and obligations as well as receive any complaint or observations they may have so as to remedy them without delay. Furthermore, the Ministry has held information symposia intended for employers and workers so as to raise their awareness of their rights, and obligations. It has also ensured the translation into five languages, printing and distribution of newsletters, and the distribution of the Migrant Workers' Manual among workers and the labour sending embassies. In addition, a centre for human services will be inaugurated at the end of 2016. It will include the Human Rights Department in addition to an office representing the Ministry of Administrative Development, Labour and Social Affairs, and an office representing the Search and Follow-up Department (Ministry of Interior). The centre aims to simplify procedures and to ensure that a worker addresses himself/herself only to one body instead of several bodies.

14. The Ministry also launched the Best Communication Programme in 2014 in collaboration with the Ministry of Transport and Communications in order to achieve a comprehensive digital strategy. The first phase of the programme was completed successfully in partnership

with government bodies and civil society. Over 100 such centres are now operational in the country. The programme seeks to enable employers to provide tools of information technology, communications and the Internet at workers' temporary accommodation where workers are trained by volunteers in basic computer skills in order to enable them to access key work-related rights and other information in different languages, and to familiarize themselves with the use of ATMs and money transfer options with a view to ensuring the safe withdrawal and handling of wages. This provides an opportunity for the inclusion of more than 50,000 workers in digital society.

15. Lastly, the National Human Rights Committee, as well as the Human Rights Department and the Search and Follow-Up Department at the Ministry of the Interior and the Labour Relations Department at the Ministry of Administrative Development, Labour and Social Affairs help expatriate workers to submit their grievances, as well as process their complaints. This is in addition to the role played by all the above bodies in communicating with foreign delegations, and meeting their representatives. Moreover, the National Human Rights Committee and the Human Rights Department at the Ministry of the Interior publish manuals and newsletters to inform migrant workers of their rights and obligations by virtue of relevant laws.

(iii) Payment of fees to recruitment agencies

16. The Government underlines that although this matter is outside its jurisdiction, it has adopted a few measures to regulate the process of recruitment of workers from abroad through signing a few agreements and MoUs with labour-sending countries. Through the meetings of the joint committees set out in the bilateral agreements and MoUs which regulate the recruitment process of workers from the labour-sending countries, and which exceed 35 agreements and five MoUs, the Government has also encouraged such countries to use the services of recruitment agencies which are certified in both labour-sending and receiving countries. The Ministry has communicated lists of names of certified and operational recruitment agencies to the embassies of the labour-sending countries in order to safeguard workers' rights. The Government also encouraged such countries to be guided by the model employment contracts attached to such agreements. Moreover, to ensure that contracts are not modified after the workers' arrival in Qatar, the Labour Code obliges the competent authority at the Ministry of Administrative Development, Labour and Social Affairs to certify all employment contracts. In 2015, the Ministry certified 467,639 employment contracts. The Ministry will also be soon working with an electronic contract system. This will facilitate the approval of contracts and enable workers to obtain a copy of their contract, which would allow them to be cognizant of their rights.
17. The Ministry of Administrative Development, Labour and Social Affairs monitors the work of labour recruitment agencies and inspects them periodically or through unannounced visits. To this end, the competent department at the Ministry carried out 1,815 inspection visits in 2015, which resulted in the following penalties:
- 182 warnings;
 - the preparation of four infringement reports to recruitment agencies (an infringement report is prepared by a labour inspector to evidence the acts which are in violation of the Labour Code, and take the necessary measures in this regard);
 - the withdrawal of 15 permits of recruitment agencies for their violation of the law;
 - the revoking of permits of 80 recruitment agencies based on the requests of their owners. It is to be recalled that there were 286 foreign labour recruitment agencies by the end of 2015 and 302 recruitment agencies in 2016.
18. Lastly, the Government indicates that it signed a contract with VFS Global, which is the largest specialized institution in providing technological services to governments and diplomatic missions throughout the world, through its 2,251 centres which process entry

visas and its operational centres in 125 countries. The company services approximately 50 contracting governments. This company will work with the Ministry of the Interior. The latter will determine the fees to be imposed by the service provider (which are imposed on persons who are requesting visas), in accordance with the different categories of service provided and the countries in which visa service centres are situated. The service provider will be committed to avoid imposing any additional sums on persons requesting visa or tax services.

19. The company will also provide the various services at specific centres in the destination country which include obtaining a general visa; submitting an electronic request; reception service at visa centres; data entry; receiving fees; registering biometric data in accordance with the specifications of the Ministry of the Interior; and checking the status of visas. All these services will help in facilitating the procedures which govern the issue of entry visas.
20. Moreover, the Ministry of Administrative Development, Labour and Social Affairs will implement the electronic linking project with a number of labour-sending countries through VFS Global. This project aims to provide additional protection to workers before their recruitment abroad in addition to improving the monitoring of recruitment practices in labour-sending countries. The project includes the following measures:
 - A database of jobseekers in labour-sending countries shall be established. The categories of jobseekers will be divided according to occupation, qualification and experience. It will include all the necessary data.
 - The competent official body shall certify the data which is included on the site.
 - Employers shall take the necessary formal procedures for the recruitment of workers, after their selection at the worksite. VFS Global shall be responsible for presenting the contract to the worker to be recruited, and in case of approval, the worker will sign the contract.
 - VFS Global shall also verify the soundness of documents related to workers' certificates and qualifications. Consequently, the project will ensure that labour contracts signed by a worker in his/her home country are not tampered with, in addition to avoiding any fictitious labour contracts.

(iv) Passport confiscation and non-renewal of ID card

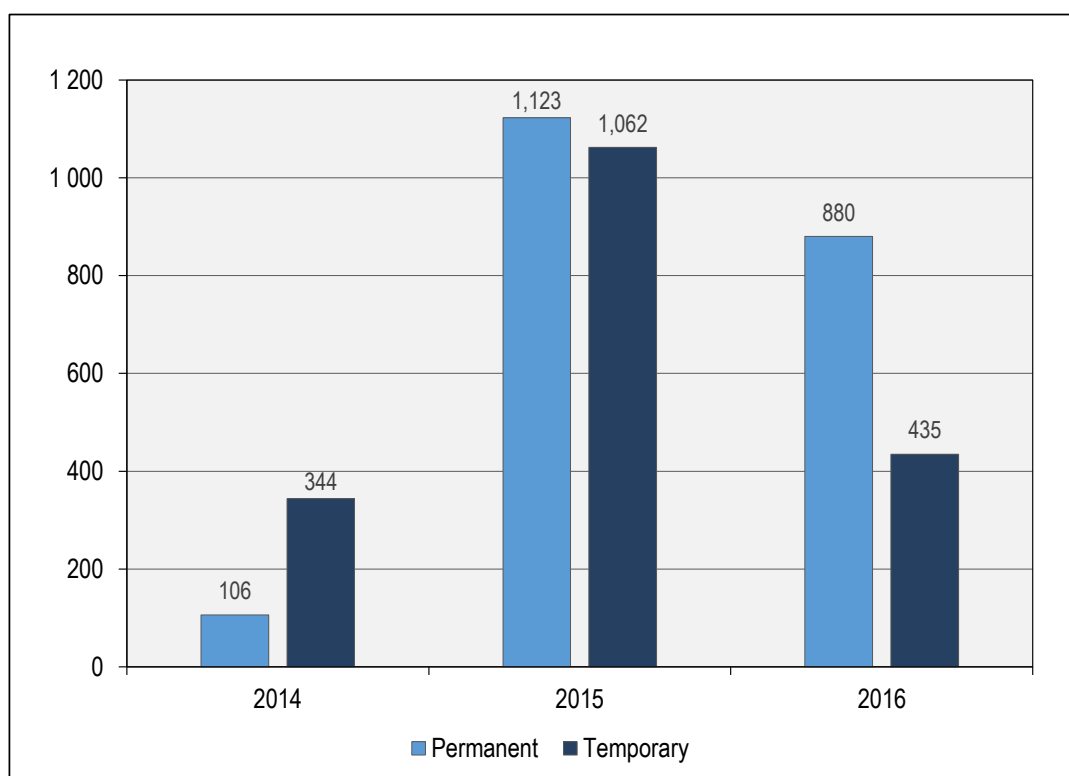
21. In addition to Law No. 21 of 2015 which prohibits passport confiscation and includes criminal penalties against this practice, the Government indicates that in practice, there is coordination between the Ministry of Administrative Development, Labour and Social Affairs and the Ministry of the Interior in order to avoid confiscating workers' passports. Thus, in 2015 the Human Rights Department at the Ministry of the Interior received 168 complaints related to passport confiscation. The complaints were all referred to the Public Prosecutor, the majority of which were examined. This investigation resulted in obliging the employers found in violation to return the confiscated passports, and several judgments were handed down so as to arrest persons in violation, resulting in the imprisonment of a few. In 2015, there were 40 convictions compared to 67 in 2014.
22. The National Committee for Human Rights had also received 338 complaints relating to passport confiscation, during the period from January 2016 to April 2016:
 - January 2016: 91 complaints – seven of which were referred to the Public Prosecutor – 67 were shelved – Total: 165.
 - February 2016: 84 complaints – 12 of which were referred to the Public Prosecutor – 59 were shelved – Total: 155.

- March 2016: 83 complaints – 18 of which were referred to the Public Prosecutor – 40 were shelved – Total: 141.
- April 2016: 80 complaints – eight of which were referred to the Public Prosecutor – 58 were shelved – Total: 146.

(v) Transfer of sponsors in practice

23. The Government underlines that Law No. 21 of 2015 which regulates the entry, exit and residence of expatriate workers has repealed the *kafala* system and replaced it with an employment contract system. The law has specified in its sections 21–22 the cases in which a migrant worker can change the employer. In practice, in 2014, there were 450 cases of sponsorship transfer, 106 of which were cases of permanent transfer of sponsorships and 344 temporary cases of transfer of sponsorships, through the Human Rights Department at the Ministry of the Interior. In 2015, there were 2,185 cases of sponsorship transfer, 1,123 of which were cases of permanent transfer of sponsorships and 1,062 temporary cases of transfer of sponsorships through the same Department. In the first semester of 2016, there were 1,333 cases of sponsorship transfer, 880 of which were cases of permanent transfer of sponsorships and 435 temporary cases of transfer of sponsorships

Figure 5. Number of cases of sponsorship transfer, without the sponsor's agreement, from 2014 to 2015 and the first semester of 2016



24. In light of the above, one can note the important role played by the Human Rights Department at the Ministry of the Interior as one means of redress used by workers against their employers. It can also be noted that the number of cases of sponsorship transfer is linked to the number of transfer-related cases submitted, and not to the number of workers in the State.

(vi) Contract substitution

25. The Government underlines that based on Qatar's commitment to provide protection to its expatriate workers who may be exposed to contract substitution, the Government has encouraged the labour-sending countries, through joint meetings set out in the bilateral agreements and MoUs which regulate the recruitment process of workers from the labour-sending countries, to observe the following:
- Use the services of recruitment agencies which are certified in both labour-sending and receiving countries in order to safeguard workers' rights.
 - Use employment contracts which include the required qualifications, experience, and specialization and the period of employment. Employment contracts shall also include a detailed statement on the employment conditions especially wages, end of service bonus, probationary period, conditions of work and the facilities provided with respect to transportation, accommodation and all data which are considered to be important for workers to determine whether to accept a contract or not.
 - Use as guidance the model employment contracts annexed to such agreements which are prepared in accordance with the provisions of the Labour Code, and which include the observance of workers' human rights and their protection.
26. The Labour Code obliges the competent body at the Ministry of Administrative Development, Labour and Social Affairs to certify employment contracts before it. It is worth noting here that there were 467,639 employment contracts which were certified in 2015.

Table 15. Certified contracts during the period from January 2016 to 31 July 2016

Number of certified employment contracts	283 543
Number of certified recruitment from abroad contracts	24 224
Number of certified employment contracts for the purpose of changing occupation	2 483
Total number of certified employment contracts	310 250

27. In addition, the Ministry of Administrative Development, Labour and Social Affairs would soon begin to operate an electronic contracts system. The design of the project has now been finalized. However, the translation of contracts needs to be reviewed so as to enable migrant workers to read them in their mother tongue in order to check all the details of the contracts to be signed. This will also help in certifying contracts and in workers getting a copy of their contracts.
28. Furthermore, no entry visa will be granted to a migrant worker for the purpose of work, except under a contract signed directly between the recruiting party and the new expatriate worker, in accordance with the legal rules set out in section 4 of Law No. 21 of 2015. This will help to combat trafficking carried out by a few recruitment offices in labour-sending countries.
29. Furthermore, section 33 of Labour Code No. 14 of 2004 and the various ministerial orders categorically prohibit an employer or recruitment agency from receiving any fees or commissions from workers for their recruitment in Qatar. It specifies that the person who is licensed to recruit workers from abroad for a third party shall be prohibited from receiving any sums representing recruitment fees or expenses or any other expenses from the worker recruited from abroad.

(vii) Procedure for issuing exit visas

30. The Government states that on 17 February 2016, the Council of Ministers agreed on a draft decision by the Minister of the Interior. The draft decision will set up a permanent committee to examine the grievances relating to the exit of migrant workers, in order to prepare its promulgation and implementation, upon the entry into force of Law No. 21 of 2015 which relates to the entry, exit and residence of expatriate workers. The draft decision specifies the establishment of a permanent committee to examine the grievances relating to the exit of foreign workers, headed by a representative from the Ministry of the Interior, and two members representing relevant bodies, specialized in examining grievances concerning the exit of expatriate workers. At present, the promulgation of an implementing regulation to the abovementioned Law is under preparation, in order to clarify the measures taken to implement Law No. 21 of 2015.

(viii) Effective imposition of adequate penalties

31. First of all, the Government provides some statistical information in relation to complaints submitted by migrant workers as well as their outcome. It points out that some 9,401 complaints were submitted by workers against employers to the Labour Relations Department at the Ministry of Administrative Development, Labour and Social Affairs. Some 6,787 complaints were settled representing 72.19 per cent through settlement agreements between workers and employers. Some 1,822 complaints were shelved, representing 19.38 per cent. Some 782 complaints were referred to court, representing 8.32 per cent. Some 8,566 workers were not given their air tickets, 7,462 workers suffered from a delay in the payment of their wages, while 6,976 workers did not obtain their holiday allowance.

Table 16. 2014: Workers' complaints set out according to outcome of the complaint

Outcome/complaint	Total	Per cent
Settled	6 787	72.19
Shelved	1 822	19.38
Referred to the judiciary	782	8.32
Examination and follow up	10	0.11
Total	9 401	100.00

Table 17. Workers' complaints according to requests by complainants submitted in 2014

Requests of complainants	Number of complainants	Per cent
Travel tickets	8 566	91.12
Wage in arrears	7 462	79.37
End of service bonus	7 198	76.57
Holiday allowance	6 976	74.20

32. In 2015, some 6,111 complaints were submitted to the Labour Relations Department, 4,176 of which were settled, representing 68.3 per cent, through settlement agreements between workers and employers, 1,313 complaints were shelved, representing 21.5 per cent, and 614 complaints were referred to court, representing 10 per cent. Some 5,426 workers were not given their air tickets, 4,568 workers suffered from a delay in the payment of their

wages, while 5,068 workers did not obtain their holiday allowance and 5,115 workers did not obtain their end of service bonus.

Table 18. Workers' complaints according to outcome of the complaint (2015)

Outcome/complaint	Total	Per cent
Settled	4 176	68.3
Shelved	1 313	21.5
Referred to the judiciary	614	10.0
Examination and follow up	8	0.1
Total	6 111	100.0

Table 19. Workers' complaints according to requests of complainants submitted (2015)

Requests of complainant	Number of complainants	Per cent
Travel tickets	5 426	88.8
End-of-service bonus	5 115	83.7
Holiday allowance	5 068	82.9
Wages in arrears	4 568	74.8

***Workers' complaints submitted from
1 January 2016 to 31 July 2016***

Table 20. According to outcome of complaint and sex of complainant

Outcome/complaint	Female	Male	Number of complainants	Per cent
Settled	14	1 298	1 312	54.5
Shelved	15	716	731	30.4
Referred to the judiciary	14	348	362	15.0
Examination and follow up		2	2	0.1
Total	43	2 364	2 407	100.0

Table 21. Workers' complaints according to the most recurrent reasons for complaints and sex of complainant

Requests of complainant	Female	Male	Number of complainants	Per cent
Travel tickets	20	2 135	2 155	89.5
Holiday allowance	22	2 035	2 057	85.5
End of service bonus	26	1 988	2 014	83.7
Wages in arrears	25	1 972	1 997	83.0

33. The Government also highlights that Article 130 of Qatar's Constitution recognizes that the judicial authority shall be independent and shall be vested in the courts which shall make their judgments according to the law. Moreover, the Public Prosecutor's Office is an independent and impartial judicial authority which is responsible for the investigation of most complaints and verifies the sound enforcement of the law. The Public Prosecutor's

Office also pays great attention to safeguarding the rights of victims in all phases of investigation and any subsequent protection of their person.

34. Lastly, the Government points out that the State has set up workers' circuits specialized in examining workers' lawsuits. Four workers' circuits will be added to the current ones. They will be based in the Ministry of Administrative Development, Labour and Social Affairs, whose aim is to help workers to initiate their lawsuits before the courts, which will help expedite the procedures, as well as take quick decisions in their respect. Two more workers' circuits specialized in implementing the provisions related to workers' issues will also be added to ensure that workers obtain without delay their rights, after the judgments have been handed down. This is a pioneering measure at the international level. The headquarters of one of the workers' circuits will be located in the Ministry of Administrative Development, Labour and Social Affairs, and the second circuit will be located in the court. It is to be noted here that all lawsuits submitted by workers or their survivors which relate to their rights and which arise from the provisions of the Labour Code, or the employment contract are exempt from judicial fees. An office affiliated to the Ministry has also been set up in the State's tribunals. Its aim is to help workers who would like to initiate legal proceedings to obtain their rights, free of charge. In this case, workers do not assume any expenses or fees for the lawsuits submitted by them before the courts. The office is also equipped with qualified staff and translators who are proficient in the workers' most prevalent languages so as to communicate with them, irrespective of their nationalities and languages.
35. In this regard, the Government provides statistical information on workers' lawsuits as well as judgments handed down. In 2014, the workers' circuit (full bench) at the court handed down 603 judgments in workers' lawsuits which were before it with 231 lawsuits revoked. Meanwhile, there are 1,478 lawsuits which are under deliberation at the court's sessions. The workers' circuit (partial bench) also handed down 1,513 judgments in workers' lawsuits which were before it and 2,364 lawsuits were annulled.¹ Meanwhile, there are 5,400 lawsuits being discussed at the court's sessions. In 2015, the workers' circuit (full bench) at the court handed down 793 judgments in workers' lawsuits which were before it with 222 lawsuits revoked. Meanwhile, there are 1,607 lawsuits which are under deliberation at the court's sessions. The Workers' Circuit (partial bench) also handed down 1,219 judgments in workers' lawsuits which were before it. Moreover, 3,556 lawsuits were annulled. At present, there are 6,772 lawsuits which are before the court's sessions.

Statistics on workers' lawsuits

Table 22. Workers' lawsuits which were examined by workers' circuits in 2014 (partial bench and full bench)

Circuit	Legal measures taken			Total
	Judgment	Annulled	Under deliberation	
Full bench	603	231	1 478	2 312
Partial bench	1 513	2 364	5 400	9 277
Total	2 116	2 595	6 878	11 589

¹ The annulment of a lawsuit does not mean it has been deleted and the resulting legal consequences have been removed. It means that it has been taken off the list of lawsuits, without a final decision taken thereon. However, the lawsuit will remain pending the adoption of procedures for the renewal of its examination.

Table 23. Workers' lawsuits which were examined by workers' circuits in 2015 (partial bench and full bench)

Circuit	Legal measures taken			Total
	Judgment	Annulled	Under deliberation	
Full bench	793	222	1 607	2 622
Partial bench	1 219	3 556	6 772	11 547
Total	2 012	3 778	8 379	14 169

36. In 2015, 5,910 workers' lawsuits were initiated. They were examined by five workers' circuits, three of which were partial benches and two full benches, as indicated in the table below.

Table 24. Workers' circuits which examined workers' lawsuits in 2015

	Number of lawsuits examined	Per cent
First (partial bench)	1 754	29.68
Second (partial bench)	1 762	29.81
Third (partial bench)	1 773	30.00
First (full bench)	609	10.30
Second (full bench)	12	0.20
Total number of lawsuits examined by circuits (partial bench)	5 289	89.49
Total number of lawsuits examined by circuits (full bench)	621	10.51
Total of all lawsuits examined	5 910	100.00

37. The following table indicates the current legal status of workers' lawsuits which were initiated in 2015 and which were examined by workers' circuits (partial and full bench).

Table 25. Legal status of the workers' lawsuits in 2015

Status	Workers circuit			Per cent
	Partial bench	Full bench	Total	
Postponed	2 190	262	2 452	41.49
Deleted	1 711	57	1 768	29.92
Judgment issued	1 339	286	1 625	27.50
No jurisdiction	24	5	29	0.49
Withheld for judgment	15	10	25	0.42
Unspecified	10	1	11	0.19
Total	5 289	621	5 910	100.00
Per cent	89.49	10.51	100	–

Table 26. Workers' lawsuits in the first quarter of 2016

Circuit	Legal measures taken			Total
	Judgment	Annulled	Under deliberation	
Full bench	170	113	624	907
Partial bench	544	975	2 023	3 542
Total	714	1 088	2 647	4 449

38. In light of the above tables, the following can be noted:

- In 2015, 2,012 judgments were handed down, 1,625 of which were initiated in the same year.
- Some 3,778 lawsuits were annulled, 1,768 of which were initiated in the same year.
- In 2015, 14,169 lawsuits were under deliberation, 5,910 of which were initiated in the same year.