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Qatar: Two new laws on migrant workers signal degree of progress but major gaps remain

Two new laws on the rights of domestic workers and the ability of migrant workers to collect compensation when they are abused by employers may contribute to the protection of labour rights in Qatar, but there are some significant gaps in these laws that the Qatari authorities must address as a matter of priority, Amnesty International said today.

The organization also called on the government to embark on more fundamental reforms, ahead of a crucial meeting of the UN's International Labour Organisation (ILO) Governing Body in November.

Over the past week the Emir of Qatar signed a long-delayed domestic workers law (Law No. 15 of 2017) which for the first time provides legal protection for migrant domestic workers' labour rights. And a separate law (Law No. 13 of 2017) authorised the establishment of a new "Labor Dispute Resolution Committee" which could provide faster relief from some of the abuses routinely experienced by migrant workers.

New Domestic Workers Law

Law No. 15 of 2017 provides legal protections for domestic workers' labour rights for the first time. It limits their working hours to a maximum of ten hours per day, and requires that they are granted at least 24 consecutive hours off every week, as well as three weeks of annual paid leave per year.

The establishment of legal restrictions on working hours and entitlements to a day off every week and annual leave could potentially have a significant positive effect for more than [173,000 domestic workers](#), the majority of whom are women. In research [published in 2014](#), Amnesty International found domestic workers in Qatar working, in some cases, up to 100 hours per week, with no day off.

However, Amnesty International is concerned that the law contains a provision that hours that go beyond the legal limit can be "agreed", without specifying who should agree. Given the lack of safeguards specified in the law in relation to this provision, it is not at all clear how domestic workers will be protected against pressure from employers to work longer hours. This appears likely to undermine a key element of the law and Amnesty International is calling on the Qatari authorities to clarify how this will work in practice and consider amending or simply removing it. In its current form, it does not comply with international law and standards and risks perpetuating the current unacceptable situation.

The law also requires employers to pay workers their agreed contractual monthly wage on

time and to provide food, adequate housing and health care. Failure by employers to comply with the law can result in fines of up to 2,730 USD. However the fact that the law does not specify that domestic worker salaries are included within the remit of Qatar's "[Wage Protection System](#)" raises questions about how Qatar intends to monitor and enforce the payment of domestic workers' wages.

Significantly, the law does not provide a grievance mechanism – either at the Labour Ministry or through the courts – for domestic workers to enforce their rights if they are not respected by their employer. This fails to meet [international labour rights standards](#) and has major implications for whether the new law will succeed in reducing the abuse of domestic workers.

Committee on Labour Disputes

On 18 August the Emir of Qatar approved the establishment of a new committee to settle labour disputes, which will sit within Qatar's Ministry of Administrative Development, Labor and Social Affairs (ADLSA) and is mandated to issue decisions within three weeks of a complaint being filed by a worker. The Committee, which will be chaired by a judge, will hear complaints regarding unpaid wages, breach of contract and failure by employers to renew residence permits – a practice which leaves migrant workers undocumented and at risk of arrest and deportation.

If it operates fairly and effectively, the new committee should address some of the barriers to migrant workers accessing justice. Amnesty International has found in its [research in Qatar](#) that the existing Labour Court system forces workers to wait many months, attend multiple sessions, and pay often prohibitive fees, in the hope of recovering lost wages and other compensation. These issues have made the court system slow and often too expensive for workers to use.

However, the law makes clear that domestic workers will not have access to this committee. Amnesty International is calling on the Qatari authorities to urgently amend Law 13 of 2017 in order to enable domestic workers to bring complaints before this new worker dispute committee. Domestic workers have a right to access remedies for abuses of their labour rights, and the failure to provide effective remedies is a violation of Qatar's obligations under international law.

In addition to expediting the resolution of worker complaint cases, Amnesty International also urges the authorities to ensure that no worker has to pay any fee for any part of the complaint process; the organization's research has demonstrated how such fees are a serious barrier to workers' ability to lodge complaints. Workers should also be allowed to work for new employers while their case is being considered.

In addition to making it easier for workers to collect compensation for unpaid salaries and other abuses, the Qatari authorities should also ensure that abusive employers, including employers of domestic workers, are held to account. This means pursuing prosecutions of employers suspected of exploitation, and where abuse is found to be serious and systematic preventing such companies - and those individuals involved at a senior level in the management of these companies - from recruiting workers in future.

Pressure on Qatar at the ILO

It is important to note that while these two reforms have the potential to provide some improvements for migrant workers in Qatar, they cannot ultimately address the root cause of abuse: [the excessive control which Qatar's sponsorship system gives to employers](#). The perpetuation of this system will continue to drive abuses and generate new complaints by workers, including domestic workers.

Last year Qatar introduced a new sponsorship law claiming it "[abolish\[ed\] kafala](#)". In fact the new law retained many of the system's harshest features by allowing employers to prevent workers changing jobs for up to five years, and requiring workers to secure the permission of their employer to leave the country – the so-called "exit permit" system.

In November 2017 a complaint regarding Qatar's treatment of migrant workers will again be considered by the UN's International Labour Organisation. The complaint against Qatar, which relates to forced labour and labour inspections, was brought by international trade unions in 2014, and the [ILO's Governing Body has continued to scrutinise Qatar's labour rights record since that time](#).

In order to demonstrate to the ILO Governing Body that it is genuinely addressing forced labour, Qatar must carry out fundamental reforms, including providing migrant workers with the rights to change jobs and to leave the country without requiring their employer's permission.