

Qatar – Human rights situation, *June 2018*

1) Migrant workers, promised reforms to be implemented

Under Qatar's severe *kafala* (sponsorship) system, abuses against migrant workers' rights are [rampant](#) ([including](#) withholds of salaries, forced labour, passport confiscations, etc). A 2015 report from the International Trade Union Cooperation (ITUC) notably [documented](#) that at least 1200 construction workers had died since Qatar won the World Cup bid, in 2010.

In December 2016, a new sponsorship law ([Law no. 21 of 2015](#)) [entered](#) into force. But despite minor improvements, it [failed](#) to lift the major exploitive characteristics of the sponsorship system, including the need to obtain employer's permission to change jobs during the contract period and the impossibility to leave the country without an exit permit.

In 2017, Qatar announced a range of reforms, passed a new law ([Law No. 13](#)) establishing judiciary Labour Dispute Resolution Committees for migrant workers and concluded an [agreement](#) with the ITUC which sets, inter alia, a minimum wage and should put an end to passport confiscations. It also committed to a set of reforms through its new [Technical Cooperation Project](#) (31 October 2017) with the ILO. While Qatar's previous claims to reform the *kafala* system remained unfulfilled, such measures would be ground-breaking if truly implemented (see [this article](#) for more info).

On 21 May 2018, the Qatari formally moved to request accession to the International Covenant on Economic, Social and Cultural Rights (ICESCR), which notably contains provisions guaranteeing just and safe working conditions, fair wages holidays and limitations of working hours, enshrines workers' freedom of movement and right to freely choose their jobs. While Qatar's commitment to guarantee those rights would be, if fulfilled, very encouraging, the government still retains major reservations that would, inter alia, restrict migrant workers' right to free assembly and collective bargaining [see section 2].

2) Upcoming accession to ICCPR and ICESCR tarnished by major reservations

On 21 May, the Cabinet formally [asked](#) for Qatar accession to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). However, it retains major reservations to the two treaties, including with regards to gender equality provisions in marriage, divorce, and child custody, citing conflicts with Sharia law. It opposed similar objections to provisions relating to the definition of cruel, inhuman, or degrading punishment, hence bypassing bans on capital and corporal punishment, minimum marriage ages and freedom of religion [\[more info here\]](#). It also [vowed](#) to interpret provisions on trade unions accordingly with its national law, hereby [reiterating](#) that only Qatari nationals can form associations and trade unions, as laid out in Article 116 of its [Labour Law](#), and barring migrant workers from collective bargaining.

3) Domestic workers: no minimum wage, nor sanction for abusive employers

The almost 200,000 domestic workers, the majority of whom are [women](#), remain amongst the [most vulnerable categories](#) of migrant workers in the emirate, as they fall outside the scope of Qatar's 2014 Labour Law. In August 2017, Qatar ratified [Law No. 15](#) which sets guarantees for domestic workers for the first time, including, inter alia, maximum work hours, a weekly rest day, and healthcare benefits. While those are positive elements, the law still [offers](#) weaker protections than the Qatari Labour Law and doesn't fully conform with the ILO's [recommendations](#) either. It does not set any minimum wage or enforcement mechanism to sanction [abusive employers' practice](#) (unpaid wages, house's

confinement, long workdays with no rest and no days off, passport confiscation in some cases, physical, verbal, or sexual assault by employers) [\[more info here\]](#).

4) Discrimination against women and children

Male guardianship continues to be prevalent in Qatar and is [enshrined](#) in law. The penal code does not criminalise domestic violence nor marital rape neither. In its 2017 [report](#), the UN Committee on the Right of the Child deplored the absence of comprehensive domestic violence protection system, despite widespread gender-based discrimination. The UN CRC also pointed out that Qatar's nationality law does not allow women to transmit their nationality to their children, as only men retain this right.

On 3 August 2017, Qatari cabinet [approved](#) a draft law which will allow permanent residency to the children of a Qatari woman married to a non-Qatari as well as expatriates who "*provide outstanding services to Qatar*" "*if they meet the conditions specified in the law*". While easing the challenges faced by mother married to non-Qatari men, especially in the context of the Gulf crisis, the new provision only regulates the residency status under narrow conditions. By denying Qatari women the unconditional capacity to transfer their citizenship, the draft law fails to reform the inherent discriminatory elements of Qatar's nationality law.

5) Restrictions on free press and free expression

While Qatar's constitution guarantees the right to freedom of expression and opinion, several laws, including provisions of the Penal Code and the 2014 Cybercrime Law [restrict](#) this right. The laws criminalize the spreading of "*false news*" online, or publishing information that "*violates social values or principles*." The Penal Code also provides for up to five-years in jail for criticism of the emir.

In March 2016, Qatar's emir pardoned and released the poet and prisoner of conscience, Mohammed al-Ajami, whom an appeal court had [sentenced](#) to 15 years in prison in 2013 for poems deemed to be insulting the ruling family. In February 2017, Qatari authorities imposed a travel ban on human rights lawyer [Najeeb Al-Nuaimi](#), without providing reason or charges. In November 2016, the government [blocked](#) access to Doha News, one of the few independent outlets in Qatar. Users are also facing [restricted access](#) to internet telephony (Voice Over Internet Protocol - VoIP) services and, in October 2017, Skype was [blocked](#) for no apparent reason.

6) Ill-treatment and torture

In its third State-party [report](#) submitted to the UN Committee against Torture in December 2016, Qatar [failed](#) to provide information on measures undertaken to fight against *incommunicado* detention, nor statistical data on torture complaints filed with the competent authorities. Since 2011, a significant number of people detained by State Security on charges relating to freedom of expression and assembly have [reported](#) torture or ill-treatment. Among others, Filipino national, [Ronaldo Ulep](#), was held *incommunicado* and had his 15 years prison sentence upheld in May 2016 despite allegations of torture. Qatari poet [Mohammed al-'Ajami](#) was also subjected to *incommunicado* detention, ill-treatment and was forced by police forces to sign a document.