The Permanent Mission of the State of Qatar to the United Nations Office in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and with reference to latter’s note dated 8/3/2019, transmitting the questionnaire on “Addressing Tomorrow’s Slavery Today”.

The Permanent Mission of the State of Qatar is pleased to attach herewith the response received to the above-mentioned questionnaire from the competent authorities in the State of Qatar.

The Permanent Mission of the State of Qatar avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, the assurances of its highest consideration.

Geneva, April 10th 2019

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Fax: 022 917 9008
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E.E 69520
DATE: 8 March 2019

TO: All Permanent Missions in Geneva

FAX: 
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OBJET/SUBJECT: Questionnaire and letter from the Special Rapporteur on contemporary forms of slavery, including its causes and consequences

Please find attached a questionnaire and a letter from the Special Rapporteur on contemporary forms of slavery, including its causes and consequences.
Mandate of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences

8 March 2019

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on contemporary forms of slavery, including its causes and consequences, pursuant to resolution 33/1 of the Human Rights Council.

In cooperation with the United Nations University-Centre for Policy Research, I have issued a call for submissions for my upcoming thematic report to the Human Rights Council. The report will focus on “Addressing Tomorrow’s Slavery Today”, and will be presented in September 2019. The call for submissions and the attached questionnaire for member states, civil society organizations and other stakeholders are available in the website of the mandate (http://www.ohchr.org/EN/Issues/Slavery/SRSlavery/Pages/DomesticServitude.aspx).

In this context, I would be grateful to receive your Excellency Government’s response to the questionnaire by 29 March 2019 to the following e-mail address: antislavery@unu.edu.

I wish to thank your Excellency’s for the Government’s cooperation and I hope to continue the dialogue with you on issues within my mandate.

Should you have any questions in the meantime, please contact Ms. Satya Jennings, Human Rights Officer supporting my mandate at the Office of the United Nations High Commissioner for Human Rights in Geneva (+41 22 917 97 72, sjennings@ohchr.org).

Please accept, Excellency, the assurances of my highest consideration.

[Signature]

Urmila Bhoola
Special Rapporteur on contemporary forms of slavery, including its causes and consequences

All Permanent Missions in Geneva
جهود دولة قطر لحماية حقوق العمالة الوافدة

Efforts exerted by the State of Qatar to protect the rights of migrant workers
Entry into force of Law No. (21) of 2015 on the “Entry, Exit & Residence of Expatriate Workers”

The worker is free to move to another employer.

To take into account the expatriate worker’s time spent working for the employer before the promulgation of the new law.

The worker is granted three (3) months to secure a new employment contract.

To cancel the condition that the worker must stay two years out of the country prior to getting a new job.

To require a bank guarantee from the employer.

Law No. (1) of 2017 was issued to cancel the Exit Permit.

Appointment of the expatriates’ exit grievances Committee.

فرة انتقال العامل إلى صاحب عمل آخر،

الاعتبار بالفترة التي قضاها العامل لدى صاحب العمل قبل صدور القانون الجديد.

منح العامل مهلة ثلاثة أشهر للحصول على عقد عمل جديد.

إلغاء شرط بقاء العامل لمدة سنتين خارج البلاد ليتمكن من الحصول على فرصة عمل جديدة.

إذن المستقدم بتقديم ضمان بنكي.

صدر القانون رقم (1) لسنة 2017 بإلغاء مأموريات الخروج.

لجنة تظلمات خروج الوفاديين.
Wages Protection System (WPS)

- Under Law No. (1) of 2015 amending some provisions of Labour Law and Ministerial Decision No. (4) of 2015, it made it obligatory for employers to transfer the workers' wages to a financial institution (bank) in the State of Qatar within seven days as of their due date.

- In case of any violations of this system, the Minister has the power to interrupt granting new work permits and all the transactions of the employer who violates this decision, except the ratification of workers' contracts, so that the actions taken against the employer who commits a violation do not affect the worker's rights.

- بموجب القانون رقم (1) لسنة 2015 بتعديل بعض أحكام قانون العمل والقرار الوزاري رقم (4) لسنة 2015 تم إلزام أصحاب العمل بتحويل أجور العمال إلى إحدى المؤسسات المالية بدولة قطر في غضون سبعة أيام اعتبارا من يوم استحقاقها.

وفي حالة حدوث مخالفات لهذا النظام يجوز للوزير وقف منح أي تصاريح عمل جديدة. ووقف جميع معاملات صاحب العمل المخالف لهذا القرار، فيما عدا التصديق على عقود العمال، حتى لا تمس الإجراءات المتخذة ضد صاحب العمل المخالف بمصلحة العامل.
The WPS established a mechanism to control violators of this obligation, through electronic auditing to subject all companies whose workers come under the labour law. It also imposes penalties on institutions which payment of wages is in arrears. In addition, there are penalties for violating the system that can go up to more than one-month imprisonment, and a minimum fine of QR 2,000, which can go up to QR 6,000.
Law No. (13) of 2017 which amends a number of provisions of Labour Law promulgated by virtue of Law No. (14) of 2004 and Law No. (13) of 1990 under the Civil and Commercial Proceedings Law.

A Workers’ Dispute Settlement Committee or committees were established at the Ministry of Administrative Development, Labour and Social Affairs, which will be presided by a judge appointed by the Judiciary Supreme Council and two Labour Specialists nominated by the Minister, and an accountant.
Law No. (13) of 2017 which amends a number of provisions of Labour Law promulgated by virtue of Law No. (14) of 2004 and Law No. (13) of 1990 under the Civil and Commercial Proceedings Law.

The Workers’ Dispute Settlement Committee is called to arbitrate expeditiously in all disputes coming under the provisions of the law or the employment contract, which are referred to it by the competent department of the Ministry that is within a period not exceeding three weeks when the specialized department mediation does not lead to an amicable settlement. The committee’s decisions shall have executory force.

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Law No. (13) of 2017 which amends a number of provisions of Labour Law promulgated by virtue of Law No. (14) of 2004 and Law No. (13) of 1990 under the Civil and Commercial Proceedings Law.

The concerned parties may appeal to the competent court if they are not satisfied by the decision of the Workers’ Dispute Settlement Committee, within a month from the announcement of the decision. The competent circuit at the Appeal Court shall examine the appeal without delay, and shall decide thereon within thirty days as of the date of the first session it held on the case.

No other institution, apart from the competent department at the Appeal Court can stop the committee’s decisions.
Law No. (15) of 2017 on Domestic Workers

- The law prevents employers from engaging any domestic worker prior to signing an employment contract with him/her and to get it approved by the ministry. It also prohibits the recruitment of both male and female workers who are under eighteen years old or over sixty years.

- The domestic worker benefits from a paid probation period, its duration and mechanisms are determined by ministerial decision No. 39 of 2018.

القانون رقم (15) لسنة 2017 بشأن المستخدمين في المنازل

- حظر القانون على أصحاب العمل تشغيل أي مستخدم، قبل تحرير عقد استخدام معه والحصول على تصريح عليه من الإدارة، كما حظر استقدام وتشغيل الجنسين ممن تقل أعمارهم عن ثمانية عشر سنة أو تزيد على ستين سنة.

- يخضع المستخدم لفترة اختبار مدفوعة الأجر، تُحدد مدتها وضوابطها بقرار الوزير. وقد تم إصدار قرار وزاري رقم 39 لسنة 2018 بتحديد فترة اختبار المستخدمين في المنازل وضوابط العمل بها.
Law No. (15) of 2017 on Domestic Workers

- The law fixed the maximum working hours to ten hours a day, with breaks for worship, rest and food. These breaks are not part of the working hours. The worker is also granted a paid weekly leave of not less than twenty four consecutive hours and a three week annual leave for each year of service.

- Any disputes between the employer and the worker come under the provisions of clause “11 bis” of the above-mentioned Labour Law related to the Workers’ Dispute Settlement Committee.

- The law also provides that the worker is entitled to twelve days of paid annual leave, and that the employer is responsible for the worker’s basic salary during this period.

- The law further regulates the conditions of employment for domestic workers, including the provision of housing and transportation, as well as the rights of the worker to receive compensation for any damage caused to the employer.

- The law also includes provisions for the protection of the rights of domestic workers, including the right to receive a minimum wage, and the prohibition of employing domestic workers under the age of 18.

- The law also establishes a committee for the protection of domestic workers, which will be responsible for monitoring the implementation of the law and ensuring the rights of domestic workers are protected.
The Committee’s Specialty

- To set up a strategic national plan to combat human trafficking, as well as to prepare programs and mechanisms to implement them in coordination with the competent bodies in the state of Qatar.

- To set up a database for international legislations on human trafficking, relevant studies on its means and crimes.

- To submit reports on measures adopted by the Government of Qatar to combat human trafficking in coordination with relevant bodies in the state of Qatar.

The National Committee to Combat Human Trafficking

اختصاصات اللجنة

- وضع خطة وطنية شاملة لمكافحة الاتجار بالبشر، وإعداد البرامج والآليات المنفذة لها بالتنسيق مع الجهات المعنية بالدولة.

- إعداد قاعدة بيانات تتضمن التشريعات الدولية ذات الصلة بجريمة الاتجار بالبشر وأساليب الاتجار والدراسات المتعلقة بها.

- إعداد التقارير عن التدابير التي اتخذتها دولة قطر لمكافحة الاتجار بالبشر بالتنسيق مع الجهات المعنية بالدولة.
The Committee’s Specialty

- To review the national, regional, and international reports on the prevention of human trafficking, and to take relevant measures and procedures to activate them.
- To coordinate with the competent bodies to protect and support those subjected to human trafficking crimes, including the dissemination of awareness and rehabilitation programs to assist the victims in re-integrating their communities.
- To raise awareness on all issues pertaining to human trafficking.
- To organize conferences, seminars, training and publications, etc. in order to achieve the objectives of the Committee.

National Committee to Combat Human Trafficking

- دراسة التقارير الدولية والإقليمية والمحلية المتعلقة بمنع الاتجار بالبشر واتخاذ الإجراءات والتدابير اللازمة بشأنها.
- التنسيق مع الجهات المختصة لتأمين الحماية والدعم للضحايا من جرائم الاتجار بالبشر، بما في ذلك برنامج الرعاية والتأهيل لمساعدة الضحايا على الابنام المجتمعي.
- نشر الوعي بالممارسات المتعلقة بالاتجار بالبشر.
- إقامة المؤتمرات والندوات والنشرات والتدريب وغيرها بما يحقق أهداف اللجنة.
National Strategy to Combat Human Trafficking

The first component: prevention.

The second component: protection.

The third component: legal prosecution.

The fourth component: Regional and international cooperation.
The State has signed 36 bilateral agreements and five MoUs with labour-sending countries to provide legal protection to migrant workers before their recruitment.
Procedures & initiatives taken to protect workers before recruitment:

• The government has made it compulsory for employers and companies to recruit through approved recruitment agencies in the country, and to coordinate with labour-sending countries to send their lists of the approved employment agencies, as well as to provide them with a list of the approved agencies in the state of Qatar. This is in order to make sure that proper recruitment procedures are applied, and to take legal procedures against the violating agencies.
Procedures & initiatives taken to protect workers before recruitment:

The project for fingerprints, biometric data, medical examination and signing of employment contracts for expatriate workers outside the State of Qatar

*In light of the efforts of the State of Qatar to protect the rights of migrant workers through the different stages of the contracting cycle starting from recruitment stage and the importance of protecting the worker from any illegal and abusive practices that he/she might be subjected to in the sending country. The State of Qatar represented by (Ministry of Interior, Ministry of Administrative Development, Labour and Social Affairs, Ministry of Public Health) has signed an agreement with an accredited international service provider “Biomat” from Singapore. It is going to implement the procedures of a pioneer project for the provision of integrated services via a single window. This is in order to complete the process of fingerprints, biometric data and medical examinations for expatriate workers.
The project for fingerprints, biometric data, medical examination and signing of employment contracts for expatriate workers outside the State of Qatar

*As well as the signing of employment contracts in the country of origin in order to facilitate recruitment procedures, protect the expatriate workers’ rights, ensure their safety, and facilitate all the entry procedures to the state of Qatar. This will of course prevent cases of having to return a worker to his/her home country in the event he/she would not be medically fit. As well as ensuring the checking and authentication of the recruitment process according to Article IV of Law No. (21) of 2015 on the regulation of the entry and exit of expatriate workers and their residence.

*Note that the ILO has been appointed as a consultant for the project, in order to apply the best international standards in the labour sector, for a further protection the workers’ rights.

The project will be implemented on a number of phases. Phase I includes the following countries and centers: Sri Lanka the visa centre was opened on 12 October 2018 – Philippines - Pakistan – Nepal – Indonesia – Bangladesh – India - Tunisia
The Ministry carries out the follow-up of the employment agencies that recruit workers for third parties and inspects them on regular & ad hoc basis to make sure that migrant workers are not being abused and their rights are protected.
Law No. 21 of 2015 included regulations to protect workers and to limit, to a great extent, the falsification practices of promising high salaries in the country of origin, that would be changed in the labour-receiving country. Thus, an entry visa will only be granted to a migrant worker for employment after having signed a contract with the employer in accordance with the regulations and terms stated in (article 4). This will contribute in combating trafficking carried out by a number of employment agencies in the sending countries.

استحداث القانون رقم (21) لعام 2015 ضوابط تحمي العمال وتحد بشكل كبير من ممارسات الخداع المتمثلة بمنحهم عقود عمل مغزية في البلد الأصلي يتم تغييرها في البلد المستقبل. حيث لا تمنح سما الدخول للوافد بغرض العمل إلا بموجب عقد عمل مبرم مع مستقدمه وفقا للشروط والضوابط المقررة قانوناً (م4)، مما يسهم ذلك في مكافحة الاتجار الذي تقوم به بعض مكاتب تشغيل العمال في الدول المرسلة للعمالة.
Article (33) of Labour Law and article (19) of Ministerial Decision No. 8 of 2005, prevent clearly and explicitly any employer or employment agency from imposing any fees or commissions for recruiting workers in Qatar.

كما أن المادة (33) من قانون العمل، والمادة (19) من القرار الوزاري رقم (8) لسنة 2005، تمنع منعاً باتاً تقاضي صاحب العمل أو مكتب الاستقدام، أي رسوم أو عمولات نتيجة استقدام دولة قطر، وذلك بموجب نصوص وضوح وصريحة.
Passport confiscation & denial to renew identity cards

Legislations and penalties to prohibit passport confiscation

Law No. 21 of 2015 which came into force on 13 December 2016 prohibits passport confiscation and specifies criminal penalties on these practices. Whereas the fine on the confiscation of passports has been increased to (QR 25,000) (twenty five thousand Qatari Riyals). Ministerial decision No. (18) of 2014 specifies the conditions and standards of decent accommodation for expatriate workers, and stipulates that safe accommodations, should be allocated, with lockers so that workers can access them freely and keep their documents and personal belongings safe, including their passports.

التشريعات والعقوبات لمنع حجز الجوازات:

- القانون الجديد رقم (21) لعام 2015 يمنع حجز الجوازات ويشمل على عقوبات جنائية لهذه الممارسة. حيث غلف العقوبة على حجز الجوازات بغرامة بلغت (25,000) خمسة وعشرون ألف ريال. كما أن القرار الوزاري رقم (18) لسنة 2014 بتحديد اشتراطات ومواصفات السكن المناسب للعمال الوافدين، تنص على تخصيص أماكن أمنة يتوفر فيها معايير قابلة للقبول بحيث يستطيع العمال الوصول إليها بحرية. وحفظ وثائقهم وممتلكاتهم الشخصية. بما في ذلك جوازات سفر العمال.
The Council of Ministers' Decision No (6) of 2018 On the establishment of the Workers' Dispute settlement Committees (WDSC).

- The WDSC is headed by a judge nominated by the Supreme Judiciary Council with the membership of a labour specialist & an accountant. The WDSC has to issue a decision on any complaint within three weeks at most.

- The Labour Sector is holding regular meetings on monthly basis with labour attachés & community leaders to raise the awareness of workers on new labour laws in order to relay them to workers.

قرر مجلس الوزراء رقم (6) لسنة 2018
بتشكيل لجان فض المنازعات العمالية.

يرأس لجنة فض المنازعات قاضٍ يرشحه المجلس الأعلى للقضاء مع عضوية أخصائي عمّال ومحاسب. تثبت لجنة فض المنازعات في الشكاوى في أجل لا يتعدي ثلاثة أسابيع على أقصى تقدير.

* يعقد قطاع العمل اجتماعات دورية على أساس شهري مع اللجان العمالية وممثلي الجاليات لتوعيتهم بقوانين العمل والتعديلات الجديدة من أجل نقل هذه المستجدات إلى العمال.
**Fund to support and insure expatriate workers**

The creation of a fund to support and insure expatriate workers

- "Workers' Support and Insurance Fund" is to support and care for workers, secure their rights and provide a healthy and safe working environment according to Law No. (17) of 2018 issued on 30 October 2018.

- The purpose of the new fund is to pay the workers' dues, which are decided by the labour dispute settlement committees, to avoid actions that may take time and affect workers' ability to meet their obligations towards their families or third parties. The establishment of the Fund also ensures the rapid payment of financial dues at the end of service and facilitates the worker's return to his country. The Fund also benefits both the private sector workers and domestic workers.

**صندوق دعم وتأمين العمال المقيمين**

إنشاء صندوق دعم وتأمين العمال المقيمين:

- "صندوق دعم وتأمين العمال" لدعم ورعاية العمالة وتأمين حقوقهم وتوفير بيئة عمل صحية وآمنة لهم وفقًا للقانون رقم (17) لسنة 2018 الذي صدر في 30 أكتوبر 2018.

- يهدف الصندوق الجديد إلى صرف مستحقات العمالة التي تفصل فيها لجان فض المنازعات العمالية. تجنبًا للإجراءات التي قد تستغرق وقتًا والتي تؤثر على استطاعة العمال الوفاء بالالتزامات تجاه أسرهم أو أطراف أخرى. كما يضمن إنشاء الصندوق السرعة في سداد المستحقات المالية عند انتهاء الخدمة. وتسهيل إجراءات عودة العامل إلى بلده. علماً بأن الصندوق يضفي راحة أيضًا العاملين بالقطاع الخاص وعمال المنازل على السواء.
Fund to support and insure expatriate workers

- The Fund will refer to the employer by legal means to recover the amounts owed by him which were paid by the Fund to the employee.
- The Fund also supports, sponsors and insures workers by providing a safe and healthy work environment & housing by contributing to the provision of decent housing for workers, the establishment of stadiums, entertainment venues and social activities.
- The establishment of this fund comes within the framework of the State of Qatar's keenness to protect the workers' rights & ensure that they receive their financial dues, & to support the wage protection system established to control the workers' wages subject to the Labour Law, & to supplement the package of legislations and complementary laws of this system.
قانون رقم (13) لسنة 2018 بتعديل بعض أحكام القانون رقم (21) لسنة 2015 بتنظيم دخول وخروج الوافدين وإقامتهم

المادة (1)

§ يُستبدل بنص المادة (7) من القانون رقم (21) لسنة 2015 المساواة في الحقوق والواجبات.

§ المادة (7) "يكون للوافد علاقة يعود إلى العمل الفاعل لقانون العمل المشارك إليه. يتقدم طلباً مسبباً ودقيقاً للإدارة لإيقاف العمل وبحث الشكاوى الاجتماعية بخصوص مدة مراجعة موافقته المتبقية على مغادرة البلاد بسبب طبيعة عملهم بما لا يتجاوز (50%) من عدد العاملين لديهم. وفي حال موافقة وزارة التنمية الإدارية والعمل والشؤون الاجتماعية على طلب تخطير الجهات المختصة بذلك.

* وللواحد للعمل حالة عدم تمكينه من مغادرة البلاد لأي عدد من الأسباب، اللجوء إلى الجهة لتنظيم خروج الوافدين التي يصدر بتشكيلها وبدأ الإجراءات التي تتبع أمامها نظام عملها قرار الوزير على اللجنة أن تبت في النظام خلال ثلاثة أيام عمل."
علومات إضافية لتقرير المقرر الخاصة المعنية بأشكال الرق المعاصرة لعام 2019م

• أن أعضاء الشرطة القطرية معنون بإفاذ قانون العقوبات، وذلك من خلال قيمتهم بإجراءات التحري والاستدلال عن الجرائم المرتكبة المعاقب عليها بموجب القانون.

• ضمن هذه الجرائم (جرائم الإتجار بالرق) المعاقب عليها وفقاً للمادة (321) من قانون العقوبات التي ورد نصها بالقول (يعاقب بالحبس مدة لا تتجاوز سبع سنوات، كل من أدخل في دولة قطر أو أخرج منها إنسان بقصد التصرف فيه كرقيق وكل من اشترى أو باع أو عرض للبيع أو أهدى إنساناً أو تصرف فيه على أي وجه، على اعتبار أنه رقيق).

وتنتعاون وزارة الداخلية مع اللجنة الوطنية لمكافحة الإتجار بالبشر، كل حسب اختصاصه، في تنفيذ الخطة الوطنية لمكافحة الإتجار بالبشر.

Additional Information to the 2019 report of the Special Rapporteur on contemporary forms of slavery

• Qatar National Police personnel are involved in the enforcement of the Penal Code by conducting investigations and evidence gathering about crimes committed and punishable under the law.

• Among those crimes (slave trade) that are punishable in accordance with article 321 of the Penal Code which states that: "whoever brings into or takes out of Qatar a person as a slave, or buys, sells, or donates a person as a slave, is liable to imprisonment of a term which may extend up to seven years).

• The Ministry of the Interior cooperates with the National Committee for Combatting Human Trafficking, within their respective competencies, in the implementation of the National Plan for Combatting Human Trafficking.