

QATAR 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Qatar is a constitutional monarchy in which Emir Sheikh Tamim bin Hamad Al Thani exercises absolute executive power. The constitution provides for hereditary rule by men in the emir's branch of the Al Thani family. The country held elections in October 2021 for the Shura (Consultative) Council, a legislative body with limited authorities, which were the first such elections in the country's history. Voters chose 30 representatives of the 45-member body, with the Emir appointing the other 15 members. Observers considered these elections free and fair with 63 percent turnout, but with election laws that disenfranchised some tribal groups. The emir appoints all cabinet members, including the prime minister.

The national police and Ministry of Interior forces maintain internal security and are responsible, among other matters, for preventing terrorism, cyberattacks, and espionage. The national police oversee general law enforcement. Civilian authorities maintained effective control over security forces. There were infrequent reports of abuses committed by security forces.

Significant human rights issues included credible reports of: serious restrictions on free expression, including the existence of criminal libel laws; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; restrictions on migrant workers' freedom of movement, access to justice, and vulnerability to abuses, including forced labor; inability of citizens to change their government peacefully in free and fair elections; serious and unreasonable restrictions on political participation, including a complete prohibition on political parties; lack of investigation and accountability for gender-based violence; existence of laws criminalizing consensual same-sex sexual conduct; and prohibitions on independent trade unions.

The government took limited steps to prosecute those suspected of committing human rights abuses or engaging in corruption. The government did not make

opinion articles, and certain news coverage in local newspapers and other media outlets periodically carried antisemitic content.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law prohibits consensual same-sex sexual conduct between men but does not explicitly prohibit same-sex sexual relations between women. The law was not systematically enforced. A man convicted of having consensual same-sex sexual relations may receive a sentence of seven years in prison. Under sharia, homosexuality is punishable by death; there were no reports of executions for this reason.

In addition to banning sex outside marriage for all persons, the law provides penalties for any male, Muslim or not, who “instigates” or “entices” another male to commit an act of “sodomy” or “immorality.” Under the penal code, “leading, instigating, or seducing a male by any means for sodomy or dissipation” and “inducing or seducing a male or a female by any means to commit illegal or immoral actions” is punishable by up to three years’ imprisonment.

Violence against LGBTQI+ Persons: In October HRW released a press release that claimed LGBTQI+ persons had been subjected to verbal harassment and physical abuse while in the custody of security forces.

Discrimination: LGBTQI+ persons faced discrimination under the law and in practice. There were no government efforts to address potential discrimination, nor are there antidiscrimination laws to protect LGBTQI+ individuals targeted on the basis of their sexual orientation, gender identity, or gender expression.

HRW published a press release alleging arbitrary detention of LGBTQI+ persons by the police. LGBTQI+ persons largely hid their sexual orientation, gender

identity, or gender expression, due to an underlying pattern of societal and legal discrimination against LGBTQI+ persons.

Information was not available on official or private discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation, gender identity, or gender expression.

Availability of Legal Gender Recognition: Legal gender recognition is not available.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: According to the October HRW release, some LGBTQI+ Qataris detained by security forces were required to attend so-called conversion therapy at a government funded “behavioral healthcare” center as a condition of their release.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: Due to social and religious conventions, there were no LGBTQI+ organizations, pride marches, or LGBTQI+ rights advocacy events.

Persons with Disabilities

The law prohibits discrimination against, and requires the allocation of resources for, persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, the judicial system, and other government services or other areas. According to the law, persons with disabilities have the right to equal access to education, health services, public buildings, and transportation. The government is charged with acting on complaints from individuals; the NHRC has responsibility for enforcing compliance and generally did so. Few public buildings met the required standards of accessibility for persons with disabilities, and new buildings generally did not comply with standards.

There are 34 entities in the country offering services to children with disabilities. Private and independent schools generally provided most of the required services for students with disabilities. Government schools did not, with the exception of a public nursery for children with disabilities that Ministry of Education and Higher

Education opened in October.

Other Societal Violence or Discrimination

There was discrimination against HIV-positive individuals. Authorities deported foreigners found to be HIV-positive upon arrival. Mandatory medical examinations were required for residents. Since health screenings are required for nonresidents to obtain work visas, some HIV-positive persons were denied work permits prior to arrival. The government quarantined HIV-positive citizens and provided treatment for them.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law does not provide for the right of workers to form and join independent unions, conduct legal strikes, and bargain collectively, which made the exercise of these rights difficult.

The law permits the establishment of voluntary “joint committees” with an equal number of worker and management representatives to deal with a limited number of workplace problems. Foreign workers may be members of these joint labor-management committees. The law offers a means to file collective disputes. If disputes are not settled internally between the employees and employer, the Ministry of Labor may mediate a solution. A 2017 agreement between the ministry and the International Labor Organization (ILO) includes provisions to create these committees with ILO supervision and assistance. In November the ILO published a report stating that over 70 companies had established joint committees, with 613 workers representing over 40,000 employees. Following the formation of joint committees, the ILO provided extensive training to the committee members on how to manage committees, establish open channels of communication with workers and management, and submit complaints to the competent authorities.

The law requires approval by the Ministry of Labor for worker organizations to affiliate with groups outside the country. The government did not respect freedom of association and the right to collective bargaining outside of the joint committees.

Given the absence of independent trade unions, there were no reports of government enforcement of laws respecting their establishment or operation. For those few workers covered by the law protecting the right to collective bargaining, the government circumscribed the right through its control over the rules and procedures of the bargaining and agreement processes. The labor code allows for only one trade union, the General Union of Workers of Qatar (General Union), which was composed of representative groups known as general committees for workers in various trades or industries. Trade or industry committees were composed of worker committees at the individual firm level. The law excludes all noncitizens and government employees from the right to join general committees that then consolidate into the General Union, effectively banning these workers from bargaining collectively or legally striking. The General Union did not operate during the year.

Employees could not freely practice collective bargaining, and there were no workers under collective bargaining contracts. On the rare occasions when labor unrest occurred, mostly involving the country's overwhelmingly migrant workforce, the government reportedly responded by dispatching large numbers of police to the work sites or labor camps involved; the government also requested the assistance of the embassies for the nationals involved. Strikes generally ended after these shows of force and the involvement of embassies to resolve disputes. In some cases, the government summarily deported the migrant workers' leaders and organizers to punish them and to deter future labor rights activism.

Although the law recognizes the right to strike for some workers, restrictive conditions made the likelihood of a legal strike extremely remote. The law requires approval for a strike by three-fourths of the general committee of the workers in the trade or the industry, and potential strikers also must exhaust a lengthy dispute resolution procedure before a lawful strike may be called. Civil servants and domestic workers do not have the right to strike; the law also prohibits strikes at public utilities and health or security service facilities, including in the gas, petroleum, and transportation sectors. The Complaint Department of the Ministry of Labor, in coordination with the Ministry of Interior, must preauthorize all strikes, including approval of the time and place.

In August security forces arrested an unidentified number of expatriates who

staged a protest in front of the headquarters of al-Bandary International Group in Doha, demanding the company pay them several months' outstanding wages (see section 2.b.).

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor. International media and human rights organizations alleged numerous abuses against foreign workers, including withheld wages, unsafe working conditions, poor living accommodations, and employers who routinely confiscated workers' passports. The law prohibits employers from confiscating workers' passports and penalizes employers who do so, but noncitizen community leaders and officials from labor-exporting countries stated that passport confiscation remained a widespread problem. The government made efforts to prevent and eliminate forced labor, but enforcement of the law and prosecution of labor abuses remained insufficient. Some elements of the *kafala* employer-based sponsorship system – such as the exit requirement and no objection certificate – were abolished in 2020, but the sponsorship system gives employers broad control over foreign workers and challenges remain in implementing these reforms and ensuring access to justice.

A 2020 legal change eliminated exit visa requirements for 95 percent of government workers and all domestic workers. The abolishment of the no-objection certificate was effective immediately; however, media sources and NGOs reported several instances of employers retaliating against employees who initiated a transfer by canceling their visa or filing an absconding charge, rendering the worker illegal and at increased risk of exploitation, detention, or deportation. Employers may request the Ministry of Interior require up to 5 percent of the company's employees to obtain approval before leaving the country due to their type of work. These workers who are still required to seek their employers' permission to leave the country may request an exemption from a grievance committee jointly operated by the Ministry of Interior and the Ministry of Labor in cases where an employer refuses to grant permission.

In 2020 the country introduced a monthly minimum wage, which came into force in March 2021. These reforms have not yet been fully implemented and enforced,

exposing migrant workers, especially domestic workers, to potential abuse.

The law allows employees in the private sector to switch employers without having to first obtain their employer's permission. According to the law, workers should provide advance notice to their employer of their intent to change jobs by means of an electronic system run by the Ministry of Labor. Employees may also switch employers in cases of nonpayment of wages, breach of contract, mutual agreement, filing a legal case in court, and bankruptcy or death of employer, without any notice period. Between January and September, the Ministry of Labor approved 128,210 requests to change employment – approximately 68 percent of the total requests – and rejected 58,459. The ministry explained that reasons behind rejecting transfer requests could be workers voluntarily dropping the requests; new employers were blacklisted; or failure on the part of the workers or new employers to provide required documents. Regarding the employment transfer requests for domestic workers, the ministry stated that it approved 11,590 requests and rejected 12,128, representing 48 and 51 percent respectively, with the remainder still pending.

There were continuing indications of forced labor, especially among migrant workers in the construction and domestic labor sectors. Exorbitant recruitment fees incurred abroad entrapped many workers in long-term debt, making them more vulnerable to exploitation. Over the year some foreign workers who voluntarily entered the country had their passports, automated teller machine (ATM) cards, and pay seized by employers, and worked under conditions to which they had not agreed. A government electronic contracting system existed in several foreign countries from which workers are hired; labor-sending countries reported that this system helped to significantly reduce contract substitution and the number of workers who arrived in Doha without contracts. There are also continuing indications of wage theft in the private sector due to “pay when paid” policies, whereby laborers were denied their salary for months if the subcontractors for which they work were not themselves paid by their employing contractors. As a result, insolvency problems were passed down to low-wage workers.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits and criminalizes all the worst forms of child labor and provides for the protection of children from exploitation in the workplace, including limitations on working hours, occupational safety, and health restrictions. The law sets the minimum age for employment at 16 years and stipulates children between the ages of 16 and 18 may work with parental or guardian permission. Children may not work more than six hours a day or more than 36 hours a week. Employers must provide the Ministry of Labor with the names and occupations of their child employees and obtain permission from the Ministry of Education and Higher Education to hire a child. The education ministry may prohibit the employment of children in jobs judged dangerous to their health, safety, or morals. The government generally enforced the applicable law, but penalties for violations were not commensurate with those for analogous serious crimes, such as kidnapping.

d. Discrimination with Respect to Employment and Occupation

The constitution prohibits discrimination based on race, color, sex, language, ethnicity, and religion, but not political opinion, national origin, social origin, disability, sexual orientation, age, or HIV-positive status. Local custom, however, outweighed government enforcement of nondiscrimination laws. Penalties were not commensurate with laws related to civil rights. Discrimination in employment, particularly based on national origin, is not explicitly prohibited in labor laws and conventions. International human rights groups and the ILO have strongly urged explicit language in labor codes outlawing discrimination in employment.

Legal, cultural, and institutional discrimination existed against women, noncitizens, and foreign workers. The labor law does not allow women to work in jobs deemed hazardous, dangerous, or morally inappropriate, or in jobs specified by the Ministry of Labor.

By law women are entitled to equal pay for equal work but did not always receive it, and they often lacked access to decision-making positions in management of private companies and in the public sector. Gender-based violence and harassment occurred in the workplace. The government discriminated against noncitizens in employment, education, housing, and health services (see section 6).

The law requires reserving 2 percent of jobs in government agencies and public institutions for persons with disabilities, and most government entities appeared to conform to this law. Private-sector businesses with 25 or more employees also are required to hire persons with disabilities as at least 2 percent of their staff. Employers who violate these employment provisions are subject to moderate fines. There were no reports of infractions or enforcement of the hiring quota requirement during the year.

The government prohibited lower-paid male workers from residing in specific “family” residential zones throughout the country. In October authorities sent out dozens of eviction notices to single individuals living in informal group labor accommodations within the boundaries of Doha ordering them to vacate their residences or face legal consequences for violating a law designating certain neighborhoods for families only. For cultural and religious considerations, single expatriates are not allowed to commingle with families in residential areas, transportation, or health clinics. The sudden eviction notices caused disturbance to workers especially after the government abruptly cut off electricity to these accommodations, forcing workers to vacate immediately and find alternative accommodations away from the city.

e. Acceptable Conditions of Work

Wage and Hour Laws: The labor law provides for a 48-hour workweek with a 24-hour rest period and paid annual leave days. The labor law and provisions for acceptable conditions of work, including overtime pay provisions, do not apply to workers in the public sector or agriculture, or to domestic workers. Some employers did not pay workers for overtime or annual leave. Penalties for abuses were less than those for similar crimes, such as fraud.

Occupational Safety and Health: Occupational safety and health (OSH) standards were appropriate for the main industries in the country, such as construction, but the government generally did not enforce them. Responsibility for laws related to acceptable conditions of work fell primarily to the Ministry of Labor as well as to the Ministry of Municipality and the Ministry of Public Health. In November 2021 the ILO published a detailed report regarding OSH conditions in the country and urged the government to exert more efforts in collaboration with

employers to meet OSH standards and develop mechanisms to collect data on work injuries and fatalities. The law does not provide workers the right to remove themselves from a hazardous workplace without jeopardizing their employment, with the exception of a 2020 ministerial decision allowing workers to leave worksites in case of heat stress. Authorities did not effectively provide protection to employees exercising this right.

Wage, Hour, and OSH Enforcement: The government did not effectively enforce standards in all sectors. Working conditions for citizens were generally adequate because government agencies and the major private-sector companies employing them generally followed the relevant laws. The government sets restrictions on working during the hottest hours of the day during the summer and general restrictions related to temperature during the rest of the day as well. Employers often ignored working-hour restrictions and other laws with respect to domestic workers and unskilled laborers, the majority of whom were migrants. Penalties for violations of occupational safety and health laws were less than those for crimes like negligence. The government took limited action to prevent abuse. If a company had not brought conditions up to standard within one month of being notified of the need for action, the Ministry of Labor imposed fines, blacklisted the company, and on occasion referred the matter to the public prosecutor for action. Blacklisting is an administrative hold freezing government services such as processing new visa applications from a company or individual. Firms must pay a moderate fine to be removed from the list, even if the dispute is resolved, and the ministry reserves the right to keep companies on the list as a punitive measure after the fine is paid.

Ministry of Labor personnel continued to conduct inspection visits to work and labor housing sites. Officials from the ILO joined labor inspectors on several inspections. A strategic plan for strengthening the Labor Inspections Unit, developed with ILO assistance, went into effect in 2020 and focuses on upgrading inspectors' skills in evaluating living accommodations and raising awareness regarding heat stress. Employers must pay their employees electronically to provide a digital audit trail for the Ministry Labor. Employers who failed to pay their workers faced penalties, but the government did not effectively enforce these laws, and penalties were less than those for similar crimes. Infractions of wage,

overtime, and safety and health standards were relatively common, especially in sectors employing foreign workers in which working conditions were often poor. The government continued to serve eviction notices to property owners whose buildings were not up to code. Throughout the year international media reported the existence of abusive working conditions, including work-related deaths of young foreign workers, particularly in the construction sector.

The most recent ILO statistics on OSH conditions in the country were published in a 2021 report and stated that in 2020 there were 50 fatalities, 506 severe injuries, and 37,601 mild or moderate injuries.

The Labor Relations Department at the Ministry of Labor received a total of 21,147 complaints until September, mostly on financial disputes between workers and employers such as end of service compensation, delayed wages, and overtime pay. The ministry amicably resolved 12,895 complaints; 2,500 were still in process; and 5,752 complaints were referred to the Labor Dispute Settlement Committees.

The Labor Dispute Settlement Committees received 6,389 cases from January to September, and issued final verdicts in 7,413 cases, reflecting a backlog; 4,735 cases were still under deliberation. Capacity concerns at labor dispute courts remain, as recommended timeframes for adjudication are not often met.

Labor inspectors paid 30,938 visits until September and recorded 2,656 violations at work sites and 908 violations at labor accommodations. The ministry stated that 4,582 companies were involved in violations of the Wage Protection System in the same period.

Per the ILO, the government used the Workers' Support and Insurance Fund to disburse substantial outstanding financial entitlements through September 30. The ILO characterized the significant uptick in disbursements as “demonstrat[ing] the scale of the issue of unpaid wages.”

The government arrested and prosecuted business owners and executives for suspected labor law infractions. The Ministry of Labor, the Ministry of Interior, and the NHRC conducted training sessions and distributed multilingual, written explanations of migrant workers' rights under local labor and sponsorship laws.

To combat late and unpaid wages, the government mandated that employers pay wages electronically to all employees covered by the labor law, through a system subject to audits by an inspection division at the Ministry of Labor called the Wage Protection System. Compliance by employers is lacking in attaching contract terms and rapid access to data when addressing labor disputes. Employers who failed to pay their workers faced penalties, but enforcement was inconsistent.

Informal Sector: The law prohibits employers from withholding workers' passports and penalizes employers who do so, but noncitizen community leaders and officials from labor-exporting countries stated that passport confiscation remained a widespread problem with insufficient enforcement of penalties. Employers housed many unskilled foreign laborers in cramped, dirty, and hazardous conditions, often without running water, electricity, or adequate food. Domestic workers often faced unacceptable working conditions. Many such workers frequently worked seven days a week and more than 12 hours a day with few or no holidays, no overtime pay, and limited means to redress grievances. Some employers denied domestic workers food or access to a telephone, including their own cell phones, according to news reports and foreign embassy officials. NGOs found that foreign workers faced legal obstacles and lengthy legal processes that prevented them from seeking redress for abuses and exploitative conditions. Noncitizen community leaders also highlighted migrant workers' continued hesitation to report their plight due to fear of reprisals. This included threats by employers to report workers as "absconding" and not renew local identification documents, forcing workers out of legal status and raising their risk of being deported.