

QATAR – Tier 2 Watch List

Qatar is a destination country for men and women subjected to forced labor and, to a much lesser extent, forced prostitution. Approximately 94 percent of the country's workforce is comprised of men and women from South and Southeast Asia, Africa, and the Middle East who voluntarily come to work as low- and semi-skilled workers, primarily in construction, oil and gas, service, transportation, and domestic work, but some subsequently face forced labor. Female domestic workers are particularly vulnerable to trafficking due to their isolation in private residences and lack of protection under Qatari labor laws. Qatar is also a destination country for women who migrate for employment purposes and become involved in prostitution; some of these women may be runaway domestic workers forced into prostitution by traffickers who exploit their illegal status. In 2014, reports by an international organization alleged Nepali and other migrant workers in Qatar died primarily due to poor working conditions.

Qatar's low-skilled migrant worker population continues to be the largest group at risk of trafficking. Many migrant workers arriving in Qatar paid exorbitant fees to recruiters in their home countries, and some recruitment agencies in labor-sending countries lured foreign workers with false employment contracts. Migrant workers often live in cramped, unsanitary conditions, and many complain of excessive working hours and unpaid wages. Qatar's sponsorship system places significant power in the hands of employers, who have unilateral power to cancel residency permits, deny workers the ability to change employers, and deny permission to leave the country. Debt-laden migrants who face abuse or are misled often avoid legal action out of fear of reprisal, the lengthy recourse process, or lack of knowledge of their legal rights, making them vulnerable to forced labor, including debt bondage.

Instances of delayed or nonpayment of salaries are a leading driver of forced labor, including debt bondage, in Qatar. Many migrant workers also face denial of exit permits; threats of deportation, physical or financial harm; physical, mental, and sexual abuse; hazardous working conditions and squalid living accommodations. According to recent studies conducted by Qatar University's Social and Economic Survey Research Institute, 86 to 90 percent of expatriate workers' passports are in their employers' possession, despite laws against passport confiscation. International rights groups and the media also report some migrant laborers face severe labor abuses, some of which amount to forced labor. Rights groups also allege a high number of foreign laborers have died from heart failure due to harsh work in extreme heat.

The Government of Qatar does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate evidence of overall increasing efforts to address human trafficking during the previous reporting period; therefore, Qatar is placed on Tier 2 Watch List. The government reported initiating investigation of 11 trafficking cases; however, no cases were investigated or prosecuted under the 2011 anti-trafficking law. The government did not convict any trafficking offenders in 2014, in comparison with nine convictions obtained the previous year. Additionally, the government has never prosecuted any exploitive employers or recruitment agencies under the 2011 anti-trafficking law; other existing labor protections remained weak and favored the employer. In February 2015, the government enacted legislation requiring employers to pay workers electronically and increased penalties for employers violating the labor code; employers were given six months from the law's issuance to begin its implementation. In the interim period, the Ministry of Labor and Social Affairs (MOLSA) trained inspectors and tested coordination efforts between MOLSA and Qatar Central Bank on technical systems. Domestic workers were vulnerable to forced labor or abuse because they remained unprotected by the labor law, which requires rest days, rest periods, and limits on working hours. The government reported 422 identified trafficking victims, 228 of which were victims of forced labor, a substantial increase from 62 reported the previous year. Nonetheless, this did not correlate with an expected increase in law enforcement efforts to address forced labor crimes. While the government conducted visits to work sites throughout the country, meeting laborers and educating them and their employers on trafficking regulations, it failed to abolish or drastically reform the sponsorship system—which would drastically reduce vulnerabilities to forced labor—as it had pledged to do in 2015.

RECOMMENDATIONS FOR QATAR

Abolish or significantly amend provisions of Qatar's restrictive sponsorship system; significantly increase efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers, particularly for forced labor crimes, under the anti-trafficking law; extend labor law protection to domestic workers and ensure any changes to the sponsorship system apply to all workers; take action against employers who withhold workers' wages or passports; enforce the law requiring that employees receive residence cards within one week of arrival and further enforce the law criminalizing passport withholding; consistently apply formal procedures to proactively identify victims of all forms of trafficking among

vulnerable groups, such as those arrested for immigration violations or prostitution, and continue to provide victims with adequate protection services; collect, disaggregate, analyze, and report anti-trafficking law enforcement data; continue to provide anti-trafficking trainings to government officials; and continue to conduct anti-trafficking public awareness campaigns.

PROSECUTION

The government demonstrated minimal anti-trafficking law enforcement efforts. Qatar's comprehensive anti-trafficking law, enacted in October 2011, prohibits all forms of both sex and labor trafficking and prescribes penalties of no more than seven years' imprisonment and up to 230,000 Qatari Riyal (\$82,000) in fines, with penalties of no more than 15 years' imprisonment for trafficking offenses committed with aggravating circumstances. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as kidnapping. Qatar also prohibits employers' withholding of workers' passports under the 2009 Sponsorship Law, punishable by a fine of up to 10,000 Qatari Riyal (\$2,750). This law was sporadically and inconsistently enforced during the reporting period; the government did not report any fines imposed on sponsors for withholding passports. The government's primary solution for resolving labor violations was to transfer a worker's sponsorship to a new employer with minimal effort to investigate whether the violations constituted forced labor. During the reporting period, the government reported 11 investigations, compared with four the previous year, but failed to prosecute or obtain convictions for trafficking offenders, including exploitative employers and recruitment agencies, under its anti-trafficking law. The government did not report investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses. The government reported it continued to provide a number of training workshops for 124 law enforcement officials, public prosecutors, judges, inspectors, civil society organizers, and public health professionals on how to investigate trafficking cases, the anti-trafficking law, and victim identification. These workshops included training on trafficking victim identification for doctors and nurses; the role of law enforcement in combating and investigating trafficking cases and the importance of international law enforcement cooperation; and the prosecution of trafficking cases. The police training institute continued to train Ministry of Interior officials on trafficking investigations.

PROTECTION

The government increased its efforts to protect some victims of trafficking, though many victims of forced labor, including debt bondage, likely remained unidentified and unprotected. Domestic workers, not covered by labor law, were less likely to be identified as trafficking victims, as there is limited access to private homes and social customs and traditions limited discussion of abuses. The government reported the Qatar Foundation for Protection and Social Rehabilitation (QFPSR) maintained procedures to proactively identify and respond to the needs of trafficking victims, which it distributed to law enforcement, passport and immigration authorities, and social service providers. The QFPSR operated the Qatar House for Lodging and Care, a trafficking shelter to accommodate women and child victims. The government provided trafficking victims with access to medical care, social services, psychological treatment, legal assistance, and rehabilitation and reintegration programs. The QFPSR identified 422 trafficking victims, of which 228 were victims of forced labor, a substantial increase from 62 identified victims the previous reporting period. The QFPSR sheltered 20 women and children trafficking victims in 2014, an increase from 11 trafficking victims referred the previous reporting period. The government continued to use its national victim referral system to coordinate victim identification and referral efforts between government authorities and non-government organizations. The referral system included the provision of safe shelter, health care, and legal assistance. Victims had the right to leave the shelter without supervision, and victims were able to access the shelter even if their employers had filed charges against them. The shelter also provided long-term housing during judicial proceedings, and shelter residents were able to earn an income through work at the shelter's rehabilitation center; it also provided repatriation assistance to those wishing to return to their countries. QFPSR reported providing services to trafficking victims not sheltered, including legal advice, filing lawsuits, case follow up, transferring workers' sponsorships, obtaining workers' exit permits, and providing workers with financial compensation.

Some unidentified victims of trafficking continued to be punished for unlawful acts committed as a direct result of being subjected to trafficking. For example, authorities regularly arrested, detained, and deported potential trafficking victims for immigration violations and running away from their employers or sponsors. Some victims occasionally languished in detention centers for up to six months due to debts allegedly owed or false charges of theft filed by their employers against them. The costs of legal representation under these circumstances were sometimes borne by the workers, but were often waived by the government due to workers'

inability to pay. Domestic workers who were not covered under the labor law continued to face difficulties seeking legal redress for abuses through civil court action. In 2014, some officials failed to recognize severe labor abuses could amount to human trafficking. The government encouraged victims to testify against their traffickers by assuring them safety, providing free legal counseling, and allowing them to pursue various claims, such as financial compensation; however, the government did not report how many victims testified against their traffickers or received these benefits during the reporting period. Trafficking victims had the option to remain in the country during judicial proceedings or request an immediate exit visa; these benefits were not linked to the successful outcome of a trafficking prosecution.

PREVENTION

The government maintained efforts to prevent trafficking in persons. It implemented its National Plan for Combating Human Trafficking for 2010-2015, which aimed to prevent the spread of trafficking, provide protection for victims, and punish traffickers. Nonetheless, the government did not reform its sponsorship law, which continued to contribute to forced labor in the country. The government had a budget of 42 million Qatari riyal (\$11.5 million) to support the QFPSR's anti-trafficking efforts, in comparison with 37 million Qatari riyal (\$10.2 million) the previous year. The National Alliance to Combat Human Trafficking, comprised of government agencies and civil society representatives, met several times to coordinate and assess national anti-trafficking efforts, including victim referral procedures, visa selling issues, and implementation of Qatar's national plan to combat trafficking. The QFPSR implemented awareness campaigns, anti-trafficking meetings, outreach events, and workshops in preventing and combating trafficking. The QFPSR's implementation efforts included visits to work sites throughout the country to meet laborers and educate them and their employers on trafficking regulations; seven high school and university campaigns targeting awareness of appropriate labor conditions and trafficking; meetings with religious officials discussing their roles in preventing trafficking; and workshops on the role of the health sector in preventing and combating trafficking. Campaigns targeted both Qataris and non-Qataris, including migrant community leaders, on trafficking awareness; however, the number of people these campaigns reached was unknown. The QFPSR published manuals for expatriates in Arabic, English, and several labor-exporting country languages, which included material on proactive identification of trafficking victims for investigators. The quasi-governmental Qatar Foundation and Qatar 2022 Supreme Committee for Delivery and Legacy, which was set up to organize the 2022 World Cup, both issued mandatory workers'

labor rights standards for all their construction and service delivery contracts; the standards legally bind all their contractors and subcontractors to adhere to labor standards stricter than Qatari labor law. The QFPSR and the Supreme Committee have integrated the standards into all new tenders and are auditing existing contracts for upholding the standards. Some contacts reported increased scrutiny on worker accommodations and wage increases. These standards include a “no recruitment fee” policy at all stages in the recruitment process, hotlines for workers’ complaints, and independent auditing to ensure contractual compliance and that employees are paid on time.

The government routinely inspected and monitored recruitment companies and actively sought to punish companies that were found making fraudulent offers or imposing exorbitant fees in selling visas, which makes migrant workers particularly vulnerable to trafficking. Nonetheless, the government did not report how many companies were referred for prosecution or whether it achieved any convictions for those suspected of illegal visa selling; this appears to be a decrease in comparison with 40 individuals convicted, 50 companies referred for prosecution, and 26 companies referred to authorities for labor law violations the previous year. During the reporting period, MOLSA blacklisted 200 companies for breaking the provisions of the labor law, in comparison with 2000 the previous year, which remained blacklisted. Additionally, MOLSA blacklisted 14 manpower agencies in Doha and 55 manpower agencies in Nepal. Nonetheless, the government did not systematically investigate companies for the withholding of workers’ passports. Although the sponsorship law requires an employer to secure a residence card for laborers within seven days, reports indicated this sometimes did not happen; the lack of a residence card essentially renders workers illegal and affects workers’ ability to access health care or lodge complaints with authorities. The QFPSR continued to operate an anti-trafficking hotline, though it is unknown how many trafficking victims were identified through the hotline. The government did not report efforts to reduce the demand for commercial sex acts, nor did it report efforts to prevent child sex tourism of Qataris traveling abroad. The government provided anti-trafficking training for new diplomatic personnel, but did not provide specific anti-trafficking training for its existing diplomatic personnel posted abroad.