‘TREAT US LIKE WE ARE HUMAN’
MIGRANT WORKERS IN QATAR

AMNESTY INTERNATIONAL
“Please help us, our company... did not pay us our salary for 4 months. We don’t have any money to eat or rent. If we go to labour office we may lose our job. Please send this mail to some who can help us.”

Email received by Amnesty International from workers in Qatar, July 2013

There are some 1.35 million foreign nationals – the great majority from countries in Asia including Bangladesh, India, Nepal, Pakistan, the Philippines and Sri Lanka – working in Qatar. Migrant workers now make up some 94 per cent of the total workforce in the country. The population of the country is growing at a remarkable rate, largely due to the recruitment of low-paid migrant workers to support infrastructure development. This trend is set to increase in the coming years as Qatar gears up for the 2022 FIFA World Cup. It is, therefore, more vital than ever that the laws, systems and practices in place to protect migrant workers’ human rights are robust and effective. However, Amnesty International’s research reveals that this is far from the case.

Migrant workers in Qatar face a range of abuses at the hands of their employers. In some of the cases investigated by Amnesty International, these abuses amount to forced labour and human trafficking. Some arrive to find that the nature of the work, their salaries, hours of work or conditions are very different to those they had been promised. Many migrant workers find their employers delay their pay or stop paying them at all, while the housing they are provided with can be shockingly poor. Employers have the power to stop migrants from changing jobs or leaving the country. This can leave workers trapped in the country. If employers do not renew residence permits, workers risk arrest.

Some of the main countries of origin of migrant workers in Qatar

The map indicates the general locations of areas and boundaries. Coloured areas reflect administrative control of territory and should not be interpreted as Amnesty International’s view on questions of borders or disputed areas.

Above: Eleven men from India and Sri Lanka wait in the Qatari Ministry of Justice to sign papers that falsely claim they have been paid so they can get the documents they need to leave the country. The men had not been paid for eight months, but were desperate to get home. They told Amnesty International that they had not eaten for two days and were living in accommodation without electricity or clean water. Doha, 2013.
as suspected “illegal” workers whenever they are stopped in the street by police.

Lack of respect for migrants’ rights can cause severe and prolonged hardship to migrant workers in Qatar and to the families back home who depend on them. Amnesty International witnessed workers facing serious food shortages and living in appalling conditions, without electricity, clean drinking water or proper sanitation. For many of those who have spoken to Amnesty International, the nightmare does not end even when they go home because, after months or years working in the world’s richest country, they return unpaid and in debt.

The Labour Law, which should protect migrant workers from such exploitation, is poorly enforced and excludes certain categories of workers, such as domestic workers. As a result, abusive employers are all too rarely held to account.

Many officials at the Ministry of Labour and the Ministry of the Interior have made positive statements about their commitment to protect migrant workers. Indeed, steps have been mooted to address these abuses.

However, these measures have either yet to be implemented or fall short of international standards.

This briefing focuses on two groups of workers at particular risk of abuse: construction and domestic workers. It looks at how legal provisions in Qatar expose migrant workers to abuse and facilitate abuses by employers. It draws on Amnesty International’s visits to Qatar and interviews with migrant workers and those defending their rights; recruitment agencies; hiring companies; and government officials. It calls on the Qatari authorities to implement a number of key recommendations to protect the human rights of all migrants working in the country.

THE SPONSORSHIP LAW

“The fundamental nature of the sponsorship programme increases the dependency of the migrant workers on sponsors rendering them vulnerable to various forms of exploitation and abuses.”

Concluding observations of the UN Committee on the Elimination of Racial Discrimination, Qatar, March 2012

All foreign workers in Qatar are subject to the terms of the Sponsorship Law. The sponsorship system effectively binds foreign workers to a single “sponsor” who must also be their employer, either an individual or a company established in Qatar.

Under the law, employers can prevent their workers from changing jobs; block workers from leaving the country; and cancel workers’ residence permits. Workers cannot have their residence permits (also known as “IDs”) issued or renewed without an employer’s co-operation and workers who do not have these permits are at constant risk of arrest.

“Some people are in jail for not having IDs, others are let go. This is why we don’t even go out.”

Migrant worker, March 2013

Employers are supposed to return workers’ passports to them after obtaining their residence permits, but most do not.

Many of the migrant workers who spoke to Amnesty International felt unable to challenge abusive sponsors for fear of
retaliation. The Sponsorship Law provides employers with legal tools that can and are used to intimidate or threaten workers and force them to continue working when they should be able to resign, leave the country or take legal action against their employers. Employers are required to report “absconded” workers, the term used by the Qatari government to describe workers who have left their employers without the employer’s permission. This can result in workers who flee to escape abuse facing detention, heavy fines and deportation. In addition, one of the consequences of the fact that migrant workers cannot change jobs without their employers’ permission is that some workers who have been deceived about their terms and conditions nevertheless feel forced to continue working, in order to pay off debts they took on in their home country to pay for their migration.

EXIT PERMITS
Under the Sponsorship Law, migrant workers must get an exit permit from their employers in order to leave the country. This leaves workers at the mercy of their employer who can, on a whim, prevent them returning home to take annual leave or at the end of their contracts. It allows employers to keep them working for longer, on the pretext that procedures to arrange their departure are being carried out. The exit permit system prevents many workers from taking action in the event of abuse.

The process that should allow workers to leave the country if their employer cannot or will not issue an exit permit, is opaque, complicated and lengthy. Members of the Qatari government have admitted publicly that the exit permit is untenable.

“It is difficult to retain the exit permit system in its existing form… It is being likened to slavery. It can’t remain like this”  
Former Prime Minister Sheikh Hamad bin Jassim bin Jabor Al Thani, 2007

Qatar’s National Human Rights Committee has noted what it calls “negative
Migrant workers in Doha’s industrial area on a Friday, their day off, 2013.

**CASE STUDY**

“I would like to express our disappointment at the way in which you have treated almost 100 Indian workers who came to Qatar with lots of dreams. You have not only not paid them for months but made them to get money from India to pay the penalty and return to India.”

Letter from the Deputy Chief of Mission, Indian Embassy in Doha, to a construction company, 21 May 2013

The recently completed Ras Laffan Emergency and Safety College is located about 50 minutes drive north of the Qatari capital, Doha. It is a state of the art facility of which the Qatari authorities are justly proud. However, for some of the migrant workers from India, Nepal and Sri Lanka who helped build the campus, working in Qatar became a lengthy ordeal of repeated human rights abuse.

The contrast between their achievement as workers and their treatment could not have been greater. In mid-2012, the company stopped paying the men, leaving them struggling to pay for food and other essentials. In November 2012 the men stopped working, after months of not being paid for their work, and attempted to leave. But promises by the company that the men could leave Qatar were not kept; no tickets or exit permits were forthcoming and passports were not returned. The company also failed to arrange for most of its workers to be given valid residence permits, so that the workers faced hefty fines and risked arrest if they ventured beyond the front door of their accommodation.

“The company has my passport. They won’t give it to me until I get to immigration... there is also a 3000 riyals [US$824] fine for my expired (residence) permit which expired in February 2011. The company said, ‘if you want to leave you have this fine to pay.’”

Migrant worker, March 2013

The workers repeatedly sought assistance from a wide range of Qatari institutions, including the Ministry of Labour, but without success. By early 2013, dozens of workers were still trapped in Qatar, without pay and with no way of getting home. When Amnesty International spoke to the men in February 2013 the workers had become truly desperate and it was clearly taking a psychological toll, due in part to the stress of the situation and also the difficulty that many of the men were having in supporting their families at home.

“My wife cries every day saying come back home... We are financially struggling. My children ask daily when their father will return.”

44-year-old Indian welder formerly employed by a construction company, May 2013

In February 2013, Amnesty International raised the men’s plight with the Ministry of Foreign Affairs, the Ministry of Labour, the Ministry of the Interior and the National Human Rights Committee, asking them to take urgent action to resolve the workers’ situation. In early March 2013, around 30 or 40 of the men were able to return home. Most had to pay fines and cover the cost of their tickets. Most, if not all, the men were required to sign papers stating that they had received all salaries and benefits due to them before the company would release their passports – even though only a handful received any salary on departure.

The last three desperate workers finally flew home in July 2013, a year after their pay was stopped.

practices” of sponsors “unjustifiably denying employees their right to obtain exit permits to leave the country.” Nevertheless, the system was retained when the latest Sponsorship Law was issued in 2009.

Amnesty International believes the exit permit system constitutes a violation of the right to freedom of movement and facilitates the abuse of labour rights. In some cases, it is used to subject workers to forced labour (see below).
UNABLE TO LEAVE, AT RISK IF THEY STAY
It is illegal for employers to confiscate workers’ passports. The Ministry of the Interior has said that where passports are unlawfully withheld in this way, workers can file a complaint. But in many cases, even after going to the Ministry, workers are still left waiting, unable to leave the country, for long periods.

Residence permits must be renewed on time. If employers fail to do this, fines are imposed, which must be paid before migrant workers are allowed to leave Qatar. When employers cannot or will not pay, workers have to pay the fines themselves just to go home. Those without valid residence permits are also at risk of arrest during ID checks and cannot get the government health cards that would allow them to access subsidized, non-emergency health care (healthcards are not required to access emergency health care). As only foreign nationals are affected, Amnesty International is concerned that the way in which the current system restricts access to health care may be discriminatory.

Amnesty International welcomes the announcement in October 2012 that the Qatari government would create a panel to review the Sponsorship Law, though it is not so far aware of any decisions made by this panel. In addition, there are concerns that some of the reforms that have been publicly discussed by the government fall short of international standards. For example, they would still give employers the power to prevent migrant workers from leaving the country.

THE LABOUR LAW AND ACCESS TO JUSTICE
Qatar’s 2004 Labour Law and related decrees provide workers with important legal protections. However, several large groups of migrant workers are explicitly excluded, among them domestic workers. Excluded workers have no protection in Qatari law on issues such as the length of their working day; leave and days off; a grievance process in the event of abuse; medical care; or adequate accommodation.

Even for those workers that do come within its scope, the Labour Law and its implementation have serious shortcomings. Enforcement, for example, is compromised by a shortage of labour inspectors and the inadequate penalties imposed on employers for serious abuses. The law does not allow migrant workers to join a trade union.

Workers covered by the Labour Law with grievances against their employees can seek redress via the Ministry of Labour, which can refer the case to court. However, cases that reach court can take many months to be resolved, during which time workers may be repeatedly required to attend hearings many miles from where they live.

These obstacles are a major factor in deterring workers, most of whom are not paid while the case is in progress, from pursuing their cases to their conclusion. Workers who persevere usually have to spend whatever money they might have saved during their time in Qatar or borrow from friends just to buy food and meet the costs of the court case, as there is no legal aid system.

Perhaps the biggest difficulty, however, faced by workers seeking justice through the Labour Court is the fee routinely demanded by the Court to pay for an expert report. The charge, usually around 600 riyals (US$165), represents about a month’s salary for a construction worker. Finding such a sum is an insurmountable obstacle for most workers, especially when
the very thing they are complaining about may include not being paid. Amnesty International researchers met many workers who said they had dropped their cases when they were asked to pay this charge.

“The Labour Department sends the case to the court and there you have to pay 500 or 600 riyals [US$137 or US$165]. How can a worker pay this? It’s like climbing Mount Everest.”

Representative at the embassy of a labour sending country, Doha, 2013

At present migrant workers are not allowed to join or form trade unions. Proposals are reportedly being considered by the government to form a committee to “help [workers and employers] secure their rights stipulated in Qatar’s labour law”. However, it would appear that only Qatari nationals would be permitted to be part of the committee; migrant workers would have the right to vote, but not to stand for election to the committee. Such a committee would not meet international standards on freedom of association.

Amnesty International urges the Qatari government to address shortcomings in the Labour Law and in its implementation urgently in order to ensure that it fulfils Qatar’s international human rights obligations.
1 Clouds envelop a construction site surrounded by luxury residences and corporate skyscrapers in Doha, 2012.

2 Migrant workers at Al Attiyah Market in Doha’s industrial area on a Friday afternoon, October 2012. Migrant workers generally have one day off a week, normally on Friday.

3 Doha financial district, March 2013. Qatar was ranked the richest country in the world per capita by Forbes Magazine in 2012.

4 Migrant worker living quarters, Doha.

5 Migrant workers in Doha’s industrial area, October 2012. Most migrant workers in Qatar live in camps located far from the country’s main business and residential districts, and many face deeply entrenched negative attitudes in Qatari society.

6 Construction workers in Doha. More than half a million migrant workers are employed in Qatar’s booming construction industry.

7 Migrant worker outside his living quarters in a labour camp, October 2012. The employer was using the workers’ accommodation, in violation of Qatari regulations, to store old paint and building materials outside the kitchen and bedrooms.
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CONSTRUCTION WORKERS

Estimates vary, but it is believed that Qatar’s construction boom over the coming decade will amount to more than US$220 billion. According to the most recent census, there were 2,519 construction companies in Qatar in 2010. Between them these companies employed 503,518 foreign nationals: 500,674 men and 2,844 women.

For many of Qatar’s biggest projects, the ultimate owner or client is a Qatari institution that is part of, or closely linked to, the government. The *Middle East Economic Digest* has estimated that between 2012 and 2020, there will be US$117.5 billion-worth of capital expenditure by the Qatari government on projects, including to construct stadiums and essential infrastructure to stage the 2022 FIFA World Cup. The scale of the development is drawing in companies from around the world, alongside Qatari companies, in complex supply chains, to deliver projects against very tight deadlines.

Construction workers often face poor living conditions and hazardous working
environments. A senior medical officer at Doha’s main hospital stated in 2013 that more than 1,000 people were admitted each year with injuries sustained during falls on construction sites; around 10 per cent suffered permanent disability.

Although the Qatari authorities have set out standards for the accommodation that should be provided for migrant workers, the reality for most migrant workers falls well below this. Overcrowding is a widespread problem with workers regularly sleeping 10 or 15 to a small room. Missing or non-functioning air conditioning is also a major hazard in an environment where temperatures can reach 45°C. Overflowing sewage and uncovered septic tanks were common problems. Inadequately cleaned compounds, lack of rubbish collection and poorly maintained bathrooms and kitchens were issues in themselves, but also contributed to insect infestation.

In addition, delays in payment and the negative effects of the Sponsorship Law mean that many construction workers are forced to endure extremely exploitative conditions.

The majority, though not all, of the abuses reported to Amnesty International have been experienced by workers employed by small subcontracting firms employing between 50 and 200 workers. However, Amnesty International is concerned that some project owners and major contractors, including multinational construction companies, operating in Qatar are failing to take responsibility for what happens to workers who have been employed on their sites. It will be critical that international firms and Qatari organizations, like the Qatar 2022 organizing committee, properly oversee their sub-contractors and prevent abuses taking place on their projects.

Underlying the poor treatment of construction workers are sometimes barely suppressed attitudes about the men themselves. Amnesty International heard one manager of a subcontracting company refer to correspondence from Nepali employees as “the letter from the animals.”

Amnesty International November 2013
DOMESTIC WORKERS

“What one thing would I ask to be changed? Treat us like we are human.”
Domestic worker, speaking to Amnesty International a month after leaving her employer, Doha, October 2012

Some 130,000 people, around 80,000 of them women, were employed in the domestic sector, according to the 2010 census. The combined effect of the Sponsorship Law, the exclusion of domestic workers from the protections set out in the Labour Law, and the physical isolation of working in employers’ homes means that domestic workers are at particular risk. They also face even greater obstacles in getting access to justice or in escaping from abusive situations.

“This group, whose plight is hidden behind the guarded walls of their employers’ homes, is undoubtedly the category most susceptible to abuse and exploitation because over and above the debilitating effects of the sponsorship system and other reasons for revictimization, their vulnerability is exacerbated by the weak legal framework surrounding their working conditions.”
UN Special Rapporteur on trafficking in persons, especially in women and children, following her visit to Qatar, Bahrain and Oman in 2006

“We have found during investigations with housemaids and drivers who escaped from their sponsors, that maltreatment, domestic violence, over-work (in Ramadan) and no day-off in the week are some of the major woes that prompt household hands to escape”.
Director of Search and Follow-up at the Ministry of the Interior, 2011

Domestic workers are often recruited with promises, sometimes backed up by detailed contracts, of good salaries for working eight-hour days and six-day weeks looking after children. However, when they arrive in Qatar, the women can face a very different reality, working excessively long hours, seven days a week, cleaning, cooking and looking after many children for much lower wages. Many also report being subjected to degrading and dehumanizing treatment at the hands of their employers.

Gender-based violence, including sexual violence, is a particular problem facing women working in domestic settings and domestic workers are disproportionately affected by the criminalization of sexual relations outside marriage under the Penal Code. Indeed, some women who have reported rape to the authorities have even been investigated for “illicit relations”. One woman told Amnesty International how she had called the police immediately after she was raped by a man who broke into her employer’s house in February 2012. She was charged with “illicit relations” and spent nearly four months in prison. In July 2013, Amnesty International learned that the prosecution against the woman was going ahead; no proper investigation of her allegation of rape was known to have taken place.

Women recruited in the Philippines to work in Qatar as domestic workers regularly report that they are deceived about the salary they will be paid. A Doha resident working to assist distressed Filipino migrants told Amnesty International:

“The $400 contract is rarely followed. A substituted contract is given to them in Arabic, and various deductions are made to their salary, including ‘recruitment charges’ and ‘residence permit renewal fees’.”
Women also reported that their working hours and the nature of their work were very different from those they were promised. The psychological impact of such deception can be severe. Officials at Hamad Hospital’s Psychiatric Unit, which admits both construction and domestic workers, told Amnesty International that anxiety or depression caused by deception about work was the number one cause of admission to the unit. Every year, some 30 women domestic workers are admitted to the unit, more admissions than for any other occupation; the most common reasons for admission were attempted suicide.

Many domestic workers reported that they were subjected to humiliation and abusive treatment. While they are in Qatar, the employer can control almost every aspect of domestic workers’ lives. Many are not allowed to leave the house where they work. Several reported being locked in when their employers left the house.

“In most cases we don’t allow domestic workers to have mobile phones. When women arrive – whether they are Sri Lankans, Indonesians – we will take their mobiles. If you buy a mobile without permission and the sponsor finds you with a mobile then they think that they have a boyfriend.”

Representative of a Doha recruitment agency, March 2013

It can be very difficult for domestic workers to leave their employers by simply asking and as a result many leave without permission, which is considered “absconding” by the authorities.

“After I said I wanted to leave, [my employer] said to me, ‘I will kill you if you want to leave my house’. Then other times when I said I wanted to leave because Madam shouted at me or hit me, Madam would then say ‘If you want to leave my house I will make you work ten months without salary’.”

Domestic worker from the Philippines, 2013

When domestic workers flee abusive employers they are likely to face detention and deportation rather than support. The vast majority of women in Qatar’s deportation centre are former domestic workers. Many seek help from their embassies. A representative at one sending country’s embassy told Amnesty International that such workers “arrive in distress and usually ask for repatriation, although some ask for transfer to another employer.”

Government officials have previously stated, including as recently as 2010, that a specific law to clarify the “rights and duties” of domestic workers would be introduced. However, no substantive progress has been announced.

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MIGRANT WORKERS IN QATAR

Centre: Migrant workers in Indonesia heading for the Middle East, June 2011. Domestic workers are often deceived about the pay and conditions they will get. Detailed contracts are often swapped for new agreements or ignored once they arrive in Qatar.

Above: A migrant worker shows the injuries inflicted by her employer, 2013. She told Amnesty International that she had been repeatedly physically assaulted by her employer during the 17 months she worked for her.
CASE STUDY: MARIA

Maria (not her real name), a 24-year-old woman from the Philippines, travelled to Qatar in 2012 to work as a housemaid. She had signed a contract with a recruitment company in the Philippines entitling her to a salary of 1,450 riyals (US$400) per month. When Maria arrived in Qatar, she was told she would be paid only 800 riyals (US$220) per month. The family employing her also said that the money would be held back and she would be paid her salary in full at the end of her contract.

Maria’s passport was taken by an immigration official as soon as she arrived in Qatar. It was handed to the recruitment agency when they collected her at the airport. Her cell phone, ID and other documents were taken from her when she arrived at the employer’s house. Her clothes were also confiscated; she had to wear a uniform all the time. Maria was told not to communicate with any of the other housemaids and not to talk to anyone when she accompanied the employer outside the house. She was allowed to call her mother for about 20 minutes every two weeks.

Maria’s responsibilities included taking care of three young children, gardening and cleaning. She started work at 05:30 and worked continuously until midnight. She was given no days off and was not allowed to go to church.

After one of the domestic workers escaped, at the end of a year without being paid, the employer physically assaulted Maria and another woman.

“She was angry about the girl who left. She pushed my head into the toilet and pulled my hair. I cried. She said, ‘stand up, I’ll send you to the agency.’ The other girl also cried. Madam pushed her too. When the girl tried to leave the house, the manager pushed her. The girl said, ‘no, no’ and the manager pushed her again. I hid in the kitchen with the children. I was afraid.”

Maria worked at the house for almost four months without receiving any salary before deciding to leave. However, she was soon tracked down. Maria said the agency was angry that she had left and said that her employers had decided she could not go home to the Philippines.

“They said that the problem is that the [sponsor] refuses to give me an exit visa or pay. I said take my salary and buy the ticket, but they said ‘you didn’t finish your contract — you only worked four months’… They said ‘you can work for someone else, but you owe money’. I said I don’t want my salary, I just want to go home.”

When Amnesty International met Maria, her former employers were still holding all of her possessions and documents.

“My agency says that I should work for another employer, then they’ll give me my salary and passport… last week I went to the deportation centre, they said that without a passport, I can’t leave.”
Amnesty International urges Qatar to ratify ILO Convention No. 189 concerning decent work for domestic workers, to incorporate its provisions into domestic law and to implement it in law, policy and practice. It also calls on the authorities to amend the Labour Law so that it protects all workers, including domestic workers, and to introduce and implement legislation to criminalize domestic violence, including against domestic workers.

FORCED LABOUR AND HUMAN TRAFFICKING
Amnesty International has documented several cases of people in Qatar who had been deceived about the nature and terms of their work and who were working involuntary. Their employers used various methods to achieve this, including: withholding and non-payment of wages; retention of identity documents or other valuable personal possessions; deception or false promises about types and terms of work; restriction of freedom of movement; and physical confinement in the workplace.

Amnesty International has also documented various forms of threat used by employers against workers including: financial penalties, such as fines for not working or threats to not pay salaries owed; denunciation to the authorities and deportation; and physical violence.

ILO Convention No. 29, to which Qatar is a party, defines forced labour as having two essential elements: involuntary working and a credible threat of punishment. The Palermo Protocol (UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children), which Qatar has also ratified, lists deception over the type and terms of work as a key element of human trafficking and forced labour.

In some cases, the nature and severity of the abuses documented by Amnesty International amount to situations of forced labour or human trafficking as defined in international law.

CASE STUDY: GRACE
Grace (not her real name), a 20-year-old African woman arrived in Qatar in August 2012 to take up a post as a domestic worker with a European employer. She told Amnesty International that, before she left her home country, she spoke to the family employing her directly and was promised her 800 riyals (US$220) a month and days off. However, when she arrived her employer told her that she would only earn 730 riyals (US$200) a month and would have no days off. She was only allowed to leave the house twice between August 2012 and March 2013 to attend church.

When Amnesty International spoke to Grace in March 2013, she had only been paid for three of the seven months she had worked. She had repeatedly asked her employer if she could return home, but her employer had said she would not let her leave unless she paid over US$700 for the cost of her original outbound flight to Qatar, a sum she did not have because her salary had been withheld. The employer was also holding her identity cards and passport and had threatened Grace with physical violence.
Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.