

HUMAN RIGHTS WATCH

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: 212-290-4700
Fax: 212-736-1300



www.hrw.org

Appendix III: Letter to the Qatar Interior Ministry

MIDDLE EAST AND NORTH AFRICA
DIVISION

Eric Goldstein, Acting Executive Director
Michael Page, Deputy Director
Adam Coogler, Deputy Director
Ahmed Benchemsi, Advocacy and Communications
Director

July 15, 2020

HE Sheikh Khalid bin Khalifa bin Abdulaziz Al Thani
Prime Minister and Minister of Interior,
Ministry of Interior,
Doha, Qatar

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Via email: [REDACTED]

Re: Wage Abuses

Your Excellency,

I write to express our appreciation for your government’s engagement with Human Rights Watch and to inquire further about Qatar’s policies to prevent employers’ wage abuses against migrant workers.

Human Rights Watch has promoted workers’ rights around the world for more than 20 years, including across the Gulf countries. As you will know, Human Rights Watch issued a report in 2012 on the situation for workers’ rights in Qatar and has reported on workers’ rights in Qatar and neighboring countries since.

We welcome Qatar’s commitments under the agreement with the International Labor Organization (ILO) to, among other reforms, establish a minimum wage for migrant workers, a Workers’ Support and Insurance Fund to ensure workers are paid overdue wages, and to improve measures to prevent contract substitution.

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In 2019 and 2020, Human Rights Watch conducted research into wage abuses in Qatar. Human Rights Watch is committed to fair and accurate reporting and seeks to understand the perspectives of the Qatari government. We have attached a summary of our main findings based on our interviews, as well as questions we have concerning government policies and actions, particularly what measures Qatar has taken or is taking to prevent wage abuse.

We would be grateful for a written response to our questions in as complete a manner as possible by August 12, 2020. This will allow us to reflect your responses when launching our upcoming report in 2020.

Please reach out to my colleague Maham Javaid at [REDACTED] who will answer any questions you may have, and receive responses to the attached questions.

Thank you for your time and attention to this letter.

Sincerely,
Michael Page
Deputy Director
Middle East and North Africa Division
Human Rights Watch

Summary of HRW’s findings and questions relating to employer’s wage abuses against migrant workers in Qatar

Out of the 93 workers Human Rights Watch spoke, 59 workers reported unpaid wages or serious delays in receiving their wages. Twenty-nine workers said that their employers did not honor the wage amount stipulated in their contract, out of these 29 workers, 9 faced warehousing, 12 face arbitrary deductions by their employer, and 8 were underpaid without any explanation. Fifty-five workers cited the lack of overtime payments as a major issue they faced, an issue they said could be improved if all workers were provided with timesheets and pay slips. Not only were their overtime hours worked recorded inaccurately, but in the majority of cases, employers completely disregarded their overtime

hours—although they worked up to 18-hour days, their employers only compensated them for 8 hours of a regular day’s work. Seven workers told Human Rights Watch that their employers forcibly kept their bank-issued ATM cards, these employers also reported that this practice was companywide.

Thirteen workers also told Human Rights Watch about contract substitution—a common occurrence. This was especially concerning as workers reported paying recruitment fees on the promise of that they would earn a certain salary but which the employers never had any intention of paying, leaving such workers in debt. Twenty workers reported that employers avoided paying their gratuity, delaying these payments to the point where the worker agreed to return to their home country without their earned end-of-service benefits.

Our preliminary research finds that the power imbalance between employers and workers caused by the *kafala* system, coupled with the recruitment fees workers often have to pay make migrant workers vulnerable to wage abuse even as they arrive in Qatar. One of the major hurdles to workers’ timely wages is Qatar’s supply chain payment policies that leave workers without salaries until every contractor and subcontractor above them in the chain is first paid.

Although the Wage Protection System has been a positive step towards ensuring workers are paid accurately and on time, research shows that the system is ineffective – too many workers say they are enrolled in the system and yet suffer from months of delayed wages without any government intervention. Domestic workers are still not given the protection of the labor law and have even fewer options for legal recourse than other workers. ILO research has recommended many other measures Qatar can adopt to improve workers’ payments such as project bank accounts and subcontract payment monitoring systems.

Despite the creation of Qatar’s Labour Dispute Resolution Committees, there are a number of barriers for workers that prevent them from taking their wage-related cases to court. These include migrant workers’ lack of control over their own legal status in the country; fear of retaliation at the hands of their employers; the slow pace of the committees’ decision; and not having enough legal documentation to prove their account. In many cases of wage abuse, despite migrant workers receiving positive verdicts from the committees, workers are left homeless and penniless for months on end, with not even enough resources to feed themselves.

Lastly, we found that Covid-19 has exposed and amplified the ways in which migrant workers' rights to wages have been violated. Despite the government offering loans to employers to pay workers' wages, employers have used the pandemic as a pretext to delaying and reducing wages and repatriating workers without paying outstanding dues. Human Rights Watch spoke to 7 workers from different companies that said employers had reduced their wages due to the pandemic, meanwhile those that had been facing delayed and unpaid wages before the pandemic, continue to face that wage abuse during the pandemic.

For a report that Human Rights Watch plans to publish in 2020, we would be grateful for any response to the following requests that you could provide us by August 12, 2020:

1. What measures has the Ministry of Interior taken or is taking to educate migrant workers at Qatar Visa Centers about their rights to accurate and timely wages through the WPS, overtime, and gratuity payments detailed in their contracts, and the avenues of redress available to them?
2. What measures has the Ministry taken or is taking to ensure that workers coming into the country have not paid their recruitment fees themselves?
3. How is the Ministry ensuring that employers in Qatar are not substituting their employees' contracts after they arrive in Qatar, for lower pay, and/or a higher number of work hours?
4. Between January 2019 and May 2020 how many cases of forced labor did the Ministry investigate? Out of these cases how many employers or companies were penalized? Could the Ministry provide us with details about the penalties the employers were faced with in this time period?
5. Please explain how the Ministry monitors that employers apply for and renew workers residence permits in a timely fashion? Does the Ministry penalize employers for failing to apply for or renew residence permits? How many employers have been penalized for such between January 2019 and May 2020?
6. What measures is the Ministry considering to ensure that workers are not penalized for becoming undocumented through no fault of their own? Are there any ways in which a worker can appeal an absconding report for instance?
7. When the Ministry detains workers for having 'absconded' from their employers, is there consideration given to how the employers may have launched cases against employers as a form of retaliation to wage-related complaints or other labor abuse?

- If so, can you provide data on how many “absconding” cases have been dropped as a result of finding that this was a form of retaliation?
8. Between January 2019 and May 2020, how many cases of passport confiscation did the Ministry deal with? Out of these cases, how many employers were penalized? Could you provide us with a breakdown of these penalties?