

QATAR (2000-2019)

FREEDOM OF ASSOCIATION AND THE EFFECTIVE RECOGNITION OF THE RIGHT TO COLLECTIVE BARGAINING

REPORTING	Fulfilment of Government's reporting obligations	YES, but no change reports for the 2001, 2004, 2009-2011 Annual Reviews (ARs). No report for AR 2016.		
	Involvement of Employers' and Workers' organizations in the reporting process	and Industry (QC	the Government: Involvement of the Qatar Chamber of Commerce CI), the Qatar Petroleum Workers' Committee (QPWC) and the Workers of Qatar (GUWQ) through consultations and communication ports.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	2012 AR: Observations by the QCCI. 2007 AR: Observations by the QCCI.		
	organizations	2008 AR: Observation 2007 AR: Observation Free Trade Unions (10)	ons by the QPWC. Observations by the ICFTU. ns by the ICFTU. ns by the ICFTU. ns by the ICFTU.	
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND	Ratification	Ratification status	Qatar has ratified neither the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) (C.87), nor the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) (C.98).	
RIGHT	Recognition of	Ratification intention Constitution	YES, since 2002, for C.87 and C.98. 2019 AR: The Government indicates that there is cooperation with the ILO to overcome the difficulties. 2012, 2014 and 2015 ARs: According to the Government: There have been no developments in the ratification processes of C.87 and C.98. The QCCI supported ratification of C.87 and C.98, and considered that these instruments would secure the rights and liabilities of the social partners equally. 2012 AR: According to the Government: There have been no developments in the ratification processes of C.87 and C.98. The QCCI supported ratification of C.87 and C.98, and considered that these instruments would secure the rights and liabilities of the social partners equally. 2007 AR: The Government stated that it was looking forward to reaching the legal and practical level that would allow the ratification of both Conventions. Accordingly, it is cooperating with the ILO for the realization of the ILO Declaration. 2002 AR: Based on information in GB.282/LILS/7 and GB.282/8/2 (2001), the Government intended to ratify C.87 and C.98. NIL.	
		Policy-Legislation and/or Regulations	• Legislation: The Labour Code was adopted by Law No. 14 (2004), which entered into force on 6 January 2005. Chapters 12, 13 and 14 provide for the setting up of workers' organizations, the Confederation of Workers of Qatar and for the right to collective bargaining as well as the right for joint committees, joint agreements and the collective settlement of disputes. Law No. 12 (2004) on Associations and Private Institutions was also adopted. The new Labour Code, and in particular part XII, also grants	



		employing less ticalled trade unio provided also the taking care of the rights and their rework." 2003 AR: Accomplemented in Regulations: 2012 AR: Accomplement in pla This agreement in pla now need to compressed to continue to the results of the regulation in the	t to form certain associations in establishments not han hundred workers (section 116), which are not ns, but workers committees. Section 118 of the law nat "The Workers' Organizations shall assume the e interests of their members and protection of their representation in all matters related to the affairs of the cording to the Government: Legal reform is order to realize the principle and right (PR). There is one national collective nee, which has been approved by the Government, is now being implemented. Employers and workers mply with the provisions of this national collective ules on rights and obligations, notice period, etc.).
	Basic legal provisions	(ii) the Law N Institutions; and (Code: Law No. 14 (2004) (Chapters 12, 13 and 14); No. 12 (2004) on the Associations and Private (iii) the Law on Societies.
	Judicial decisions	NIL.	
Exercise principle right		For Workers	2012 AR: According to the QCCI: Freedom of association and the effective recognition of the right to collective bargaining are already exercised in the country, in accordance with the national legislation. 2005 AR: The legislation has changed since the adoption of the new Labour Code in January 2005. Prior government authorization is necessary to establish employers' organizations but not to conclude collective agreements. The PR can be exercised by all categories of employers. 2003-2004 ARs: Freedom of association (FOA) cannot be exercised at enterprise, sector/industry, national and international levels by all categories of employers. The right to collective bargaining at enterprise level can be exercised by all categories of employers. 2006 AR: Legislation has been elaborated to regulate the creation of unions at enterprise level in both the private and public sectors. Ministerial decrees have been issued providing for the preliminary terms and procedures for the setting up of workers' organizations. 2005 AR: Prior government authorization is necessary to establish workers' organizations but not to conclude collective agreements. Workers can exercise the PR at enterprise, sector/industry levels. The PR can be exercised by the following categories of persons: medical professionals, teachers, workers in export processing zones (EPZs) or enterprises/industries with EPZs status, migrant workers and workers of all age. 2003-2004 ARs: Prior government approval is necessary to exercise the PR. FOA cannot be exercised at enterprise, sector/industry, national and international levels by all categories of workers. The right to collective bargaining at enterprise level can be exercised by the following categories of persons: (i) medical professionals; (ii) teachers; workers in export processing zones (EPZs) or enterprises/industries with EPZs status; (iii) migrant workers; and (iv) workers of all ages. However, it cannot be exercised by all workers in the public service, agricultural workers, workers in the publi



			informal economy.
		Special attention to particular situations Information/	NIL.
		Data collection and dissemination	According to the Government: Lack of information and data.
	At international level	at the interna Qatar can joi	according to the Government: FOA can be exercised ational level. The Confederation of the Workers of n any international organization active in the sphere rganizations (article 123).
Monitoring,	2015 AR: According	to collective b	Rs: According to the Government: FOA and the right pargaining cannot be exercised at international level. ment: According to the organizational structure of the
enforcement and sanctions mechanisms	Ministry of Labour, a been created: Depart of labour inspection workers' rights.	adopted pursuant ment of employm. These departme	to Emiri Decree no. 29 (2014); three departments have nent; Department of government relations, Department of swill strengthen the protection and observance of nent: The new Labour Code (2004) contains detailed
		the PR and case	s of breach. Moreover, additional civil, administrative
the social partners	between the Ministrorganizations on all rand regional labour o 2007 AR: The Government of ind workers. 2002 AR: According	ry of Labour an matters concerning rganizations. ernment stated the ustrial relations at the Government state of the Governmen	nent: There is a continuous dialogue and cooperation d Social Affairs and the employers' and workers' glabour legislation and decisions taken by international nat progress had been made especially thanks to the and the increasing dialogue between employers and ment: The Labour Code allows for the setting up of employers' and workers' representatives, with a view to
Promotional activities	and Social Affairs l	had participated in	ndicated that two officials of the Ministry of Labour in May-June 2012 and 2013 in the ILO/TURIN Pre- Labour Standards where issues concerning the PR
	Affairs had particip	ated in May-June	that an official of the Ministry of Labour and Social 2011 in the ILO/TURIN Pre-Conference Course on issues concerning the PR had been discussed.
	been approved by t implemented. Empl outlined in the na	the government as oyers now need to tional collective ers and workers	ne national collective agreement in place, which has so well as by the ILO. This agreement is now being to comply with the rules, restrictions and obligations agreement. This agreement has a legal status and so terms which they need to comply with, e.g. notice
	conference held in 7	Γunis, in February	rnment: The Labour Department participated in a 2007, concerning trade union freedoms and rights in jointly held by the Arab Labour Organization and
		ion Council (GC	lso indicated that they have participated in the 5 th (C) Regional Seminar on the ILO Declaration and an.
	present the Declara the field of interna seminars and symp the Government pa workshop on the I cooperation betwee Ministers of Labor	ation and related ational relations a osia on the Declaraticipated in the I Declaration and it in the Internation and Social Affa	ment: (i) Various occasions and events are seized to Conventions well-known; and (ii) officials working in and labour standards have participated in courses, aration and International Labour Standards. In 2006, ILO/Gulf Cooperation Council (GCC) Fourth regional s follow-up which was held in the framework of al Labour Office and the Executive Bureau of the airs in. A female official in the Department of Labour ourse on Standards at ILO headquarters.



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		Council (GC	nd the QPWC referred to their participation in the ILO/Gulf Cooperation C) Fourth Regional Workshop on the ILO Declaration and International ards held in Kuwait City in April 2006.	
		2006 AR: According to the Government: A promotional manual for migrant workers in Qatar has been prepared.		
		2003-2005 AI	Rs: According to Government: Awareness-raising activities are envisaged.	
	Special initiatives- Progress	2012 AR: According to the QCCI: Social dialogue has recently started to be exercised in the country. The Government is becoming more transparent and involve the social partners in this process.		
		in the Labour expected that	cording to the Government: A labour relations service has been established. Department of the Ministry of Civil Service Affairs and Housing. It is this service will contribute to enhancing dialogue and cooperation with oyers, workers' committees and joint committees in enterprises.	
		improvement workers. The right. For the Organizations' committees a collective bar Labour Code shall embrace Associations specific prov functioning of	cording to the Government: Progress has been made especially thanks to the of industrial relations and the increasing dialogue between employers and new Labour Code is a qualitative move in relation to the principle and e first time it contains a specific chapter under the heading "Workers' concerning the provisions governing the establishment of workers' at enterprise, sectorial and national levels. Other chapters address gaining, collective agreements and collective disputes. Article 127 of this provides that the scope of collective bargaining and collective agreements any matters relating to work. Moreover, the Law on Societies and Private was promulgated in 2004. The second chapter of this law contains risions concerning the organization rules for the establishment and professional associations. Indeed, a number of such associations have been shed as those of journalists, engineers, lawyers and physicians.	
		2006 AR: According to the Qatar Petroleum Workers' Committee: The Workers' Committees are being progressively established.		
CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT	According to the social partners	Employers' organizations	2007 AR: According to the QCCI: Lack of social dialogue on the PR. The QCCI considered that tripartite discussions should be organized with a view to understand better how to respect, promote and realize the ILO Declaration in Qatar.	
		Workers' organizations	2009 AR: The ITUC reiterated the observations it made under the 2008 AR concerning Qatar, in particular as regards: (i) restrictions on the right to join union on government workers and non- Qatari nationals, but also concerning the minimum number of 100 members to form a workers' committee, and that the only trade union allowed is the General Union of Workers of Qatar (GUWQ); (ii) the right to collective bargaining is heavily curtailed by Government's control over the rules and procedures for bargaining; (iii) severe limitations and obstacles make it extremely difficult to go on strike within the law, and civil servants and domestic workers cannot strike; and (iv) repeated strikes have been organized in Qatar. 2008 AR: The ITUC raised the following additional challenges: (i) the law allows trade unions to carry out collective bargaining, but that right is heavily curtailed by the government's control over the rules and procedures for bargaining; (ii) the right to strike is still restricted; and (iii) most migrant workers are employed in the private and semi-private sectors, where they often fall victim to abuse from their employers. 2007 AR: According to the QPWC: Lack of social dialogue on the PR. The QPWC also supported the view that tripartite discussions should be organized with a view to a better understanding on how to respect, promote and realize the ILO Declaration in Qatar. 2006-2007 ARs: The ICFTU raised the following challenges: (i) the 2004 Labour Code allows for the formation of free trade unions but only for Qatari nationals (one quarter of the labour force) and is restricted; (ii) unions and the right to strike is recognised, but is very difficult to exercise within the new law (mostly because of the compulsory arbitration by the labour department prior to any strike action) or is restricted for categories of workers such as domestic workers and civil servants. 2000-2005 ARs: According to the ICFTU: (i) even though workers'	



According to the Government

2013 AR: The Government indicated that employment conditions would vary at enterprise level.

2009 AR: In response to the ITUC's observations, the Government indicated the following: (i) Restriction on the right to form or join unions: The standing Constitution of the State of Qatar establishes the essential foundations of the society, embodies the popular participation in decision-making and guarantees rights and freedoms. Under articles 44, 45 and 47, chapter III of the Constitution, concerning the General Rights and Duties, the right of assembly, freedom to establish societies, and freedom of expression, scientific research, press, printing and publishing are assured. The Constitution also establishes new rules regulating the relationship between workers and employers, based on social justice. The Constitution guarantees as well freedom of expression and association as two essential rights that give workers' organizations total freedom to work. The State of Qatar has taken many practical and executive steps in order to permit the establishment of workers' organizations. The New Labour Law issued by Law No. 14 of 2004, recognizes in Part XII the right of workers to establish with total freedom their associations in the enterprises where they work. It authorizes workers working in an enterprise to form a workers' committee, and authorizes the workers' committees in the enterprises engaged in one trade or industry or similar or interrelated trades or industries to form a general committee from amongst themselves to be named the General Committee for the Workers of the trade or industry. It also authorizes the general committees of the workers of the various trades and industries to form amongst themselves a general union to be named the General Union of the Workers of Qatar. To implement this right, the Minister of Civil Service Affairs and Housing issued Circular No. 10 of 2006, concerning the development of models of workers' organizations statutes in order to pave the way for workers to submit applications for the establishment of their organizations mentioned above. This Circular guarantees also the right of non-Qatari workers to adhere to the workers' committee. The Ministry provides the necessary support and guidance for workers to enable them to exercise the right to organize;

(ii) Restriction on the right to bargain collectively: The Labour Law gives employers and workers the right to establish joint committees which shall deal with the study and discussion of all matters related to the work in the enterprise. The workers' committee, if there is one in the enterprise, shall assume the nomination of the workers' representatives in the joint committee from amongst its members. If there is no workers' committee in the enterprise, the workers therein shall nominate their representatives in the joint committee through direct free election (section 125). The Labour Law gives employers and workers also the right to conduct collective negotiation and conclude joint agreements on all matters related to work (section 127);

Restrictions on the right to strike: The Labour Law provides also in article 120 for the workers' right to go on strike if amicable settlement of the dispute between them and the employer becomes impossible, provided that three-fourths of the members of the General Committee of the workers of the trade or industry agree to go on strike. This condition concerns the strike vote and does not contradict article 3 of the Convention No. 87. In addition, it does not consider the majority as a hindrance to the exercise of the right to strike; and (iv) Trade unions' rights in practice/repeated strikes: A body was established in the Labour Department, called "the Labour Inspection Body". This body inspects enterprises and private institutions on a regular basis and without prior notification in order to supervise the application of laws and decisions concerning labour and the protection of the workers' rights, including supervising the extent to which the companies respect the timeliness of the payment of wages in accordance with the law. The body detects all contraventions against any male or female worker and refers them to the competent authorities. The Labour Relations Section of the Labour Department also examines all the workers' claims submitted to it and tries to settle them amicably. If the amicable settlement proves impossible, the section refers the claim in question to the competent court to settle it through the ad hoc workers' services in that court. It is worth noting that the strike rate has decreased remarkably since the role of the Labour Inspection Body and the regular supervision of the housing and wages have been strengthened. The Labour Department has also a hotline to receive workers claims.

2007 AR: The Government acknowledged the lack of social dialogue on the PR and mentioned that tripartite discussions should be organized with a view to better understanding how to respect, promote and realize the ILO Declaration in Qatar.

In a late response to the ICFTU's observations, the Government indicated that the Labour Code provides for the workers' organizations' right to bargain collectively and conclude joint agreements on labour related matters. In the absence of an enterprise workers' committee, the workers shall select their representative to the Joint Committee through free and direct elections (section 125).

2005 AR: According to the Government: The new draft Labour Code has helped to overcome challenges in realizing the PR.



		2003 AR: According to the Government: The main difficulties encountered in Qatar in the realization of the PR are related to the social and economic circumstances and legal provisions. Moreover, the established laws in the country do not deal with the question of freedom of association. The vast majority of the labour force is precarious, being composed of immigrant employees with different nationalities and languages. 2004 AR: In response to the ICFTU's observations, the Government made the following comments: (i) The new Labour Code provides that joint committees may be formed in view of negotiating and concluding collective agreements; (ii) wages are determined by an agreement between the employer and the worker; (iii) section 120 of the new Labour Law allows workers to strike if amicable settlement of the dispute, by conciliation or arbitration, between them and the employer becomes impossible, in accordance with the provisions of the Labour Law.	
	Request	2014-2015 ARs: The Government indicated that ILO technical cooperation may be	
COOPERATION		required in the future, depending on technical cooperation needs yet to be identified.	
		2012 AR: According to the Government: There is no need for any other targeted technical cooperation as there is an ongoing collaboration between the Ministry of Labour and Social Affairs and ILO Regional Office for Arab States on labour and social issues.	
		The QCCI requested for ILO technical guidance on ratification process and the need to involve the social partners in this process.	
		2008 AR: The QPWC reiterated the same request mentioned in the 2007 AR.	
		2007 AR: According to the Government, the QCCI and the QPWC, ILO technical cooperation is needed to promote a better understanding of the ILO Declaration in Qatar.	
		2006 AR: According to the Government: Needs for technical cooperation to facilitate the realization of the PR in Qatar exist in the following areas, in order of priority: (1) strengthening data collection and capacity for statistical analysis; (2) in case of establishment of trade unions, there will be a need for awareness raising and training. Moreover, the Government would appreciate continued technical cooperation with the ILO in following up and implementing the Declaration on Fundamental Principles and Rights at Work, including the PR.	
		2006 AR: According to the Qatar Petroleum Workers' Committee: Once workers' committees are generalized in the country, the ILO technical cooperation would be needed on freedom of association and other fundamental principles and rights at work.	
		2003 AR: According to the Government: Needs for technical cooperation to facilitate the realization of the PR in Qatar exist in the following areas, in order of priority: (1) assessment in collaboration with the ILO of the difficulties identified and their implications for realizing the PR; (2) strengthening data collection and capacity for statistical analysis; and (3) legal reform (labour law and other relevant legislation). And, in case of establishment of trade unions, there will be a need for awareness raising and training. The Government would appreciate continued technical cooperation with the ILO in following up and realizing the Declaration on Fundamental Principles and Rights at Work, including the PR.	
	Offer	ILO, GCC.	
EXPERT-ADVISERS'	2008 AR : The I	LO Declaration Expert-Advisers (IDEAs) observed that the Annual Review had made it	
OBSERVATIONS- RECOMMENDATIONS	possible to highlight and follow up country situations that required greater attention, and that some countries such as the Gulf States (as well as China and new member States, in particular in the South Pacific), had ma important efforts during this process. However, according to them, more needed to be done. The IDEAs all encouraged Qatar to initiate the necessary labour law reform to remove the obstacles to ratification of C.87 a C.98. They acknowledged the high number of promotional activities concerning the PR in the Gulf States (as some other countries), and encouraged the Office to maintain its efforts to support these activities. Finally, t IDEAs noted that restrictions on the right to organize of certain categories of workers in Qatar (and some oth countries), such as migrant workers, domestic workers, agricultural workers and workers in the inform economy, were not compatible with the realization of this principle and right" (cf. paragraphs 12, 32 and 38 the 2008 Annual Review Introduction – ILO: GB.301/3).		
	2007 AR: The IDEAs listed Qatar among the countries that have been indicating their intention to ratify C.87 and C.98 for several years, with no indication that progress has been made. They also noted with interest that some progress had been achieved in the Gulf States regarding the right of workers and employers to organize freely and voluntarily, without being subjected to control by their governments (cf. paragraphs 33 and 36 of the 2007 Annual Review Introduction – ILO: GB.298/3). 2005 AR: The IDEAs listed Qatar among the countries where progress was being made under the Annual review in the promotion of freedom of association and the effective recognition of the right to collective bargaining. Furthermore, the ILO Declaration Expert-Advisers noted with interest the continuing efforts made by the countries of the Gulf Cooperation Council (cf. paragraphs 12 and 148 of the 2005 Annual Review Introduction – ILO: GB.292/4).		
	2004 AR: The ID	DEAs stated that they were encouraged by the continuing steps taken by countries of the Gulf	



Cooperation Council (GCC) in relation to this PR, but noted that there was a long way to go and much to do. They further indicated that the Gulf Cooperation Council States were providing more information on the PR, but not enough on the other three PRs. This would help to illustrate the link between all four PRs. The IDEAs also wished that the positive measures taken by countries in the Gulf Cooperation Council (GCC) be expanded upon (cf. paragraphs 29 and 84 of the 2004 Annual Review Introduction – ILO: GB.289/4).

2003 AR: The IDEAs commended Qatar for its continuing dialogue with the Office (paragraph 4 of the 2003 Annual Review Introduction). In light of requests Myanmar for ILO cooperation in assessing the difficulties and implications for realizing the principle and right, the IDEAs called upon the Governing Body to request that high-level contacts be made straight away between the Office and two or three countries not yet served by ILO technical projects in this field (cf. paragraph 74 of the 2003 Annual Review Introduction – ILO: GB.286/4).

2002 AR: The IDEAs recommended that, with a view to a more in-depth discussion of certain aspects of the Introduction, the Governing Body invite clarifications from Qatar in relation to the continuation of steps undertaken in the country, in cooperation with the Office, concerning the principle of freedom of association and effective recognition of the right to collective bargaining. Furthermore, they acknowledged the high-level dialogue and agreement on a plan of activities between the Office and the Government (cf. paragraphs 41 (b) and 82 of the 2002 Annual Review Introduction – ILO: GB.283/3/1).

2001 AR: The IDEAs hoped that the Government of Qatar would continue a dialogue with the Office regarding the ways in which the PR could be achieved They also recommended to the governing body that further information be requested from the Government of Qatar in relation to efforts made to promote the principle and right (cf. paragraphs 30 (b) (ii) and 37 of the 2001 Annual Review Introduction – ILO: GB.280/3/1).

GOVERNING BODY OBSERVATIONS/ RECOMMENDATIONS

2015 AR: At its March 2014 Session, the Governing Body invited the Director-General to: (a) take into account its guidance on key issues and priorities with regard to assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work; and (b) take account of this goal in the Office's resource mobilization initiatives.

2013 AR: At its November 2012 Session, the Governing Body requested the Director-General to take full account of the ILO Plan of Action on Fundamental Principles and Rights at Work (2012-2016) and allocate the necessary resources for its implementation. This plan of action is anchored in the universal nature of the fundamental principles and rights at work (FPRW), their inseparable, interrelated and mutually reinforcing qualities and the reaffirmation of their particular importance, both as human rights and enabling conditions. It reflects an integrated approach, which addresses both the linkages among the categories of FPRW and between them, and the other ILO strategic objectives in order to enhance their synergy, efficiency and impact. In this regard, freedom of association and the effective recognition of the right to collective bargaining are particularly emphasized as enabling rights for the achievement of all these strategic objectives.

2011 AR: At its March 2010 Session, the Governing Body decided that the recurrent item on the agenda of the 101st Session (2012) of the International Labour Conference should address the ILO strategic objective of promoting and realizing fundamental principles and rights.

2009 AR: During its March 2009 Session, the Governing Body included the review of the follow-up to the 1998 ILO Declaration on Fundamental Principles and Rights at Work on the agenda of the 99th Session (2010) of the International Labour Conference.

INTERNATIONAL LABOUR CONFERENCE RESOLUTION

2013 AR: In June 2012, following the recurrent item discussion on fundamental principles and rights at work, under the ILO declaration on Social Justice for a Fair Globalization, 2008 and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998, the International Labour Conference adopted the Resolution concerning the recurrent discussion on fundamental principles and rights at work. This resolution includes a framework for action for the effective and universal respect, promotion and realization of the FPRW for the period 2012-16. It calls for the Director- General to prepare a plan of action incorporating the priorities laid out in this framework for action for the consideration of the Governing Body at its 316th Session in November 2012.

2011 AR: Following a tripartite debate at the Committee on the 1998 Declaration, the 99th Session (2010) of the International Labour Conference adopted a Resolution on the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work on 15 June 2010. The text appended to this Resolution supersedes the Annex to the ILO Declaration on Fundamental Principles and Rights at Work, and is entitled "Annex to the 1998 Declaration (Revised)". In particular, the Resolution "[notes] the progress achieved by Members in respecting, promoting and realizing fundamental principles and rights at work and the need to support this progress by maintaining a follow-up procedure. For further information, see pages 3-5 of the following link: http://www.ilo.org/wcmsp5/ groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_143164.pdf.

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