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Emir of the State of Qatar  
Doha, Qatar

HTUR/JSV

2 May 2012

## Trade Union Rights in Qatar

Your Majesty,

It has come to our attention through the media that the Government of Qatar is proposing to take steps to respond to the concerns raised by the International Trade Union Confederation (ITUC) and Building and Wood Workers International (BWI) regarding workers' rights. That the government appears to be taking our concerns seriously is appreciated. The details of the government's proposed reforms remain unclear, however, and from the scant information available we have serious concerns over the failure of the national labour legislation, even with the proposed reforms, to comply with the international minimum labour standards set forth in the core conventions of the International Labour Organization (ILO).

As to trade union rights, the media state that legislation is now pending that would allow for the establishment of an independent Qatari-led labour committee (or 'union') that would be charged with receiving complaints and representing workers' interests.<sup>1</sup> In all reports, foreigners will have the right to vote but not be members of the board of this committee. The proposal sounds very much like the labour committee proposed late last year. In a letter to you dated December 16, 2011, the ITUC explained its serious concerns with that proposal. Foremost, the committee appears to be the creation of the government and not the result of a democratic, worker-led process (which would not be possible under current legislation). We suggested that rather than create a committee to speak for citizens and migrant workers, the approach consistent with international law would be for the government of Qatar to adopt and implement laws that allow all workers to form or join a union and freely elect leaders to speak on their behalf.

As to the reforms to the sponsorship (kafala) system, we again appreciate that the government of Qatar is responding to the criticisms of the international community. From

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<sup>1</sup> See, e.g., Habib Toumi, Qatar may allow trade unions, scrap 'sponsorship' for foreign workers, Gulfnews.com, May 1, 2012, online at <http://gulfnews.com/news/gulf/qatar/qatar-may-allow-trade-unions-scrap-sponsorships-for-foreign-workers-1.1016594>; Qatar to allow trade union, scrap 'sponsor' system, Al-ahram online, May 1, 2012, online at <http://english.ahram.org.eg/NewsContent/3/12/40588/Business/Economy/Qatar-to-allow-trade-union.-scrap-sponsor-system-.aspx>; James Dorsey, Qatar To Legalize Trade Unions As Saudi Arabia Pushes Closer Gulf Cooperation – Analysis, Eurasia Review, May 1, 2012, online at <http://www.eurasiareview.com/01052012-qatar-to-legalize-trade-unions-as-saudi-arabia-pushes-closer-gulf-cooperation-analysis/>.

the media, it appears that the government will eliminate the requirement on migrant workers to surrender passports and that individual contracts alone will now govern employment relations between employers and migrant workers rather than the existing system. Again, this information alone is insufficient to assess whether migrant workers will be adequately protected from potential exploitation by their employers. The media has provided no details, for example, on the matter of fees or on any regulations governing the terms of these individual contracts. We also remain concerned as to the consequences for migrant workers who may seek to terminate a contract upon suffering exploitative working conditions. It appears that the worker would have to return to the country of origin and reapply for work with a new employer, which could impose substantial costs on the worker.

We cannot underscore how important it is that the government gets this right, and does so quickly. Contracts for the 2022 World Cup are already being let and migrant workers are already being recruited from Asia to build the stadia and related infrastructure. Based on the information available to us now, the ITUC and BWI will have no choice but to proceed with our campaign to withdraw the 2022 World Cup from Qatar. As we have explained, this campaign can only be avoided if the Government of Qatar adopts legislation consistent with the ILO fundamental labour rights and effectively enforces them in practice. This does not appear to be the case, even with the adoption of the proposed reforms.

The ITUC and BWI suggest a meeting with Labour Minister Dr. Sultan bin Hassan al-Dhabit al-Dousari and other relevant officials as soon as possible in order to review and discuss in detail the proposed labour reforms and to identify areas in which we believe the government needs to do more. As we have stated previously, we are willing to work with you and provide whatever assistance necessary to ensure that all workers in Qatar enjoy the rights that are guaranteed to them under international law.

Sincerely,



Sharan Burrow  
General Secretary  
ITUC



Ambet Yuson  
General Secretary  
BWI