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Qatar - situation of migrant workers

Greens/EFA motion for resolution

Tabled by Barbara Lochbihler, Jean Lambert, Nicole Kiil-Nielsen, Raül Romeva i Rueda on behalf of the Greens/EFA Group

The European Parliament,

- having regard to its resolution of 24 March 2011 on European Union relations with the Gulf Cooperation Council

- having regard to the EU-GCC Joint Council and Ministerial Meeting in Manama, Bahrain on 30 June 2013

- having regard to the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 18 December 1990,

- having regard to Qatar ratifying the ILO Convention concerning Forced or Compulsory Labour (C029) on 12 March 1998,

- having regard to the Decisions of the Qatari Minister of Civil Service and Housing on Applying Labour Law No. 14/2004 on regulating the conditions and procedures for issuing licenses to Qatar nationals wanting to employ foreign workers of 22 August 2005, and Qatar's Sponsorship Law No. 4 of 2009,

- having regard the mission statement by UN Special Rapporteur on the human rights of migrants, François Crépeau on 10 November 2013

- having regard to the Policy Document on Migration of the International Trade Union Confederation General Council of 18 October 2011,

- having regard to Human Rights Watch's World Report 2013 on Qatar, Amnesty International's Annual Report 2013 on Qatar and the Norwegian Peace building Research Center's Policy Briefing on Qatar's human rights record of 1 October 2013,

- having regard to the Amnesty International Report "The Dark side of Migration - Spotlight on Qatar's Construction Sector ahead of the World Cup" of 19 November 2013

- having regard to the selection of Qatar to host the 2022 World Football cup in December 2010 which was fully supported by the European members according the public statements by FIFA President Sepp Blatter and UEFA President Michel Platini

- having regard to Rule 122 of its Rules of Procedure,

A. whereas in Qatar there are an estimated 1.35 million foreign nationals which make up some 94% of the workforce; whereas migrants are employed largely in construction, services and domestic works; whereas giving this number Qatar has the highest ratio of migrant workers to domestic population in the world; whereas at least 500.000 more migrant workers are expected in Qatar to accelerate the construction in preparation of the 2022 football World Cup in Qatar; whereas the majority of migrant workers come from India and Nepal, but also from Bangladesh, Pakistan, the Philippines and Sri Lanka;

B. whereas according to Nepali government representatives, 70 Nepalese workers died at their workplace since 2012; whereas several European newspapers reported higher numbers of deaths, including the deaths of 44 Nepalese workers from 4 June to 8 August 2013 of which more than half reportedly died of heart failure or workplace accidents; whereas remittances from migrant workers accounted according to the WB of 2011 for over 22% of GDP in Nepal and this dependence makes it difficult for workers to raise complaints;

C. Whereas the World Cup event throw a particular light at the treatment of migrants in Qatar, however similar conditions exist for migrants in most Gulf counties; whereas Nepali government figures for example speak of 7,200 Nepali migrant workers who have died in past decade in the Gulf countries and Malaysia;

D. whereas the International Labour Organization warns that Qatar is failing to fully implement the international convention banning the use of forced or compulsory labour which it has ratified in 1998;

E. whereas the visa sponsorship rules known as "kafala-system" mean that workers cannot change jobs without their employer's permission and cannot leave the country unless their employer signs an exit permit; whereas the "kafala-system" is often exploited as employers withhold the workers' passports and wages, as well as workers being charged fees as high as \$3,500 to obtain a visa from the "kafeel" or sponsor leaving the migrant workers with excessively high debts; whereas hundreds of unlicensed labour agents are operating in Qatar;

F. whereas there are reports of further violation of workers' rights in Qatar, including false promises on the

nature and type of work by recruiters and sponsors, employer obligations on wages and working conditions not being met, workers being forced to live in squalid overcrowded labour camps and denial of the right to form unions;

G. Whereas even European football players and coaches fall victim to these practices and a number of them are trapped in Qatar without any perspective when they might be allowed to leave;

H. whereas migrant workers are detained and deported for solely "running away" from often abusive employers; whereas administrative detention is often very long, in some cases as much as one year; whereas women with babies and children are held in detention centers in conditions which are in clear violation of the principles of the best interest of the child;

I. whereas the International Trade Union Federation lodged a complaint to the Ministry of Labour against six Qatari companies in March 2013; whereas the Labour Relations Department of the Ministry of Labour in Qatar received 6000 worker complaints in 2012, while the Indian Embassy in Qatar received 1500 complaints until May 2013;

J. whereas the International Labour Organisation has established a tripartite committee to review the evidence and make recommendations to the Government of Qatar on how to comply with its international commitments;

1. is very concerned about the number of deaths of migrant workers in Qatar and expresses its condolences to the families of the victims;

2. underlines that the situation of migrant workers in Qatar and other Gulf states have been characterized by human rights defenders as 'modern forms of slavery', including long working hours, hazardous working conditions, payment withheld for months, their passports confiscated, forced to live in overcrowded labour camps, denied the right to form unions, and without access to free drinking water in extreme heat;

3. insists that labour standards should apply to all migrant workers, including domestic workers and those carrying out infrastructure projects in preparation of the football World Cup 2022 in Qatar; calls on the Qatari authorities to effectively implement existing legislation, including by enforcing the prohibition of the confiscation of passports, prosecute violations and impose meaningful sanctions on companies and individuals who violate laws designed to protect migrants' rights;

4. Calls on the Qatari authorities to adopt legislation on domestic workers that include meaningful labour rights' protection and effective compliance mechanisms and to establish a minimum wage for all workers;

5. Calls on the Qatari authorities to abolish the sponsorship law ("kafala-system") and the Labour Law and replace it by a regulated open labour market; urges notably to repeal the need for a 'no objections certificate' (the employers permission to change jobs) and the 'exit permit' (to leave the country), Points out that the right of association and to self-organisation should be recognized for all workers, including

migrants;

6. condemns the detention of individuals for the sole purpose of having “run away” from their employer, and calls on the authorities to stop such practices; further urges that migrants who are being detained are allowed to contact their family, consular services and a lawyer, have access to an interpreter, and have the right to promptly challenge their detention.

7. Calls for the establishment of adequate and decent housing for migrant workers, with a special focus on shelters for women and children, suitable for their needs; welcomes the announcement made on 9 November 2013 of the construction of accommodation for 60.000 workers to be opened in December 2013.

8. Welcomes the proposal by relevant governmental authorities to conduct investigations into all allegations and the promise of the Qatari authorities to increase the number of labour inspectors who should monitor the enforcement of proper labour laws; expects that the labour inspectors receive training on human rights standards, and hope that they are supported in their work by interpreters

9. Welcomes the statement of the Lusail Real Estate Company not to tolerate breaches of labour or health and safety law and the promise to take appropriate actions as well as the announcement by the government of a blacklisting of companies that abuse migrant workers; Welcomes the decision of the Qatar's National Human Rights Committee to set up an office for the Nepalese community to receive complains

10. Calls on Qatar and all Gulf countries to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights

11. Calls on Qatar and all Gulf countries to ratify the ILO Conventions, including on migrant workers, freedom of association, right to organize and collective bargaining, domestic workers and private employment agencies and to consider seeking technical assistance from the International Labour Organization to ensure Qatari legislation and practice is in line with these Conventions

12. Welcomes the call of the international footballers' union, FIFPro, for independent workplace experts appointed by FIFA and the ILO to be given access to all sites and powers to make binding recommendations to ensure international labour standards are respected in Qatar

13. Appeals to the responsibility of European corporations building stadiums or other infrastructure projects in Qatar to ensure working conditions that are in line with international human rights standards and encourages EU Member States to take steps to ensure that their engineering, construction and consultancy firms conform to OECD Guidelines and the Ruggie Principles;

14. Urges the Governments of the sending countries to cooperate to find ways to promote and defend the rights of their nationals working in the recruitment process and abroad, including prohibiting companies from doing business with recruitment agencies and subcontractors that charge workers fees for travel,

visas, employment contracts, etc.

15. Calls on the EEAS to support the sending governments notably in Asia to deliver better treatment for the migrant labour force through funds under the external financial instruments;

16. Reminds FIFA that its responsibility goes beyond the development of football and the organisation of competitions; believes that the credibility of the whole football sector and the World Cup is at stake and urges FIFA to send a clear and strong message to Qatar to avoid that the football World Cup 2022 is realized with the assistance of modern slavery; recalls notably UEFA's active involvement in the election of Qatar for the 2022 Cup and its responsibility to achieve standards for the preparation of the games which are not in utter violation of the European Convention of Human Rights and International Conventions Council of Europe members are bound by;

17. Instructs its president to forward this resolution to the Council, the Commission, the Vice President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the government and parliaments of the Member States, the Government and Parliament of the State of Qatar, the governments and parliaments of the members of the Gulf Cooperation Council, the International Federation of Association Football (FIFA), the UEFA, International Labour Organisation (ILO) and the UN High Commissioner for human rights.

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