



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### List of issues in relation to the initial report of Qatar\*

#### I. General information

1. Please provide information on how the Constitution of the State party provides for the protection of economic, social and cultural rights on a non-discriminatory basis,<sup>1</sup> and clarify the status of the Covenant in the State party's legal order. Considering that sharia is regarded as the main source of the State party's legislation under article 1 of its Constitution, please explain how the courts and administrative authorities address any possible contradictions with the provisions of the Covenant in their interpretation and application of sharia.
2. Please provide information on steps taken by the State party to ensure that civil society organizations, in particular those working on economic, social and cultural rights, are able to operate freely and without undue restrictions.
3. Please describe the efforts undertaken to train judges, lawyers and prosecutors on the Covenant and on the justiciability of economic, social and cultural rights, considering the information provided by the State party that there have been no cases in which the Covenant has been invoked before its domestic courts.<sup>2</sup> Please explain the measures taken to provide access to judicial remedies for violations of economic, social and cultural rights, including the eligibility criteria for legal aid and disaggregated statistical data on its availability and accessibility, especially among disadvantaged and marginalized groups such as migrant workers.
4. In the light of the State party's policy of reviewing its reservations to and interpretive declarations regarding international human rights treaties,<sup>3</sup> please indicate any steps taken by the State party to withdraw its reservation to article 3 of the Covenant and its interpretive declaration regarding article 8, with a view to giving full effect to all provisions of the Covenant.
5. Please provide information on the procedures in place for conducting human rights impact assessments in the context of development assistance provided by the State party, and of its negotiation of trade and investment agreements. Please indicate the measures taken to meet the target of allocating 0.7 per cent of the State party's gross national income to official development assistance, and the expected timelines.
6. Considering that oil and natural gas exports account for over 50 per cent of the State party's gross domestic product, please provide information on the progress made in meeting its nationally determined contribution under the Paris Agreement, and on the contributions that it proposes to make to the Green Climate Fund.

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\* Adopted by the pre-sessional working group at its sixty-ninth session (18–22 October 2021).

<sup>1</sup> [HRI/CORE/QAT/2019](#), para. 55.

<sup>2</sup> [E/C.12/QAT/1](#), para. 68.

<sup>3</sup> [HRI/CORE/QAT/2019](#), para. 54.



7. Please provide information on the existing regulatory framework to ensure that public and private business entities under the State party's jurisdiction exercise human rights due diligence throughout their operations, including overseas operations, and are held accountable for violations of the rights under the Covenant. Please also provide data on cases brought by persons affected by such business operations and on the remedies available to them.

## **II. Issues relating to the general provisions of the Covenant (arts. 1–5)**

### **Maximum available resources (art. 2 (1))**

8. In order for the Committee to assess whether the State party is using the maximum available resources to realize the rights recognized in the Covenant, please provide information on the evolution over the past 10 years of:

(a) The proportion of persons living below the poverty line and the levels of inequality, defined as the ratio between the total income accruing to the richest decile of the population and the total income of the poorest 40 per cent of the population;

(b) The proportion of public revenue that is generated through taxes;

(c) Tax rates levied on corporate profits and on personal income, the value added tax rate (exclusive of the value added tax on luxury items, tobacco, alcohol, sugary drinks and snacks, and petrol and diesel) and the percentage of total revenue that is generated from personal income taxes collected from the richest 10 per cent of the population;

(d) Public expenditure as a percentage of gross domestic product and, within total public expenditure, the proportion of the public budget that is allocated to social spending (social security, food, water and sanitation, housing, health, education and culture);

(e) Inflation-adjusted absolute levels of social spending.

9. In the light of the adoption of the revised Act No. 20 of 2019 on combating money-laundering and the financing of terrorism, please provide information on the measures taken by the State party to combat money-laundering, bribery and other acts of corruption. Please also provide statistical data on the number of cases of corruption prosecuted in the past five years, the sanctions imposed on the perpetrators, and the assets resulting from corruption that have been recovered, taking into account the transnational dimensions of these crimes where relevant. Please indicate what legislative or other measures have been put in place to protect whistle-blowers and to ensure the protection of and remedies for victims of corruption.

### **Non-discrimination (art. 2 (2))**

10. Please provide information on the steps taken to enact comprehensive anti-discrimination legislation to prohibit direct, indirect and multiple forms of discrimination in the exercise of economic, social and cultural rights, on all prohibited grounds and in both the public and the private spheres. Please also provide information, including statistical data, on the progress made in tackling de facto discrimination against marginalized and disadvantaged persons and groups whose access to economic, social and cultural rights is hindered, paying particular attention to the situations of migrant workers and foreign nationals.

### **Equal rights of men and women (art. 3)**

11. Please provide information on the impact of measures taken by the State party to close the gender pay gap. In particular, please inform the Committee about the obstacles that prevent women from enjoying equal access to the labour market and occupying a greater number of senior positions in the public administration, the justice sector, science and private enterprise, in the light of the information provided by the State party in relation to women's employment rates.<sup>4</sup> Please also provide information on the measures taken to repeal

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<sup>4</sup> E/C.12/QAT/1, paras. 51–56.

discriminatory regulations and policies that require Qatari women to present a letter of consent from a male guardian to obtain employment, which hinders their equal enjoyment of economic, social and cultural rights, in particular the right to work.

### **III. Issues relating to the specific provisions of the Covenant (arts. 6–15)**

#### **Right to work (art. 6)**

12. Please provide information on measures taken by the State party to enforce the implementation of Acts No. 19 of 2020, No. 21 of 2015 and No. 13 of 2018, in order to effectively dismantle the *kafalah* system and ensure that migrant workers can effectively enjoy their right to gain their living by work that they freely choose. Please specify the measures taken against employers who do not provide or renew migrant workers' residence permits or who confiscate their passports in order not to allow them to change jobs, and provide examples of such cases and action taken thereafter. In particular, please describe measures taken to ensure that the perpetrators of such forced labour practices are held accountable and given sentences commensurate with the gravity of their acts.

#### **Right to just and favourable conditions of work (art. 7)**

13. Please provide information on the measures taken and envisaged by the State party to ensure the effective implementation of Act No. 17 of 2020 establishing a minimum wage for all workers in all sectors, including domestic workers. Please also provide information on how the State party plans to involve social partners in undertaking periodic reviews of the minimum wage in order to index it to the cost of living. Please provide information, including statistical data, on the extent of the problem of non-payment of the salaries of migrant workers, especially in the context of the coronavirus disease (COVID-19) pandemic.

14. Please describe efforts to prohibit workplace discrimination on the grounds of, among others, gender, nationality and disability in hiring, remuneration, promotion, demotion and dismissal.

15. Please provide information on the measures taken by the State party to strengthen its labour inspections mechanisms, including for occupational health and safety, in all sectors of the economy, paying particular attention to domestic work and the construction sector, especially with regard to infrastructure projects for the 2022 World Cup. Please provide statistical information on the occupational injuries and deaths that have occurred in the past 10 years, disaggregated by sex, age group, nationality, occupation, place of work and cause of injury or death. Please clarify the criteria for the classification of work-related and non-work-related occupational injuries and deaths, describing how working conditions have contributed to the underlying causes of migrant workers' deaths, including in cases where the cause of death has been recorded as "natural death".

16. Please explain the measures taken to ensure that workers, including migrant workers, have access to effective remedies, including through liability actions against their employers, and that they have accessible mechanisms that they can use to file complaints without intimidation by their employers, that their complaints about working conditions are duly investigated, and that, where appropriate, penalties are applied against employers. Please provide examples of such cases, including statistical data on investigations conducted, penalties imposed and remedies provided.

#### **Trade union rights (art. 8)**

17. Considering that approximately 95 per cent of the State party's workforce comprises migrant workers, please indicate the measures taken or envisaged to extend the enjoyment of trade union rights in the State party to migrant workers in order to ensure that they can freely form and join the trade union of their choice, and that they can participate in trade union activities, including strikes. Please describe how the State party ensures that the conditions

for conducting legal strikes under article 120 of the Labour Code do not disproportionately restrict the right to strike.<sup>5</sup>

**Right to social security (art. 9)**

18. Please provide information on the eligibility criteria for different types of social security benefits promulgated under the Social Security Act (No. 38 of 1995), including for those identified by the State party as “widows, divorced women, needy families, persons with disabilities, orphans, persons unable to work, older persons, the families of prisoners, abandoned wives and families of missing persons”.<sup>6</sup> Please provide additional statistical data on the coverage of social security schemes, disaggregated by sex, age group, disability, nationality and migration status. Please describe the effectiveness of the measures taken to ensure that the pension received is sufficient to provide the recipients with a decent living.

**Protection of the family and children (art. 10)**

19. Please provide information, including statistical data disaggregated by age group, sex, nationality and employment sector, on the prevalence of child labour in the State party, including in agriculture and domestic work. Please describe the steps taken by the State party to bring its legislative framework relating to marriage, divorce and custody into line with international norms and standards, bearing in mind the recommendations to that effect made to the State party by the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child.<sup>7</sup>

**Right to an adequate standard of living (art. 11)**

20. Please provide information on the measures taken by the State party to improve the living conditions of migrant workers, especially those living in so-called labour accommodation camps, to address overcrowding and insufficient access to adequate water and sanitation therein. Please provide information on the measures taken by the State party to alleviate the negative impact of the COVID-19 pandemic on the living conditions of migrant workers, in the light of reports that businesses that have ceased their operations as a result of the pandemic have put their workers on unpaid leave or terminated their contracts, leaving them without access to adequate food or accommodation.

21. Please provide information on the legal guarantees against forced evictions and the measures taken by the State party to implement them. Please also provide information, including disaggregated statistical data, about the impact on women’s access to housing of the State party’s legislative framework relating to marriage, divorce and inheritance.

**Right to physical and mental health (art. 12)**

22. Please provide information on the measures taken to address the barriers preventing access for migrant workers to health-care services, including cultural, linguistic and administrative barriers, in particular when employers do not issue migrant workers’ papers, which enable access to health-care services.

23. Please inform the Committee about the measures in place to contain the spread of COVID-19, the tools and methods used to monitor the prevalence of COVID-19, and the services rendered to patients and affected communities. Please indicate any measures taken to that effect that are specifically tailored for migrant workers, given the particular challenges that they face, including in so-called labour accommodation camps. Please describe the progress made by the State party in ensuring access to safe and affordable vaccination against COVID-19 for its population, providing statistical data disaggregated by age group, sex, disability, nationality and migration status.

24. Please provide information on the measures taken by the State party to provide its population with effective access to sexual and reproductive health information and services,

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<sup>5</sup> Ibid., para. 104.

<sup>6</sup> Ibid., para. 105.

<sup>7</sup> CEDAW/C/QAT/CO/2, para. 50, and CRC/C/QAT/CO/3-4, paras. 12 and 25–26.

and mandatory, age-appropriate education on sexual and reproductive health and rights. Please describe any plans to decriminalize abortion and provide information on the measures taken to ensure that sexual and reproductive health services and information are available and equally accessible to all persons throughout the country, bearing in mind the recommendations to that effect made to the State party by the Committee on the Elimination of Discrimination against Women.<sup>8</sup>

25. Please provide information on the measures taken by the State party to bring its mental health law and policies into line with international standards. Please also provide information on the measures taken to develop a wide range of community-based mental health services, and describe the safeguards put in place to ensure that the provision of mental health care and services is based on the free and informed consent of the individual concerned, bearing in mind the recommendations to that effect made to the State party by the Committee on the Rights of Persons with Disabilities.<sup>9</sup>

**Right to education (arts. 13–14)**

26. Please provide information on the measures taken by the State party to strengthen its public education sector and enhance the availability, accessibility and quality of primary and secondary education on a non-discriminatory basis. In particular, please indicate the measures taken to address the difficulties faced by non-Qatari children, children from low-income families and children with disabilities with regard to access to inclusive education. Please describe the measures taken to address the high concentration of women and girls in traditionally female-dominated fields of study and the low percentage of girls enrolled in science, technology, engineering and mathematics.

**Cultural rights (art. 15)**

27. Please provide information on the measures taken by the State party to promote and raise awareness of the cultural diversity of Qatari society, paying particular attention to the cultures of migrant workers. Please describe the measures taken or planned to promote the conservation, development and dissemination of science and culture, and to ensure access to the benefits of scientific progress and its applications, in particular for migrants, women, and persons with disabilities.

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<sup>8</sup> CEDAW/C/QAT/CO/2, para. 40.

<sup>9</sup> CRPD/C/QAT/CO/1, para. 46.