



Qatar's new sponsorship law fails to abolish *kafala* system

16 December 2016 – A new sponsorship law in Qatar fails to reform the *kafala* system and Americans for Democracy & Human Rights in Bahrain (ADHRB) finds that these failed reforms continue to leave migrant workers vulnerable to abuse.

On 13 December 2016, a new [law](#) governing the sponsorship of migrant workers in Qatar came into force. Under the *kafala* system in Qatar, which tethers a migrant worker to his/her employer, or sponsor, migrant workers are vulnerable to exploitative practices including the retention of identity documents and the withholding of wages, among others. Despite some positive steps, the law leaves fundamental aspects of the system intact.

“The new law is nothing more than an addition to series of unfulfilled legal reforms to abolish the sponsorship system,” said Husain Abdulla, Executive Director of ADHRB. “If the Qatari government is truly serious about protecting the rights of migrant workers, the authorities must stop sidestepping human rights and enact more comprehensive and enforceable legislation.”

Law No. 21 of 2015 Regulating the Entry, Exit, and Residence of Expatriates replaces the previous sponsorship law, Law No. 4 of 2009 for Regulating the Entry and Exit of Expatriates, their Residency and Sponsorship. Despite removing the word “sponsor” from the law and replacing it with “recruiter,” the new law fails to abolish the most exploitative aspects of the sponsorship system.

The law [maintains](#) that workers obtain permission from their sponsors to change and/or leave jobs in the form of a No-Objection Certificate. The law provides that migrant workers no longer need to seek their sponsor's permission to change jobs at the end of a fixed-term contract. However, those who wish to change jobs before the end of their contract must obtain employer permission alongside permission from “the competent authority,” and the Interior, and Labor and Social Affairs Ministries. Moreover, migrant workers employed on contracts without a fixed end date are required to obtain their employer's permission to change jobs until they have completed five years of work.

Additionally, workers are still [required](#) to secure an exit permit from their employers in order to leave the country. If an employer denies a worker's request for a visa, workers can lodge a complaint with the government. The employer then has 72 hours to submit evidence and a valid reason to the authorities for why a worker must remain in Qatar. If the employer cannot provide evidence within 72 hours, the authorities will grant an exit permit to the worker. These provisions, while allowing workers to lodge complaints, still requires workers to obtain employer permission in order to leave the country and heavily circumscribes a worker's freedom of movement.

Furthermore, the law [legalizes](#) the practice of withholding passports. Article 8 of the new law states that employers can legally hold workers' passports if the worker requests it in writing, and mandates that an employer return the passport upon the worker's request. Given the significant power that employers hold over workers, it will be difficult to determine whether or not a worker requests such a practice freely or after coercion from the employer.

ADHRB calls on the Government of Qatar to enact comprehensive and enforceable legislation that protects the rights of all migrant workers. Without serious commitment to reforming the *kafala* system, migrant workers remain vulnerable to exploitation.