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Final Independent Evaluation of the Technical Cooperation Programme in Qatar (2018 – 2021)

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Foreword by ILO Independent Evaluation Office

This independent evaluation was implemented in accordance with the [ILO Evaluation Policy](#), the [Policy guidelines for results-based evaluation, 4th edition \(2020\)](#) and the procedures governing individual technical (development) cooperation projects.

It is a standard project level evaluation as called for in the agreement and project document, focusing on the project as means of implementation of specific activities and action. It assesses project performance against the targets and indicators of achievement for the outcome and outputs provided in the logical framework and within the scope and time frame of the project.

As a standard DC project evaluation, it did not assess the broader context and the impact and changes beyond the scope of the project. This broader context is the joint commitment of both the Government of Qatar and the ILO to cooperate on ensuring compliance with ratified international labour Conventions and gradually achieving fundamental principles and rights at work in Qatar. Such broader changes and impact, including for ILO organisational learning, are normally addressed in high-level evaluations, submitted to the ILO Governing Body. The ILO's Evaluation Office is planning an upcoming high-level evaluation on the Fundamental principles and rights at work which may investigate the broader normative dimensions of this project. Project performance evaluations are also planned of the continued work of this project.

The ILO's independent evaluation office is confident that this evaluation will serve important accountability purposes for ILO support to constituents, planning for further work including the ongoing second phase, and organisational learning for constituents and the Organisation on similar important activities in other contexts.

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Supporting Documentation Available Separately, On Request

SD1: Evaluation Workplan

SD2: Detailed List of Interviewees per Organization

SD3: Detailed List of Documents Reviewed per Corresponding Programme Pillar

SD4: Interview Guide with Evaluation Questions per Type of Stakeholder



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The Final Independent Evaluation of the Technical Cooperation Programme in Qatar (2018 – 2021) was conducted between June and August 2021 by a team of two independent evaluators, Mr. Dwight Ordóñez (team leader) and Ms. Nahla Hassan, under the overall supervision of the independent ILO Evaluation Office (EVAL). The evaluation team members would like to express their gratitude to all those parties involved in the evaluation, and particularly to the ILO International Labour Standards Department (NORMES) in Geneva and the ILO Project Office in Qatar, which provided logistical support for this evaluation.



Acronyms

BWI	Building and Wood Workers' International
CEACR	Committee of Experts on the Application of Conventions and Recommendations
DW	Domestic Work
ETM	Evaluation Team Members
EVAL	Independent ILO Evaluation Office
FL	Forced Labour
FPRW	Fundamental Principles and Rights at Work
GB	(ILO) Governing Body
GCC	Gulf Cooperation Council
GOQ	Government of Qatar
GUF	Global Union Federations
HT	Human Trafficking
IDWF	International Domestic Workers' Federation
ILC	International Labour Conventions
ILS	International Labour Standards
ILO	International Labour Organization
IOE	International Organization of Employers
ITF	International Transport Workers' Federation
ITUC	International Trade Unions Confederation
JC	Joint Committee
KI	Key Informant
LI	Labour Inspection
LOP	Life of Programme
M&E	Monitoring and Evaluation



MADLSA	Ministry of Administrative Development, Labour and Social Affairs
NAP	National Action Plan
NCCHT	National Committee to Combat Human Trafficking
NOC	No-objection Certificate
OECD-DAC	Organization for Economic Co-operation and Development/ Development Assistance Committee
OSH	Occupational Safety and Health
QCCI	Qatari Chamber of Commerce and Industry
QF	Qatar Foundation
RBM	Results-based Management
SCDL	Supreme Committee for Delivery and Legacy
SME	Small and medium enterprises
SOQ	State of Qatar
TCP	Technical Cooperation Programme
UNEG	United Nations' Evaluation Group
UNI GLOBAL	Uni Global Union
WPS	Wage Protection System



Executive Summary

Background and Context

The Technical Cooperation Programme (TCP) is the outcome of negotiations between the International Labour Organization (ILO) and the government of the State of Qatar (SOQ) following a complaint, which was lodged in 2014 under Article 26 of the ILO Constitution. The complaint against the SOQ was lodged at the International Labour Conference for non-conformity with the Forced Labour Convention, 1930 (No. 29) and the Labour Inspection Convention, 1947 (No. 81). In November 2017, the ILO Governing Body decided to close the complaint based on the SOQ's adoption of a comprehensive technical cooperation programme co-designed in agreement by the ILO. The SOQ contributed USD \$ 25,000,000 to the 3-year project, funding all staff and activities, except the Chief Technical Advisor position. A no-cost extension until 30 June 2021 was agreed with the donor, and the funds remaining from Phase 1 have rolled over to fund Phase 2 for an additional period of two and a half years.

Project Description

The TCP's objective is to ensure compliance with ratified international labour conventions (ILC) and achieve fundamental principles and rights at work (FPRW) for all workers in Qatar. The TCP works along five main pillars/ expected outcomes, namely: Outcome 1 - Improved payment of wages; Outcome 2- Improved labour inspection and OSH systems; Outcome 3- Implement a contractual system to replace *kafala* and to improve employment conditions and labour recruitment procedures; Outcome 4- Increased prevention, protection, and prosecution against forced labour; Outcome 5- Promoting workers' voice.

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Evaluation Purpose

The purpose of the independent final evaluation (FE) is to provide an assessment, following OECD-DAC evaluation criterion as used by ILO and adjusted to ILO mandate, of the relevance, coherence, effectiveness, efficiency, progress towards impact and the sustainability of the project across its major outcomes. The FE assesses the project's performance as per its foreseen targets and indicators of achievement at outcome and output levels, the strategies and implementation modalities chosen, its partnership arrangements, and the constraints, and opportunities it faced. It also provides lessons to improve the design, performance, and sustainability of future similar initiatives.

Evaluation Methodology

The evaluation uses a mix of evaluation approaches, including qualitative methods (e.g., key informant interviews -KII- and focus group discussions –FGD), the analysis of quantitative data to ensure the triangulation of information and the validity and reliability of the findings, and a participatory approach involving programme key stakeholders (e.g., beneficiaries, ILO Tripartite Constituents, ILO staff and strategic partners). The TCP logical framework and indicators were used as a basis for addressing key questions. Evaluation methods and techniques collected primary and secondary data. Given the limitations derived from Covid-19 travel restrictions, all data collection work was performed in a remote way, using internet conference calls and phone calls to access evaluation participants.



Main Findings and Conclusions

Relevance and validity of Design

The design of the TCP took carefully in account the needs of beneficiaries and stakeholders. The expectations of Global Unions, the IOE, the ILO and the GOQ with regards to labour reform were duly addressed during project design. This helped ensure the commitment of the SOQ on a realistic set of objectives for a reform agenda. The TCP design addressed the issues raised in the 2014 complaint against Qatar before the ILC, thus allowing the Governing Body (GB) to close the complaint in 2017.

Although ambitious (for the quick pace in which reforms were expected to take place), TCP objectives and outcomes were eventually realistic. Achieving the programme's objectives became possible due to a degree of SOQ's commitment to labour reform and a degree of political will of its authorities to implement comprehensive, legal, and organizational reforms in a short period of time.

Coherence and Strategic Fit

The TCP was well aligned with the country's national priorities. This includes Qatar's Vision 2030 (1st Pillar: Human Development, "A capable and motivated workforce" and Third Pillar: Economic Development, "Suitable economic diversification"), as well as the Second National Development Strategy 2018-2022 ("An efficient and committed workforce sector"). The TCP strategies and approach were coherent with ILO global policies, thematic/sectoral strategies, plans and frameworks, and particularly with regards to ILO's Policy Outcomes in the Program & Budget 2018-19 such as outcomes #2 (ratification and application of ILS), #7 (promoting safe work and workplace compliance), #8 (protecting workers from unacceptable forms of work) and #9 (fair and effective international labour migration and mobility). Likewise, the TCP strategies and approach were coherent with regards to ILO's Policy outcomes in Program & Budget 2020-21 such as policy outcomes #1 (Strong tripartite constituents and influential and inclusive social dialogue; outputs 1.1, 1.3, 1.4), #2 (International labour standards and authoritative and effective supervision: outputs 2.2 and 2.3) and #7 (Adequate and effective protection at work for all; outputs 7.1, 7.2, 7.3, 7.4 and 7.5). The project remained coherent with the interventions and strategies of other actors working on labour rights in Qatar; contributions by the latter to the TCP were largely done within or linked to the TCP framework. As per the perceptions/answers from several respondents, the TCP framework became the main vehicle for action on labour issues by all relevant actors in the country.

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Project Results and Effectiveness

The TCP was effective in contributing to labour reforms in Qatar and in delivering its expected results. The project can be considered as successful, given the scope and depth of the changes occurred, the preceding situation of labour affairs in Qatar, the implementation challenges generated by the COVID-19 pandemic, and the short timeframe for implementation. The main TCP achievements can be summarized as follows:

Pillar/Outcome 1- Improvement in payment of wages: The TCP contributed to the adoption of legislation that established a non-discriminatory minimum wage and a Minimum Wage Commission. The programme made improvements to the Wage Protection System (WPS), and put forward recommendations for a Workers' Support and Insurance Fund.

Pillar/Outcome 2- Improved Labour Inspection and OSH Systems: The TCP facilitated the adoption of a Labour Inspection (LI) policy and an Occupational Safety and Health (OSH) policy which established improved national standards. The adoption of a national policy on OSH strengthened the relationship between the Ministry of Administrative Development, Labour and



Social Affairs (MADLSA) and the Ministry of Public Health. The TCP helped provide harmonized guidance and training for all labour inspectors and helped improve their labour inspection skills. Based on a TCP sponsored study, Qatar adopted a law on protection from heat stress and it started the implementation of a National Action Plan on Heat Stress in line with the Annual Strategy for Labour Inspection Services 2020. Although an initial gap analysis exercise on C155 was conducted and ratification was targeted in the TCP's project document, the State of Qatar did not ratify the Occupational Safety and Health Convention, 1981 (No. 155).

Pillar/Outcome 3- Implement a contractual system to replace *kafala* and to improve employment conditions and labour recruitment procedures: The project helped Qatar adopt legislation to dismantle the *kafala* sponsorship system, eliminating requirements for exit permits and no objection certificates (NOC) to change employers and introducing provisions on termination of employment. The TCP contributed to promoting and piloting fair recruitment models among private and public actors (e.g., QDVC, visa centres) and improving migrants' working conditions (accommodation and other). The project provided inputs to a study on procurement, and advocated for fair recruitment practices among the hospitality, security, and construction sectors as well as in public procurement. Regarding domestic work (DW), the TCP helped introduce a revised standard employment contract for domestic workers and raised awareness on domestic workers' rights. Awareness raising materials were prepared in several languages regarding the different changes in the law. The project supported IDWF and MADLSA's work on building a community of domestic workers.

Pillar/Outcome 4 - Increased prevention, protection, and prosecution against forced labour: The TCP strengthened the National Committee to Combat Human Trafficking's (NCCHT) capacity to address human trafficking and forced labour (FL). The TCP provided comments to NCCHT in its first national plan on Human Trafficking (HT), in which FL was included (although this plan still needs to be formally adopted and operationalized in annual plans). The programme contributed to the training of judicial, labour inspection and protection/ frontline staff on HT and FL. Although it conducted an analysis of Qatari legislation with regards to the ILO FL Protocol, the TCP fell short of its target of achieving the ratification by the State of Qatar of the 2014 Protocol to the Forced Labour Convention, 1930 (No. 29). The GOQ opened a shelter for male and female victims of HT and FL. However, due to COVID-19-related restrictions and other challenges, the operation of the shelter was delayed. A very limited number of Trafficking in Persons (TIP) cases were detected/ processed throughout the life of programme (LOP). Pillar 4 may be considered as the one showing more modest results among all pillars. Part of the issues in this pillar stems from the varied way in which each entity (MADLSA, Ministry of the Interior (MOI), the judiciary) interprets TIP. The programme had a limited engagement with the MOI and the judiciary.

Pillar/Outcome 5 – Workers provided with a voice: As of January 2021, the TCP strengthened the complaint mechanisms by providing direct assistance by ILO staff to more than 11,000 workers in submitting complaints through the MADLSA. MADLSA developed online platforms for lodging complaints, and the ILO provided feedback on the platform, and disseminated information on how to access it. The TCP contributed to the establishment of Workers' Dispute Settlement Committees (pending outputs: Resolutions on referral of collective disputes and management of strikes), and based on existing provisions in the labour code of 2004, the TCP piloted and supported the establishment of joint committees in several sectors/ labour subcontracting chains, covering more than 20 companies.

In terms of gender equality given that the programme operates mostly in the realm of public policy and does not address specific groups of communities or beneficiaries, the gender equality



aspect of the same is not very visible. However, while the design of the programme did not prioritize gender equality as a key driver, it ensured that reforms (e.g., dismantling the *kafala* system, establishing a minimum wage, etc.) apply to both men and women, and include both domestic workers and the private sector. When labour laws are enforced, the assumption is that they concern in the same way both men and women.

The success of the TCP is due to the competent work of its own team as attested to the evaluation team by all interviewed stakeholders. Additionally, the degree of political will of Qatari authorities and the input received from diverse sources enabled the achievement of results.

There are however, some internal and external factors that hindered the TCP's capacity to fully reach all its objectives. These include a limited span of time (3 years) to generate important legislative changes; the fact that some of the issues addressed by the reform (e.g., *kafala*, limited concern for workers' welfare, no minimum wage) were ingrained in the business practices; limited awareness/ buy-in from the business community regarding labour reforms, including private recruitment agencies; and limited awareness of migrant workers with regards to their recently acquired labour rights (e.g., elimination of NOC, etc.) and the mechanisms to address non-compliance from employers. COVID-19 affected the ability of the TCP to interact directly with stakeholders but also provided an opportunity to strengthen the added value of the ILO to the state of Qatar. Awareness raising campaigns were organized in different migrant workers' languages and most project activities were shifted to online platforms to ensure their continuity.

Efficiency of Resource Use

The SOQ's financial contribution was more than sufficient to meet the TCP's objectives. In fact, the funding provided by the SOQ exceeded the programme's needs, a fact which allowed for the continuing funding of a second phase of the TCP. The TCP was efficient in using the resources it received in order to deliver the desired/ planned results (for example, the programme held events in ADLSA and ILO offices, which reduced expenditures). Moreover, the COVID-19 pandemic limited travel (including of ILO staff from HQ, study tours and training programmes) and in-person meetings for over a year. The fact that the GOQ advanced all committed funds to the ILO early in the life of the TCP contributed to programme's administration. The wide scope of project activities led to some administrative bottlenecks that were eventually addressed by programme staff. The programme received relevant technical and administrative backup from different ILO departments.

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The fact that the project relied on a technical team with a relevant number of staff and diversified specific functions to work closely with the MADLSA, contributed greatly to the TCP's success.

While the existence of a performant M&E function served to build transparency and commitment as well as to nourish reporting to the Governing Body, the programme would have benefitted from a more compact M&E framework, with a limited number of over encompassing/ outcome indicators, that may capture more than one aspect of implementation, and a limited number of output indicators that would help specify the broader outcomes. A more limited number of indicators, and mainly outcome indicators, would have been beneficial and improved the quality and usefulness of the M&E framework.

Progress towards Impact and Sustainability

The TCP was successful in establishing the legal foundations and kicking off the mechanisms for improving the protection of labour rights in Qatar. Some of the programme's ultimate



beneficiaries (most of the migrant workforce in the SOQ) are now in a position to benefit from legal reform, such as freedom of movement and to change jobs¹, and better OSH and work conditions. However, changes have occurred very recently and need to be expanded. Exit permits were removed in 2018 and 2019. While the most problematic elements of the *kafala* system were legally eliminated by September 2020 (as per Law 13), some of the obstacles posed by some employers on workers' mobility (e.g., false allegations of abscondment, cancelling of residence permits, etc.) are being addressed by authorities and need to be further enforced. Other changes in law -e.g., Laws 18 and 19 (2020) and Ministerial Decisions 95 (2019) and 51 (2020)- are more recent and need to be further implemented. While it is still too early to evaluate the lasting impact of the TCP, its achievements to date seem to have moved things forward in a promising way.

The TCP contributed to enhancing the capacity of people and institutions at all levels. It worked with MADLSA, the Ministry of Interior, the Ministry of Public Health, the Ministry of Foreign Affairs and several private and public enterprises to provide training and pilot implementation models. It invested steadily in different types of training addressed to diverse public (such as judicial, labour inspection, protection/ frontline and police staff, public prosecutors, and members of the NCCHT), favoured the exchange of experiences with other countries, and fostered social dialogue. Having built and strengthened the SOQ's capacities to implement labour law and protect workers' rights, all areas of project work should become sustainable by themselves as far as the SOQ maintains its political will and commitment to continue enforcing the reforms, promoting compliance with ILS and to further enhancing the quality of Qatar's labour environment.

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While the TCP does not have an exit strategy and some interviewees expressed their concerns that the changes implemented with TCP support may receive a backlash from conservative sectors or business interests after 2023, most interviewees remained optimistic and hopeful that the changes will remain in place. Several interviewees insisted that for the latter to occur, legal reforms needed to be consolidated by implementing law provisions, increasing awareness among Qataris and the migrant population about labour rights, fostering employers' compliance with law, and establishing unequivocal enforcement mechanisms to promote rule of law, particularly with regards to wages protection, labour mobility, fair recruitment, and domestic workers' rights. The fact that the reforms supported by the programme are in line with Qatar's

¹ The progress report on the technical cooperation programme between the government of Qatar and the ILO (December 2021) provide support for this statement:

Between October 2020 and October 2021, over 242,870 workers changed jobs. In comparison, 8,653 workers changed employers in 2018, and 17,843 workers changed employers between September 2019 and August 2020. A further breakdown of the number of workers who changed jobs during this period shows the following:

- Out of a total of 344,774 requests to change jobs, 242,870 were approved, 99,814 were rejected and 2,090 were still being processed. MADLSA indicated that the main reasons for the rejection of applications to change jobs included errors in the submission or incomplete documentation
- Approximately 12 per cent of those who changed jobs were women, similar to the overall proportion of women in the workforce. Out of the total number of workers who changed jobs, 3,674 were domestic workers (male and female).
- Construction was the sector in which there was the most movement. Because workers' actual occupation may be different from what is included in the administrative records, there are limitations in the conclusions that can be drawn on labour mobility across occupations and sectors. "

https://www.ilo.org/beirut/countries/qatar/WCMS_832122/lang--en/index.htm



Vision 2030 objectives of building “a capable and motivated workforce” and developing “suitable economic diversification” should promote the upscaling and replication of project results. This link with the national agenda needs to be communicated more effectively to the business community, to the Shura Council, through the local media, and in other quarters.

Conclusions

Relevance

The TCP was relevant to the context and the needs and priorities of the target beneficiaries. The project was designed in a participatory manner. The project design was well targeted towards addressing the issues raised in the article 26 complaint against SOQ. This included a focus on issues pertaining to forced labor such as the *kafala* system as well as a focus on strengthening labor inspection systems including the development of adequate OSH systems.

Effectiveness

Except for outcome 4 (forced labour), where delays in implementation were observed, most outputs corresponding to outcomes 1 (payment of wages), 2 (labour inspection and OSH systems), 3 (improvement of employment conditions and labour recruitment procedures - dismantling of *kafala*), and 5 (promoting workers’ voice) were achieved. The importance of gender equality is not explicitly addressed in the TCP and may need to be further emphasized during phase II of the TCP. Given that the programme operates mostly in the realm of public policy and does not address specific groups of communities or beneficiaries, the gender aspect of the same is not very visible. However, as highlighted in the report, women benefitted indirectly from the project, particularly from the legislative reforms and the inclusion of domestic work within the scope of the project.

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The TCP achieved tremendous progress in legal reform and in the engagement of different stakeholders within Qatar. In terms of concrete results, the project achieved most of its intended outputs. The dismantling of the *kafala* system is celebrated by all stakeholders interviewed at national, regional, and international levels. Enforcing the recent reforms is a considerable challenge in various sectors including the situation of domestic workers, this sector being considered as a “private realm” where MADLSA has a limited capacity to inspect and monitor.

Other gaps include the fact that the State of Qatar did not ratify ILO conventions 155 and 187 on OSH as well as the 2014 Protocol (C29) on Forced Labour. Pillar/Outcome 4 on forced labor is perhaps the one with the least progress as reported by different stakeholders, including informants from MADLSA.

Efficiency

The TCP was efficient in delivering the desired/ planned results in a short span of time. The existence of a clear M&E framework, as agreed between the ILO and the SOQ, served to build transparency and commitment as well as to keep the Governing Body informed of progress in the implementation of the TCP.

The TCP was a highly visible project and received the highest levels of support from different relevant departments within the ILO HQ. However, it is important to point out that it appears some branches or bureaux representing key stakeholders were neither consulted nor engaged



in the design and implementation of the TCP (e.g., ACTRAV, ACTEMP).

The TCP's M&E framework ended having 72 indicators, an excessive number for adequately informing action and decision making on an ongoing basis. However, its final report/ tables serve to provide a good “end line picture” of the TCP's achievements.

Sustainability and Orientation Towards Impact

While it might be too early to assess the impact of the TCP, statements by different stakeholders interviewed during the evaluation process suggest that tremendous and highly applauded progress has been made to promote international labour standards in Qatar. Workers interviewed used statements such as “we feel heard”; “domestic workers in Qatar now feel and see a different Qatar”; “the project helped increase collaboration amongst different departments and ministries in Qatar”. These statements made by workers, global unions and government informants attest to the progress made in labour conditions in Qatar. Although most stakeholders continue to be concerned with the systematic and consistent implementation of the reforms, the renewed political will expressed by the state of Qatar through the extension of the project into a second phase, is likely to ensure their continuation. The follow-up project (TCP 2), started by mid-2021, is a positive indication that the SOQ continues to prioritize the TCP labour reform agenda and to be committed to implementing improvements in labour relations and working conditions in the country.

Lessons Learned

- ILO's supervisory function is an effective and relevant driver for legislative reform
- The role of the ILO Social Partners is of capital importance in leveraging the supervisory system of the ILO for legislative reform
- Social dialogue, based on trust, direct communication and tripartite consultations, together with governmental commitment and political will, are key for creating an enabling environment that makes labour reform viable
- A gradual and systematic approach, based on a clear roadmap towards implementing labour law reforms, may be an effective way to promote Member States compliance with ILS

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Good Practices

- The TCP general implementation approach: Working step by step, on multiple parallel fronts, towards the implementation of ILS in those aspects in which it is realistically feasible to obtain change
- Taking the backseat: TCPs efforts to promote programme ownership by broadening the scope of stakeholders engaged in its implementation (GOQ, GUF, IOE, other stakeholders), while the ILO did not take open and direct credit for programme's successes
- TCP's communication strategy, which delivered diverse awareness-raising materials in multiple languages, addressed to the migrant workers' community. Likewise, MADLSA use of interpreters to support LI work



Recommendations

General Recommendations

Recommendation 1: Implement periodic media campaigns to promote a culture of respect for labour law and foster the sustainability of TCP results (*ILO Doha Project Office and MADLSA; priority: High; timing: Short-term; resources: Within current TCP resources plus additional funding from GOQ*)

Recommendation 2: Give gender equality a more visible role as complementary driver of labour reform (*ILO Doha Project Office, ROAS and MADLSA; priority: High; timing: Short-term; resources: Within current TCP resources*)

Recommendation 3: Document and disseminate the results of the TCP Phase I among other GCC countries. (*ILO Regional Office for the Arab States - ROAS; ILO Doha Project Office and MADLSA; priority: Medium; timing: Medium-term, resources: Within current TCP resources*)

Recommendation 4: Systematize the main features of the joint normative and technical cooperation model implemented through the TCP in view of its replication in other appropriate cases. (*ILO HQ -NORMES, LABADMIN/OSH, & FUNDAMENTALS-, with input from Doha Project Office and ILO ROAS; priority: Medium; timing: Medium Term; resources: ILO P&B*)

Specific Recommendations

Recommendation 5: Review the possible inclusion of food and accommodation costs within a more comprehensive calculation of the minimum wage. (*ILO Doha Project Office and MADLSA; priority: Medium; timing: Medium-term; resources: Within current TCP resources*)

Recommendation 6: Integrate fair recruitment practices and labour rights to all public procurement processes. (*ILO Doha Project Office and MADLSA; priority: High; timing: short-term; resources: Within current TCP resources*)

Recommendation 7: Promote legislative reform to make Joint Committees become mandatory for all workplaces with/above a certain number/threshold of workers. (*ILO Doha Project Office and MADLSA; priority: High; timing: Short-term; resources: Within current TCP resources*)

Recommendation 8: Promote the ratification by the SOQ of ILO Occupational Safety and Health Convention, 1981 (No. 155), the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) and the Domestic Workers Convention, 2011 (No. 189), as well the 2014 Protocol to the Forced Labour Convention, 1930 (No. 29) (*ILO Doha Project Office, MADLSA; priority: High; timing: Medium term; resources: within current TCP resources*)

Recommendation 9: Identify activities and stakeholders that contribute to the sustainability of programme results and take practical steps to implement them as part of a second phase of the project. (*ILO Doha Project Office and MADLSA; priority: High; timing: Short-term; resources: Within current TCP resources plus additional funding from GOQ*)

1. Background and Programme Description

In June 2014 a complaint following procedures set out in Article 26 of the ILO Constitution was lodged at the International Labour Conference against the Government of the State of Qatar (SOQ) for non-conformity with the Forced Labour Convention, 1930 (No. 29) and the Labour Inspection Convention, 1947 (No. 81). Following discussions, the ILO Governing Body sent a high-level tripartite mission to assess the situation regarding labour rights in Qatar.

At its 331st session in October-November 2017, the International Labour Organization (ILO) Governing Body decided to close the complaint based on the adoption of a comprehensive technical cooperation programme (TCP) between the ILO and Qatar, endorsed by the Governing Body (GB), and annual reporting to the Governing Body on the implementation of the programme. The TCP's objective was to ensure compliance with ratified international labour conventions (ILC) and achieve fundamental principles and rights at work (FPRW) in a gradual manner for all workers in Qatar.

ILO's project in support of a comprehensive programme to improve working conditions and labour rights in Qatar was launched in February 2018. It reflected the ILO's and SOQ's commitment to address the issues highlighted in the 2014 complaint. The ILO inaugurated its first project office in Doha in April 2018.

The SOQ contributed USD \$ 25,000,000 to the 3-year project, funding all staff and activities, except the Senior Technical Advisor position. A no-cost extension until 30 June 2021 was agreed with the donor. In line with the decision of the ILO Governing Body when endorsing the Technical Cooperation Project, 3 annual progress reports were submitted to the Governing Body in November 2018, 2019, and 2020.²

Following a results-based management (RBM) approach, the TCP's logical framework identified several priority areas of intervention and established various strategic **outcomes and outputs** linked to specific key stakeholders.

Table 1: Qatar Technical Cooperation Programme Outcomes and Outputs

Outcomes	Outputs
Outcome 1 Improved payment of wages	Output 1.1 Enhanced Wage protection system (WPS)
	Output 1.2 Expand the coverage of the WPS to small and medium enterprises (SME) & subcontractors
	Output 1.3 Expand the coverage of the WPS or a similar monitoring mechanism to domestic workers
	Output 1.4 Adopt Minimum wage
	Output 2.1 Labour inspection policy implemented with a clear strategy

² Cf. GB.334/INS/8, GB.337/INS/5, GB.340/INS/11

Outcome 2 Improved labour inspection and OSH systems	Output 2.2 Improved communication with migrant workers
	Output 2.3 Occupational Safety and Health (OSH) policy implemented with a clear strategy
	Output 2.4 Develop and implement a National Action Plan (NAP) on the management of heat related risks
Outcome 3 Implement a contractual system to replace <i>kafala</i> and to improve employment conditions and labour recruitment procedures	Output 2.5 Awareness raising campaign carried-out on OSH amongst workers
	Output 3.1 Assessment of implementation challenges of Law No. 21 and other relevant laws regulating recruitment, including the need for further revision in line with ILO’s Committee of Experts’ comments
	Output 3.2 Training on the law and its subsequent revision delivered to the relevant stakeholders
	Output 3.3 Domestic workers law implemented
Outcome 4 Increased prevention, protection, and prosecution against forced labour	Output 3.4 Improved recruitment
	Output 4.1 Develop effective policies on Human Trafficking (HT), based on a clear definition and forced labour (FL) indicators
	Output 4.2 Develop and implement a NAP on FL, which includes measures to address passport confiscation, contract substitution, and impediments to accessing justice for victims, as well as legal reforms if necessary
	Output 4.3 Assist in the development of the National Strategy on HT
	Output 4.4 In collaboration with the Qatar National Committee to Combat HT (NCCHT), support coordination with relevant international bodies on FL and HT
	Output 4.5 Develop training plans to build the capacity of national enforcement authorities and other relevant stakeholders (police, public prosecutors, judges, labour inspectors, members of the NCCHT)
	Output 4.6 Technical assistance provided on the ratification of the 2014 Protocol to the FL convention, 1930 (No. 29)
	Output 4.7 Awareness-raising activities on FL, HT and the ILO general principles and operational guidelines for fair recruitment in collaboration with Qatar Chamber of Commerce
Outcome 5 Promoting workers’ voice	Output 5.1 National Worker’s Complaint Mechanism improved
	Output 5.2 Establish ILO support to workers in submitting complaints through the national mechanism, including follow-up with a view to ensuring speedy and fair treatment and absence of retaliation
	Output 5.3 Carry out awareness-raising among expatriate workers on their rights and obligations, especially with regards to the submission of complaints the documents required and various other procedural matters
	Output 5.4 Establish Representative Joint Committees
	Output 5.5 Improved implementation of the legislation and functioning of workers’ committees
	Output 5.6 Carry out a national campaign of awareness raising on rights at work and capacity building for all workers, employers, and relevant government officials in Qatar



To achieve the above outputs, the project implemented a wide variety of **activities** covering the following areas:

- Knowledge generation (studies, legal analysis, organizational and performance assessments, institutional mappings)
- Technical assistance on planning and implementation (national action plans, national strategies, registration systems, support to shelters for victims of HT)
- Support to legal reform (policy development, recommendations on draft regulations)
- Capacity building and support to institutional development (coordination with national committees and specialized bodies, online and presential training for Labour Inspection, OSH and staff of other institutions, visits to and exchanges with programmes in other countries, etc.)
- Social dialogue and workers' rights protection mechanisms (representative joint committees and platforms at the client and national levels, workers' complaint mechanisms); and
- Awareness raising (communication plans, sensitization campaigns).

2. Evaluation Purpose, Scope and Users

The purpose of the final evaluation is to

- Provide an assessment, following OECD-DAC evaluation criterion, of the relevance, coherence, effectiveness, efficiency, and the sustainability of the project across its major outcomes
- Assess the project's performance as per its foreseen targets and indicators of achievement at output and outcome levels, strategies and implementation modalities chosen, partnership arrangements, constraints, and opportunities
- Provide lessons to improve design, performance and sustainability of future project and initiatives of similar nature

The evaluation seeks to determine how well the outcomes planned in the TCP were achieved, how they were achieved and under what conditions. The evaluation covers the project's various components, its implementation as per the project consolidated workplan and its modifications, and the sustainability of its results. The evaluation will contribute to organizational learning by identifying how the use of technical cooperation modalities at a large scale can support standards implementation based on the guidance of ILO supervisory bodies in a specific country and how project actions can best contribute to national efforts to improve compliance.

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The evaluation team gleaned information from a diverse range of Project stakeholders and institutions who participated in and were intended to benefit from TCP-related interventions in Qatar. The evaluation analyses the participation and contributions of different stakeholders to programme implementation, monitoring and coordination, including the main partner –the Ministry of Administrative Development, Labour and Social Affairs (MADLSA)- and other relevant partners -e.g., the Ministries of Public Health, Foreign Affairs, and Interior, the Supreme Committee for Delivery and Legacy (SCDL), Qatar Foundation (QF), Qatari Chamber of Commerce and Industry (QCCI)-, international and local social partners, civil society organizations, delegations of foreign governments, and ILO staff in Doha, in Geneva and in the Regional Office for Arab States, in terms of program implementation, monitoring and coordination.

The evaluation assesses the coherence of the strategies and approach adopted by the TCP with regards to ILO global policies, thematic/sectoral strategies, action plans and other relevant frameworks, and particularly with regards to the Programme & Budget 2018-19 and 2020-21. as well as the GB decisions.³

The evaluation assesses the effectiveness of management arrangements and knowledge management as the extent to which lessons learnt during the project were documented,

³ GB.331/INS/13



validated, shared with participants, and used for changing methodologies and approaches.

The evaluation also assesses the broader organisational learning that can be gleaned from the project beyond Qatar in terms of demonstrating the role of the ILO supervisory mechanism⁴ in leveraging ILO technical assistance in order to bring legislation and national practices into conformity with ratified conventions, and what role engagement with social partners and multiple partnerships with governments can play in advancing project and organizational goals. The lessons learned, emerging good practices, and recommendations identified by the evaluation may be used by the ILO and ILO constituents to replicate successful strategies in other countries facing a similar context and issues.

The users of the final evaluation of the TCP in Qatar are:

- The Ministry of Administrative Development, Labour and Social Affairs (MADLSA)
- Qatar Chamber of Commerce and Industry (QCCI)
- International Trade Union Confederation (ITUC)
- International Organization of Employers (IOE)
- International Labour Standards Department (NORMES)
- ILO Fundamental Principles and Rights at Work Branch (FUNDAMENTALS)
- ILO Labour Migration Branch (MIGRANT)
- ILO Conditions of Work and Equality Department (WORKQUALITY)
- ILO Regional Office for Arab States (ROAS)
- ILO Project Office for the State of Qatar
- ILO, broadly for strategic organizational learning
- Independent ILO Evaluation Office (EVAL)⁵

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Following its TOR, the Final Evaluation of the ILO TCP in Qatar will respond to six OECD-DAC evaluation criteria (relevance, coherence, effectiveness, efficiency, impact, and sustainability) used in ILO evaluation policy guidelines, and will address the following evaluation questions.

⁴ The evaluation team will also take into account evaluation methods developed to better assess ILO's normative and tripartite mandate as illustrated in [Guidance Note 3.2. of the ILO Policy Guidelines for Evaluation on Adapting evaluation methods to the ILO's normative and tripartite mandate \(https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_721381.pdf\)](https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_721381.pdf).

⁵ The ILO evaluation office may use the evaluation for reporting, input for organizational learning and other meta-evaluation purposes. The evaluation or its summary could also be shared with the Governing Body for information.

Table 2: Assessment Criteria/ Evaluation Questions

<p>I. Relevance and Validity of Design</p> <ol style="list-style-type: none"> 1. To what extent were the needs of beneficiaries and stakeholders taken in account in project design? 2. To what extent do the intervention objectives and design respond to beneficiaries', global, country, and partner/institution needs, policies, and priorities? Was it based on participation and institutional capacity building of social partners? 3. Were the planned project objectives and outcomes relevant and realistic to the situation on the ground? How were they adapted to unforeseen or emerging issues or conditions? 4. Did the project design establish a clear strategy to respond to the conditions and issues detected? 	
<p>II. Coherence (internal and external) / Strategic Fit</p> <ol style="list-style-type: none"> 5. To what extent was the project aligned to national priorities? 6. Are strategies and approach coherent with ILO global policies, thematic/sectoral strategies, action plans and other relevant frameworks, specifically with the Programme & Budget 2018-19 and 2020-21 as well as the GB paper (GB.331/INS/13)? 7. Are there other projects (current and past) which the Qatar project drew experience from? 8. Is the project coherent with the interventions and strategies of other actors working on labour rights in Qatar, including from partner governments, workers' and employers' organizations, and civil society? 	
<p>III. Programme Effectiveness</p> <ol style="list-style-type: none"> 9. To what extent did the project achieve planned objectives? Has the quantity and quality of the outputs produced been satisfactory? 10. To what extent did the project coordinate and collaborate with other on-going ILO, UN and/or other partners' programmes/projects/initiatives to increase its effectiveness and impact? 11. What are the main factors – internal to the project and external – that have hindered the project capacity to fully reach all the objectives? Specifically, how was project implementation affected by the COVID-19 pandemic? ⁶ Are there alternative strategies that would have increased the prospects of fully achieving the project objectives? 12. To what extent was the monitoring and evaluation framework appropriate and useful in assessing the project's progress? 	20
<p>IV. Efficiency of Resource Use</p> <ol style="list-style-type: none"> 13. To what extent have financial, human, and institutional resources been sufficient and adequate to meet project objectives? 14. To what extent was the project efficient in delivering the desired/planned results? Are there other more efficient means of delivering more and better results (outputs and outcomes) with the available inputs? 15. Has the project received the necessary institutional, technical, and administrative guidance from different ILO departments for successful execution? 16. How efficient were the management and accountability structures of the project? 	
<p>V. Progress towards Impact</p> <ol style="list-style-type: none"> 17. What contribution did the project make towards achieving its long-term objective? 18. To what extent has the project generated or is expected to generate significant positive 	

⁶ When and where relevant, the evaluation team will take in account the ILO [Protocol on collecting evaluative evidence on the ILO's Covid-19 response measures through project and programme evaluations](https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_757541.pdf) https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_757541.pdf



or negative, intended or unintended, higher-level effects, or impact, including in actual improvement in conditions for ultimate beneficiaries?
VI. Sustainability 19. How effective and realistic is the exit strategy of the project? 20. How effectively is the project building the necessary capacity of people and institutions? 21. To what extent are planned results of the project likely to be sustained and/or scaled-up and replicated by stakeholders? 22. What further concrete steps could be taken to increase the sustainability of the results?

3. Evaluation Methodology and Limitations

The evaluation follows ILO's evaluation policy guidelines which adheres to international standards and practices, articulated in the OECD/DAC Principles and the Norms and Standards for Evaluation in the United Nations System approved by the United Nations Evaluation Group (UNEG)⁷. The evaluation addresses ILO's cross-cutting policy drivers, especially: International labour standards, social dialogue, and gender equality and non-discrimination.⁸ Environmental sustainability and people with disabilities-related concerns were not addressed by this evaluation.

The evaluation uses a mix of evaluation approaches, such as a results-based approach to examine the TCP Outcome achievements, qualitative methods (e.g., key informant interviews -KII- and focus group discussions -FGD-, the analysis of quantitative data to ensure the triangulation of information and the validity and reliability of the findings, and a participatory approach involving programme key stakeholders (e.g., beneficiaries, ILO Tripartite Constituents, ILO staff and strategic partners). The TCP logical framework and indicators were used as a basis for addressing key questions.

Evaluation methods and techniques collected primary and secondary data. Given the limitations derived from Covid-19 travel restrictions, **all data collection work was performed in a remote way**, using internet conference calls and phone calls to access evaluation participants⁹.

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Methods and Techniques

Evaluation methods and techniques included:

- A thorough document review: The evaluation team conducted a document mapping of background data, relevant documents, and research at country level. The evaluation team reviewed a variety of documents related to the current evaluation. Please see the types of documents reviewed in Annex 5.
- Key informant interviews and focus group discussions: The evaluation team carried out remotely 46 key informant interviews and 4 focus group discussions

⁷ Please see [ILO policy guidelines for results-based evaluation \(2020\)](#)

⁸ Specifically, the evaluation will analyze the gender responsiveness of the project throughout design and implementation and its impact on the needs of men and women, taking in account [ILO's Guidance Note 3.1, on Integrating gender equality in monitoring and evaluation](#) https://www.ilo.org/wcmsp5/groups/public/--ed_mas/---eval/documents/publication/wcms_165986.pdf.

⁹ [Implications of COVID-19 on evaluations in the ILO: Practical tips on adapting to the situation](#) (https://www.ilo.org/eval/WCMS_744068/lang--en/index.htm#:~:text=The%20COVID%2D19%20pandemic%20has,possible%20without%20taking%20un-necessary%20risks.)



with relevant stakeholders through videoconference (e.g., Zoom, MS Meet) or phone calls. Please see the categories of key informants and participants in FGD in Annex 4.

The ILO Code of Conduct for independent evaluators applies to this evaluation. The evaluation team maintains strict confidentiality with respect to the information received from the ILO and relevant stakeholders.

Limitations

Given lingering restrictions on travel due to the COVID-19 pandemic, the evaluation team members (ETM) were not able to travel to Qatar. Thus, KII and FGD were carried out through remote means/ video-conference platforms. Remote interviews tend to be less productive than face-to-face interaction. At the same time, remote evaluation activities did not allow the ETM to have informal contact with other key informants (KI), as often occurs during presential evaluations. These factors may have limited to a certain extent the amount and quality of the information handled by the ETM. The ETM tried to compensate this situation by carrying out a comprehensive documental analysis.

The evaluation team relied on the information provided by the programme (e.g., diverse reports and documents) as well as on the programme's M&E reports. However, it did not have direct access to the programme's M&E database to confirm the reliability of the information provided by the same.

Time constraints were not an issue. The data collection period needed to be extended for an additional two-weeks to compensate for the limited availability of some interviewees during the Eid al Adha 2021 period.



4. Programme Status

The TCP in Qatar ended in June 2021.

Based on the funds remaining after completion (US\$9.5 million), the SOQ and the ILO agreed to implement a Second Phase of the TCP from July 2021 to December 2023 (2 ½ years), aimed at building on and consolidating the achievements to date, and working on the following priority areas:

- Labour market and labour migration governance
- Enforcement of labour laws and access to justice
- Workers' voice and social dialogue
- International cooperation and exchange of experiences

5. Findings by Criteria

5.1 Relevance and Validity of Design

The design of the TCP took carefully in account the needs of beneficiaries and stakeholders. The expectations of Global Unions, the IOE, the ILO and the GOQ with regards to labour reform were duly addressed during project design. This helped ensure the commitment of the SOQ on a realistic set of objectives for a reform agenda. The TCP design was well targeted towards addressing the issues raised in 2014 in the article 26 complaint against the SOQ before the ILC, thus allowing the GB to close the complaint in 2017. TCP staff later worked side by side with MADLSA and other stakeholders to ensure that the implementation of activities was tailored to the needs of all relevant parties. Table 3 below describes the main issues included in the 2014 complaint to the ILO and the way these were addressed by the TCP.

The project design was well targeted towards addressing the issues raised in the article 26 complaint against SOQ.

Table 3: Issues Raised in the 2014 Complaint against SOQ and Actions through which these were addressed by the TCP.

ILO Convention related to the complaint	Major Issues raised in the Complaint against SOQ (2014)	Specific actions through which the issues raised in the complaint were addressed by the TCP
ILO C29 – Forced Labour	<i>Kafala</i> system (sponsorship leading in practice to forced labor), contract substitution, recruitment fees/ high interest loans, passport confiscation, exit permit, no-objection certificate, false charges from employers and deportation of victims, human trafficking	Adoption of legislation to dismantle the <i>kafala</i> sponsorship system, eliminating requirements for exit permits and NOC to change employers. Refinement of a contractual system in replacement of <i>kafala</i> , promoting and piloting fair recruitment models among private and public actors and improving migrants’ working conditions (accommodation and other). In its 2020 comment on the application of Convention No. 29 by Qatar (published in 2021) the ILO Committee of Experts noted various areas of progress and expressed satisfaction at the “adoption of Act No. 13 of 2018 which amends section 7 of Act No. 21 and suppresses the exit permit requirement for migrant workers covered by Labour Act No. 14 of 2004.” However, the Committee also indicated other areas where work is still needed in order to fully

		meet the standard set in the Convention and provided guidance in that respect.
ILO C81 – Labour Inspection	The country’s labour and justice systems are not adequate to enforce the few rights that migrant workers have under Qatari law. A small size labor inspectorate workforce has little power to enforce findings and does not speak migrant workers’ languages. Fines are limited or inexistent and complaint mechanisms ineffective. Migrant workers have difficulty in accessing these mechanisms. ¹⁰ Fear of retaliation from employers is a relevant issue.	Adoption of a Labour Inspection (LI) policy and an Occupational Safety and Health (OSH) policy, establishing improved national standards. Setting of a LI Strategic Planning Unit, which promotes the generation of evidence-based and strategic inspections with a focus on data collection and analysis, as well as strategic planning and action. Provision of harmonized guidance and training for all labour inspectors, improving labour inspection skills. Promotion of labour administration’s transparency and accountability. Adoption of a law on protection from heat stress and implementation of a National Action Plan on Heat Stress. In its 2020 comment on the application of Convention No. 81 by the SOQ , the Committee of Experts noted certain positive prospects with interest but also pinpointed a number of areas where further efforts are needed to bring law and practice in line with the Convention and provided relevant guidance.

The objectives and design of the TCP also responded to beneficiaries’, global, country, and partner/institution needs, policies, and priorities. For example, promoting compliance with ILS is at the core of ILO’s, GUs and IOE’s mandates and priorities, as well as consistent with SDG 2030 number 8 (Decent Work and Economic Growth). The TCP objectives were aligned too with the national priorities stated in Qatar’s Vision 2030 and Second National Development Strategy 2018-2022.

The TCP was participative in nature. It was based on the permanent and close exchange and coordination among the ILO, MADLSA and other relevant stakeholders (GU, IOE, QCCI), and it contributed to build the institutional capacity of social partners, particularly the MADLSA. For example, the TCP helped generate Qatar’s labour inspection and occupational safety and health policies and contributed significantly to the capacity building of the Labour Inspection Department (e.g., training of MADLSA staff, creation of a Strategic Unit).

¹⁰ In response, the MOL established an online complaints platform and labour dispute settlement committees to improve access by migrant workers.



Workers' voice was regularly heard through reception of complaints by ILO and CLO, as well as during data collection for several studies (e.g., heat stress). The TCP strengthened the capacity of private and public companies to promote social dialogue and improve labour relationships through the piloting of Joint Committees schemes in key sectors (e.g., construction, retail, general services, hospitality). Likewise, the TCP promoted the implementation of fair recruitment practices and mechanisms in different sectors/ labour subcontracting chains (e.g., construction, security, decent work), inside and outside Qatar.

TCP objectives and outcomes were relevant to the situation on the ground and focused on several issues that needed to be addressed. For example, by June 2018 around 11% of workers had earnings below the level of the (later established) minimum wage; the relative absence of labour inspection and OSH policies and of a strategic orientation of labour inspection hampered Labour Administration's work; the existence of *kafala*, exit permits, no-objection certificates -NOC, confiscation of passports and other practices did not allow for the establishment of a modern labour market; as in other countries in the region, forced labour and human trafficking were relevant to the Qatari context, and providing a voice to workers was an important step in improving industrial relationships and addressing workers' needs in the workplace.

Although **ambitious** (for the quick pace in which reforms were expected to take place), TCP objectives and outcomes were eventually realistic. Achieving the programme's objectives became possible due to the SOQ's clear commitment to labour reform and the political will of its authorities to implement comprehensive, legal and organizational, reforms in a short period of time. However, while major change was achieved from the legal point of view, much is yet to be done in terms of implementing the reforms, raising awareness, ensuring compliance from employers, and improving law enforcement.

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The COVID emergency was an unexpected event that affected dramatically the Qatari economy and the labour market. The Covid-19 pandemic caused the implementation of the TCP to have delays. There were delays in some of the initiatives, but the project managed to adapt to COVID-19-related restrictions by changing most of its activities into remote, online interactions. Notwithstanding the above, the pandemic came at a time when employers were adapting to changes in recruiting. Recruitment overseas became limited, and migrant workers at home had just gained their right to change employers more easily, putting employers in a difficult position. If an employer lost a worker, they could not bring replacements from overseas because of the travel restrictions. The timing of the minimum wage during COVID-19 also came at a difficult time. Due to sanitary-related mobility restrictions and social distancing, Qatari enterprises faced difficult economic conditions and reduced liquidity during and after the peak of the pandemic, a fact that in some cases made it difficult for employers to address increased labour costs while enduring financial hardship and uncertainty. This was reflected in an increase of dismissals due to the effects of the pandemic.



As part of its response to COVID-19, the TCP contributed to policy measures, and developed and disseminated diverse information materials (e.g., FAQs, guidance notes, information notes, directives and action points, outreach products) and carried out capacity building sessions and consultations on the adequate response to COVID-19.

The period of implementation of the TCP coincided with that of the three-year span in which Qatar faced an embargo from various neighbouring Gulf Cooperation Council (GCC) countries. This fact, together with Qatar's will to play a more visible role in the world stage (e.g., organizing FIFA's World Cup 2022, hosting the political offices of the Taliban, inviting more UN agencies to establish offices in Qatar -the ILO was the 3rd, and now there are 8 agencies), may have been a positive driver favouring an increasing engagement of Qatar with the international community, including greater compliance with ILS. Likewise, from a Human Rights and public image point of view, the situation of migrant workers in Qatar has remained in the world media's hotspot. Between 2014 and 2021 there have been several denunciations of the working and living conditions of the migrant workforce in Qatar, the most recent by Dutch, German and Norway football players, calling for FIFA to "put pressure" on the GOQ to improve migrant workers' situation.¹¹ International outrage on the issue has been a conducive factor leading to SOQ's reckoning of the need to implement rapid changes, as expressed in the TCP, as well as to include the answer to these issues within the country's longer term development plans (e.g. Qatar's Vision 2030). The latter could help ensure the sustainability of the changes implemented once international pressures wanes after the end of the 2022 World Cup. It is uncertain however whether the intensity and pace of labour reforms will remain the same once the external pressure associated with the organization of FIFA's World Cup wanes.

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Notwithstanding the relevance and validity of the TCP design, it should be highlighted that some of the reforms introduced by the programme (e.g., elimination of NOCs and exit permits) have been received reluctantly by some sectors of the Qatari society, including part of the local business community.

For example, in its first meeting of 2021, Qatar's Shura Council (an advisory body responsible for deliberating and making suggestions on several issues), recommended that migrant workers be prohibited from requesting a change of employer during their contract period unless there are reasons justifying this or with the approval of their employer.¹² Citing the need to "strike a balance" and "to also protect the rights of the businesses", the Shura Council spokesperson highlighted the need to cap the number of

¹¹ <https://www.aljazeera.com/news/2021/3/28/why-are-football-teams-protesting-against-qatar-2022-world-cup>; <https://www.theguardian.com/global-development/2021/feb/23/revealed-migrant-worker-deaths-qatar-fifa-world-cup-2022>

¹² <https://www.migrant-rights.org/2021/02/qatar-shura-council-recommendations-threaten-to-undo-reforms/>

times workers are allowed to change sponsors to three during their stay in the country. While this declaration is recent and does not directly affect TCP implementation, it exemplifies the need for continue raising awareness on the benefits of labour reform among all sectors of society.

Changes in Qatari labour law are recent, some of the most important ones, such as the removal of NOC, being less than one year old. For example, *while* in 2018 Qatar eliminated exit permits for many foreign migrant workers, the reform did not apply to domestic workers, government and public institutions staff, the oil and gas sector, and workers employed at sea and in agriculture. These sectors/ workers have seen the exit permit requisite eliminated in their case in January 2020.

The novelty and broad scope of the changes in labour law poses the challenge of influencing the local business practices (which tend to normalize the imbalance of power between employers and workers and a differential treatment between locals and foreigners), by explaining the benefits that these changes shall bring for the country's economy and Qatar's image and place within the international community. The long-term goal would be to have widespread awareness on labour rights among all people living in Qatar and to generate full compliance with national legislation and increased compliance with ILS.

Additionally, ratification of P29, C155 and C187 by the SOQ would help consolidate TCP achievements, particularly in the areas of human trafficking and OSH.

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5.2 Coherence/Strategic fit

The TCP was well aligned with the country's national priorities. This includes Qatar's Vision 2030 (1st Pillar: Human Development, "A capable and motivated workforce" and Third Pillar: Economic Development, "Suitable economic diversification"), as well as the Second National Development Strategy 2018-2022 ("An efficient and committed workforce sector"). It can be said that the programme was facilitated by the nation's leadership commitment and political will to insert Qatar as a relevant player in international relationships and generate increasing conditions for a modern labour market.

The TCP strategies and approach were coherent with ILO global policies, thematic/sectoral strategies, plans and frameworks, and particularly with regards to ILO's Program & Budget 2018-19 outcomes #2 (ratification and application of ILS), #7 (promoting safe work and workplace compliance), #8 (protecting workers from unacceptable forms of work) and #9 (fair and effective international labour migration and mobility).

Likewise, the TCP strategies and approach were coherent with regards to ILO's Program & Budget 2020-21 policy outcomes #1 (Strong tripartite constituents and influential and inclusive social dialogue; outputs 1.1, 1.3, 1.4), #2 (International labour standards and



authoritative and effective supervision: outputs 2.2 and 2.3) and #7 (Adequate and effective protection at work for all; outputs 7.1, 7.2, 7.3, 7.4 and 7.5).

Through the TCP, the GOQ pursued a wide variety of activities aimed to align its labour laws and practices with international labour standards and fundamental principles and rights at work, including the comments received in multiple occasions from the ILO supervisory bodies (e.g., the Committee of Experts on the Application of Conventions and Recommendations -CEACR). The TCP facilitated the GOQ to progressively comply with the commitments expressed in GB.331/INS/13, in order to address the issues of workers' mobility (e.g. entry, exit and residence of migrant workers), enhancing the wages protection system, improving access to complaints mechanisms, establishing an appropriate labour dispute resolution mechanism, dismantling of the sponsorship system (*kafala*), strengthening the labour inspectorate function and improving labour inspection and occupational safety and health systems, addressing the situation of domestic workers, promoting fair recruitment, and giving a voice to workers.

The project remained coherent with the interventions and strategies of other actors working on labour rights in Qatar, because **contributions by other actors were often coordinated with the TCP**. For example, in coordination with the TCP, the Social and Economic Council of the Netherlands provided online training to joint committees/ companies in Qatar¹³, while the Swiss Cooperation Agency organized exchanges of experiences through online events with Qatari fonctionnaires to discuss issues regarding disputes resolution, labour migration, and other relevant topics. On its side, the EU Delegation carried out a webinar for Qataris with support of the European cooperation network of employment services, sharing best practices in developing and administering a job-matching platform. As per the perceptions/ answers from several respondents, the TCP framework became the main vehicle for action on labour issues by all relevant actors in the country.

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In coordination with MADLSA, the Ministry of Interior, the Ministry of Public Health and the NCCHT were among the main government agencies involved in implementing complementary TCP activities regarding pillars 2, 3 and 4.

Global Unions (ITUC, BWI, ITF, IDWF, UNI Global Union) contributed to project implementation, and advocated for workers' interests through CLOs. They received and provided feedback on all aspects of project implementation through bi-annual meetings with the ILO and the GOQ. This ensured the coherence of programme implementation.

Partner governments and agencies provided specific contributions to the programme, mainly related to GOQ's capacity building, on a variety of issues. Local and foreign universities and NGOs (e.g., Hamad Bin Khalifa University, the FAME Laboratory at the University of Thessaly, Migrant Rights, Institute for Human Rights and Business,

¹³ https://www.ilo.org/beirut/media-centre/multimedia/WCMS_759740/lang--en/index.htm



Migrants Forum) participated in knowledge generation, advocacy, and/or training activities. For example, the FAME Laboratory at the University of Thessaly was in charge of doing a heat stress study and how this issue affects workers; a professor from the Hamad Bin Khalifa University produced a White Paper on migration and recruitment practices, and the Migrant Forum in Asia (MFA) supported ILO's work and advocated on shelters for migrant workers, provided comments on reforms and acted as a facilitator to talk to the government on behalf of civil society organizations from major countries of origin, including India, the Philippines, Bangladesh, etc. Trade unions, NGOs, and Embassies of countries of origin of migrant workers (e.g., the Philippines, Sri Lanka, Nepal, Kenya and other) participated in TCP activities related to the programme (e.g. on fair recruitment, complaints, trafficking, occupational injuries and other).

5.3 Project results and effectiveness

The TCP was very effective in contributing to major labour reforms in Qatar and in delivering its expected results. As described by several KI, the project can be considered as very successful, given the scope and depth of the changes occurred, the preceding situation of labour affairs in Qatar and the short timeframe for implementation. For example, except for outcome 4 (forced labour), where delays in implementation were observed, most outputs corresponding to outcomes 1 (payment of wages), 2 (labour inspection and OSH systems), 3 (improvement of employment conditions and labour recruitment procedures -dismantling of *kafala*, and 5 (promoting workers' voice) were mostly achieved. The implementation of some of the new laws like the unified domestic workers contracts remain to be fully operationalised and adopted by all recruitment agencies. Please refer to Annex 1 for a detailed table on TCP's progress regarding specific outcomes and outputs.

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This was partly due to the TCP team's own excellence, the political will of Qatari authorities and the input received from diverse sources, and partly to the effect of the **model** under which the TCP operated. The programme's agenda was originally the result of a complaint alleging non-conformity by the SOQ with Conventions Nos. 29 and 81 submitted to the International Labour Conference and forwarded to the GB for examination. The GB decided to close the complaint and approve the technical cooperation agreement subject to periodic monitoring of progress made in its implementation. That is, ILO's normative and supervisory functions **provided increased political leverage** to create an opportunity to bring effective change into labour relations and labour protection in a Member State.

The implementation of the TCP in Qatar provides a clear example of how the ILO can operate at its best when it complements its normative function with technical cooperation to deliver change and address Member States and constituents' needs. Maximizing the synergy between these two aspects, in the case of Qatar the initial



complaint brought all parties to the table and shed a spotlight on areas where technical cooperation could help advance on legislative change, build-up institutional capacity on specific issues and make workers knowledgeable of their rights. Reporting to the GB helped ensure monitoring of progress and delivery on commitments within a specific timeframe. This is an example of how when an agreement to address a normative issue is reached, TC can provide the means to do it.

The main TCP achievements can be summarized as follows:

Pillar 1- Improvement in payment of wages: The TCP contributed to the adoption of a non-discriminatory minimum wage and to enhancing the Wage Protection System (WPS), supported by the existence of a Workers' Support and Insurance Fund and the establishment of the Minimum Wage Commission, in charge of the annual review of the same. The minimum wage law, *which applies to all workers* (of all nationalities and sectors, including domestic workers), is a relevant TCP outcome and a feature unique to Qatar among GCC countries.

Pillar 2- Improved Labour Inspection and OSH Systems: The TCP facilitated the adoption of a Labour Inspection (LI) policy and an Occupational Safety and Health (OSH) policy which established clear strategic priorities and approaches. The adoption of a national policy on OSH strengthened the relationship between the MADLSA and the Ministry of Public Health. By helping set up a LI Strategic Planning Unit, the TCP promoted the generation of evidence-based and strategic inspections with a focus on data collection and analysis, as well as strategic planning and action. The TCP helped provide harmonized guidance and training for all labour inspectors and helped improve their labour inspection skills. Training topics included labour law, forced labour and trafficking. The enhanced LI and OSH system promoted labour administration's transparency and accountability. Awareness raising activities were carried out. Based on a TCP sponsored study, Qatar adopted a law on protection from heat stress and it started the implementation of a National Action Plan on Heat Stress in line with the Annual Strategy for Labour Inspection Services 2020. Although targeted in the TCP's project document, the State of Qatar did not ratify ILO conventions C155 on OSH.

Pillar 3- Implement a contractual system to replace *kafala* and to improve employment conditions and labour recruitment procedures: The project helped Qatar adopt legislation to dismantle the *kafala* sponsorship system, eliminating requirements for exit permits and NOC to change employers. The TCP contributed to promoting and

piloting fair recruitment models among private and public actors (QDVC, visa centres,) ¹⁴ and improving migrants' working conditions (accommodation and other). The project promoted fair recruitment practices among the hospitality, security, and construction sector. The TCP also conducted a study on how to embed fair recruitment and labour rights in the procurement process of public institutions. Notwithstanding the above, some KI highlighted that recruitment agencies have remained largely untouched, and that the recruiters make feel their power by forming a unified front against some of the new legislative reforms.

Regarding domestic work (DW), the TCP helped introduce a revised standard employment contract for domestic workers and raised awareness on domestic workers' rights. Awareness raising materials were prepared in several languages regarding the different changes in the law. Notwithstanding the above, enforcing these recent reforms and implementing them is a relevant challenge, particularly because in the case of DW "the workplace" is located in the homes of employers, a "private space" which is out of the scope of labour inspection. MADLSA has a limited capacity to reach into the households without infringing on privacy, and there are limited tools to enable action and penalize wrongful conduct from employers.

Pillar 4 - Increased prevention, protection, and prosecution against forced labour: The TCP strengthened the National Committee to Combat Human Trafficking's (NCCHT) capacity to address human trafficking and forced labour (FL). The TCP provided inputs to the national plan on HT, in which FL was included (although this plan still needs to be formally adopted and operationalized in annual plans). The programme contributed to the training of judicial, labour inspection and protection/ frontline staff on HT and FL. Although it conducted an analysis of Qatari legislation with regards to the ILO FL Protocol, the TCP fell short of its target of achieving the ratification by the State of Qatar of the 2014 Protocol (C29) on Forced Labour. This remains a target for the second phase. The GOQ opened a shelter for male and female victims of HT and FL. However, due to COVID-19-related restrictions the operation of the shelter was delayed. A very limited number of TIP cases were investigated and prosecuted throughout the life of

¹⁴ Presentation, 26 May 2021 "VINCI-ILO - Fair recruitment pilot project - Bangladesh to Qatar corridor" (internal document available upon request); https://www.ilo.org/wcmsp5/groups/public/--ed_protect/--protrav/--migrant/documents/publication/wcms_778830.pdf

¹⁵ Documents on fair recruitment through Qatar Visa Centers: https://www.ilo.org/global/topics/labour-migration/news-statements/WCMS_712508/lang--en/index.htm On fair recruitment in the hospitality sector: https://www.ilo.org/beirut/projects/qatar-office/WCMS_755561/lang--en/index.htm On fair recruitment in the construction sector: https://www.ilo.org/beirut/projects/qatar-office/WCMS_820253/lang--en/index.htm On Joint Committees with enterprises of various sectors: https://www.ilo.org/beirut/projects/qatar-https://www.ilo.org/beirut/projects/qatar-office/WCMS_749104/lang--en/index.htm; https://www.ilo.org/beirut/projects/qatar-office/WCMS_755461/lang--en/index.htm?shared_from=shr-tls



programme (LOP). Pillar 4 may be considered the one showing more modest results among all pillars. Part of the issues in this pillar stem from the varied way in which officials/ each entity (MADLSA, Ministry of the Interior, the judiciary) interprets TIP, and also from the project's limited engagement with the MOI and the judiciary.

Pillar 5 – Workers provided with a voice: The programme implemented the following three channels of achievement regarding this pillar.

a. The TCP strengthened the complaint mechanisms by providing direct assistance by ILO staff to more than 11,000 workers in submitting complaints through the MADLSA, and in assisting in the resolution of cases. Likewise, workers are also bringing up more easily complaints within the grievance system. In contrast, some KI highlighted that many workers are not aware of their newly gained rights and how to exercise them, and that much is yet to be done to increase workers' awareness.

b. The TCP contributed to the establishment of Workers' Dispute Settlement Committees¹⁶ (pending outputs: Resolutions on referral of collective disputes and management of strikes). A complaint can be submitted now through the whistle blower platform on behalf of multiple workers. However, a separate channel could still be created for workers' representatives from joint committees to lodge collective disputes.

c. Based on existing provisions in the labour code of 2004, the TCP piloted and supported new legislation and the subsequent establishment of joint committees in several sectors/ labour subcontracting chains, covering more than 20 companies. For example, QF included joint committees (JC) as requirements for all their subcontractors. The members (workers and managers) of JC that were interviewed during this evaluation expressed their high satisfaction with the process and results of the JC. Workers participate in elections and choose their representatives themselves. Workers are now more empowered and there is more equality, and their voices are better heard due to the program pilot activities. Many issues not brought to light before are now much more readily discussed and solved due to better communication. Due to this, according to some KI, workers are now more organized, and they have increased their say in negotiations on new policies at the workplace. However, while the GOQ has adopted legislation on the election of workers' representatives to JC, the adoption of JC remains voluntary for most Qatari companies, and it is yet to be expanded to become a generalized practice. Likewise, while central labour management committees (platforms at the client or sectoral level) for sharing JC experiences and elevating JC discussions to a higher level worked in one case (e.g., Qatar Foundation: Tashawor), they were not yet applied in other companies/ subcontracting chains. The sustainability and scaling up

¹⁶ Review of Qatar's Ministry of Administrative Development, Labour and Social Affairs, Labour Dispute Resolution System, ILO - 2019 (internal document available upon request)

strategy devised for JC at the national level functioned in a limited way, mainly due to COVID-19: The Taawon platform only met once during LOP.

To support the implementation of the five pillars above, the TCP carried out a knowledge generation strategy that helped develop several assessments and studies on diverse topics (wages, WPS, labour inspection, OSH profile, heat stress, fair recruitment), which in turn informed TCP's action to the best interest of stakeholders.

All the results above were major, “unheard of before” changes introduced into Qatari labour law and relations. Many of these changes challenged in a decisive way the previously existing imbalance of power existing between employers and workers, and the prevalent culture with regards to labour relations. The fact that they were introduced into Qatari law and promoted actively by the Government speaks both to the will of Qatari leadership to modernize the country, the intention to impact everyone in the country and their vocation to become and remain eventually sustainable.

The European Commission and the governments of Canada, France, the Netherlands, Portugal, Switzerland, Australia, UK, and the US contributed to the programme by providing training and sharing institutional experiences, with regards to a variety of issues (e.g., wage protection, labour inspection, OSH, fair recruitment, anti-trafficking initiatives, labour migration governance, domestic work, dispute resolution mechanisms, joint committees and other). All partner governments' agencies provided their contributions within the framework and needs of the TCP.

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The programme offered a highly inclusive and comprehensive platform for other agencies (e.g., other government agencies, GU, IOE, CSO, partner governments) to join and contribute to. The scope of the programme's own funded activities was vast and included various modalities/ types of activities through which the TCP contributed to attain the outputs and outcomes listed above under the 5 pillars. Examples of these activities include:

- Providing legal advice/ contributing to the elaboration of draft laws, ministerial decisions and other regulations, generation of knowledge (diverse assessments and studies),
- Elaboration of policies, capacity building (training, exchange of experiences, workshops,
- Institutional visits of Qatari officials to programs in other countries,
- Development of tools and toolkits), social dialogue (roundtables, meetings),
- Advocacy before public and private sectors' entities,
- Awareness raising (digital and analogic campaigns and materials in multiple languages on diverse topics),
- Piloting of implementation models (fair recruitment, joint committees) and trickling down the implementation of models to subcontractors in the supply

chain, within the country (joint committees -QF, hospitality sector, etc.) and abroad (sharing the lessons from the QDVC pilot widely).

Collaboration with a varied spectrum of partners, including the Ministries of Interior (e.g., visa centres) and of Public Health, contributed to increase the effectiveness and impact of the TCP. A list of links to reports, draft laws, assessments, guides, booklets, videos, and other documents describing these activities implemented under the five pillars of the programme, are available at ILO's website.

In which ways was gender equality considered within the programme? What was achieved on this front?

The importance of gender equality is not explicitly addressed in the TCP and may need to be further emphasized during phase II of the TCP.

Given that the programme operates mostly in the realm of public policy, the gender aspect of the same is not very visible. However, while the design of the programme did not prioritize gender equality as a key driver, it ensured that reforms (e.g., dismantling the *kafala* system, establishing a minimum wage, etc.) apply to both men and women, and include both domestic workers and the private sector. When labour laws are enforced, the assumption is that they concern in the same way both men and women.

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Notwithstanding the above, the programme fostered specific actions regarding the domestic work and hospitality sectors, an area where migrant female workers are prevalent. For example, the TCP promoted fair recruitment practices in the domestic work sector, it helped introduce a new standard employment contract for domestic workers and it raised awareness on domestic workers' rights. Awareness raising materials were prepared in several languages regarding the different changes in the law. The training programme for Joint Committees emphasized gender inclusion in enterprise level social dialogue.

Upon the advice of the ILO, MADLSA has introduced gender sensitive clauses into COVID-19 related guidance as well as developed online services that can be more easily accessed by female domestic workers. On its side, MADLSA designed a public awareness-raising campaign on decent work for domestic workers, aiming to promote respect of working hours and workers' rights to a weekly rest.

Likewise, MADLSA made efforts to involve women in the project implementation processes. ILO staff requested to have women involved in all the activities/ trainings that were running under the TCP, so to build their capacity and expand their presence. For example, most members of the workplace cooperation unit formed in MADLSA under the TCP are women. While there were more men within pillar 3, some of the focal points were women and saw their responsibilities grow with programme implementation.

The work performed by most of the migrant workforce in Qatar and related occupations are gender segregated (e.g., construction, domestic work). However, MADLSA has expressed its intention to advocate before employers in making the workplace environment more fitting for women. MADLSA staff is working with the National Health System on the issues of pregnancy and breastfeeding at work and, through another initiative, in support systems regarding postpartum depression and mental health in general.

Gender-specific issues were taken specifically into account within some of the programme pillars: For example, under pillar 2 a study regarding OSH and work-related injuries identified work-related injuries within men and women groups; likewise, being that most of domestic workers are women, gender issues were focused on indirectly under pillar 3; gender was also considered to some extent in the challenges experienced by workers in the hospitality sector and the policies around the prevention of sexual harassment; similarly, under pillar 5, gender was taken into account to some extent for the composition of JC.

ILO has been developing two toolkits for use in public and private sectors, which address gender equality issues. These are related to the Discrimination -Employment and Occupation- Convention, 1958 (No.111) and the Violence and Harassment Convention, 2019 (No.190). In addition, ILO has been encouraged by the ministry to investigate how female labour market participation could be enhanced, and how to increase the number of women taking leadership positions in the workplace. Otherwise, some of the work on gender inclusion carried out within the TCP was Ad hoc and not part of the project design as such, as for example, the seminars and discussions organized on conventions Nos. 190 and 111 and the related recommendations.

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Internal and External Factors affecting TCP's Capacity to fully reach all its objectives

Among the internal and external factors that affected the TCP's capacity to fully reach all its objectives, it may be cited:

Internal Factors

- A limited span of time (3 years) to generate important legislative changes, build up local institutional capacities and ensure the implementation of the new laws and procedures. While relevant legal reforms were enacted, more efforts are still needed under Phase II to ensure their effective implementation and increased compliance by local businesses.

External Factors

- The fact that some of the issues addressed by the reform (e.g., *kafala*, limited concern for workers' welfare, no minimum wage) were ingrained in the local business and employment practices, affected economic interests, and were received with reluctance by the more conservative sectors of business and society. Cultural change will take longer time and may have a generational scope.

- Limited awareness/ buy-in from the local business community regarding labour reforms, including private recruitment agencies.¹⁷
- Limited awareness of migrant workers with regards to their recently acquired labour rights (e.g., elimination of NOC, etc.) and the mechanisms to address non-compliance from employers. For instance, some workers turn to the ILO because they are not aware that they can also go and complain at the MADLSA. The labour reforms would have a more effective impact if there was a greater awareness-raising effort.
- As highlighted before, domestic work being considered as part of the family sphere/ affairs, effectively intervening on the same remains a relevant challenge, hence progress on this area of intervention is delayed and requires strong awareness raising and inspection to ensure that it is being applied at least at the level of recruiters.
- Labour related statistics and the labour inspection monitoring system need to be strengthened to be available in a timely and reliable manner.
- COVID-19 restricted the TCP's direct activities (face-to-face meetings with government staff, employers, workers). While virtual means were introduced, several KI reported that this affected the quality of interactions.

To address the factors above, phase II of the TCP has adopted the following alternate strategies:

- Awareness-raising campaigns on the importance of labour reform, social dialogue, and labour rights as part of the national efforts to produce a modern and competitive society, able to attract a high-skilled workforce and increase economic development.
- Promoting an increased engagement of the QCCI in fostering compliance with labour law among its associates.
- Promoting increased awareness on workers' rights among employers and workers, and particularly domestic workers. Promote perception and attitudinal change regarding the migrant workforce, leading to behavioural change.
- Strengthening ADLSA capacity to collect and process data on key labour indicators and generate an accessible knowledge base on the Qatari labour market.
- Promoting the ratification by the SOQ of ILO Conventions on OSH (C155 and C187) and the Protocol of 2014 to the Forced Labour Convention (P29).
- Addressing gaps in gender responsive approaches to labour inspection and OSH

¹⁷ According to several KI, some sectors of the business community have shown hostility and resistance towards the labour reforms and remain reluctant to adjust their practices to the same.



5.4 Efficiency of resource use

SOQ's financial contribution was more than sufficient to meet the TCP's objectives. In fact, the generous funding provided by the SOQ exceeded the programme's needs, a fact which allowed for the continuing funding of a second phase of the TCP. ILO staff did additional savings/ reduced some costs of implementation by carrying out meetings in ILO's or MADLSA's premises instead of external venues, and carrying out online instead of presential activities, mostly due to COVID. Travel restrictions influenced the reduction of some expenses.

The Qatar TCP was one of the first large initiatives of its kind to apply a full range of TC modalities at country level to address normative issues identified through ILO's supervisory mechanism. As the response required the design of a comprehensive, country wide process - very much subject to eventual external developments - it may have been difficult to estimate correctly the demands of constituents in Qatar and the extent and pace at which activities could be carried out, and hence the exact resource requirements. There is no evidence however that a proper cost estimate was undertaken at the planning stage. The follow up with a second phase, using the balance of funds from the first phase, demonstrates in retrospective that the strong financial commitment of the Government from the outset allows now for the necessary flexibility to continue the longer-term efforts essential to continue activities and sustain the results achieved so far.

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SOQ's funding allowed the ILO to deploy a sizable programme team (in comparison to ILO TCPs with other countries). This, together with backstopping from ILO HQ units and the work of MADLSA's own staff offered enough specialized human resources to address the programme's needs.

The existence of a clear framework, agreed in advance, with specific objectives and outputs, served as an instrument to which both parties could refer in case of doubt. TCP management's openness to learn from experience and enrich programme implementation through exchange with other stakeholders, contributed to attract support of other partner government actors and facilitate interaction with a varied scope of stakeholders.

The TCP was efficient in delivering the desired/ planned results in a short span of time. The fact that the GOQ advanced all committed funds to the ILO early in the life of the TCP contributed to programme's administration. The wide scope of project activities led to some administrative bottlenecks that were eventually addressed by programme staff.

The programme received relevant technical and administrative backup from different ILO departments. At HQ level, apart from NORMES, several other departments/ branches contributed to the implementation of the TCP, such LABADMIN-OSH and INWORK. The ITC-Turin provided technical support through on-the field training and



elaboration of training courses and materials on several topics. Other units supported the programme providing their specialized input/ opinion, leading studies on specific topics (e.g., wages) or providing training and technical assistance during field visits to the country (e.g., training of labour inspectors). ROAS supported the implementation of the TCP with the work of its Senior Migration, Employment Policy and ILS and Labour Law Specialists. ILO staff from other countries (Sri Lanka, Nepal, Pakistan, South Asia Regional Office) also provided support to the programme.

Notwithstanding the above, certain ILO branches and bureaux in Geneva (e.g., as per ACTRAV and ACTEMP representatives' comments) appear as not having been consulted during programme design or implementation¹⁸. While the TCP PRODOC highlighted FUNDAMENTALS as being its "Technical Backstopping Unit" (TBU) -, NORMES was in practice the actual TBU.

NORMES role as TBU and the annual reporting to the GB helped regularly monitor the TCP's major implementation decisions and report to the GB on progress made.

TCP management was efficient in articulating and listening to all stakeholders to build consensus on the programme's implementation. The TCP Steering Committee seldom met but its members were kept informed on programme's developments through bilateral engagements and their participation in programme events. The head of the TCP maintained regular coordination with MADLSA's Undersecretary of Labour. This provided an ongoing mechanism to address any difficulties or differences of opinion that emerged during implementation.

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Parallel to this, close daily coordination was maintained between ILO programme staff and MADLSA focal points for each pillar. Key stakeholders were convened in by annual meetings organized by the MADLSA in April and October, which gathered government representatives with the ILO, ITUC and Global Union Federations.

ILO provided safe and secure premises for the CLOs to exercise their independent role, liaise with workers and reflect their concerns to the ILO and MADLSA. Coordination with Community Liaison Officers (CLO) provided additional information to the Programme on workers' point of view/ needs. Notwithstanding the above CLO stated that there was a lack of coordination with ILO staff and that information was disseminated in a limited way. CLOs stated their feeling of "not being part of the team".¹⁹

¹⁸ Other means to consider the perspectives of these stakeholders might have been applied but this could not be verified during the evaluation.

¹⁹ For example, one of the CLOs stated that there were not enough meetings in the beginning, and that some meetings would go by without anyone informing them. Another CLO stated that while they are invited to the activities of the joint committees under the programme, these have already been planned without giving them the possibility to push for their agendas by including them in the planning phase. CLOs felt they were not aware of many of the things that were happening in the programme (e.g., when MADLSA implemented changes in the employer system, they would not inform the CLOs directly, and the information would reach them only indirectly, when a worker contacted them). Some CLOs felt that their



The existence of a clear M&E framework, as agreed between the ILO and the SOQ, served to build transparency and commitment as well as to keep the Governing Body informed of progress in the implementation of the TCP. The original number of indicators in the PRODOC was 44. Given that the ILO and the SOQ had agreed on the indicators when they approved the logical framework, there was limited flexibility to make changes. However, the project would have benefitted from an early joint review of the same. Box 1 provides some further reflection on the usefulness of the TCP's Monitoring and Evaluation Framework.

BOX 1: On the Usefulness of the TCP's Monitoring and Evaluation Framework:

Programme indicators were initially broad and were further developed into specific indicators along with TCP implementation. The result was an M&E framework with **72** indicators (mostly process and **activity** indicators), with milestones mainly measuring the achievement of activities/ outputs. From an operational point of view, it is questionable whether the TCP M&E framework has been useful for informing action and decision making on an ongoing, day-to-day basis. Collecting information for such an elevated number of indicators was challenging and did not allow for obtaining periodical (quarterly, biannual) information on the same, that may be used routinely for results management by implementing staff. Given that information to be gathered depended partially in data provided by MADLSA/ GOQ and that this was not always available, some indicators were not useful.²⁰

The M&E framework seems to have functioned more as a general "checklist" on the programme's progress, providing information for "external" stakeholders (and as such to help the programme report on its progress to the GB). Its final report/ tables serve to provide a good "end line picture" of the TCP's achievements and their implementation milestones.

Programme management would have benefitted of a more compact M&E framework, with a limited number of over encompassing/ outcome indicators, that may capture more than one aspect of implementation, and a limited number of output indicators that would help specify the broader outcomes. A more limited number of indicators, and mainly outcome indicators, would have been beneficial and improved the quality and usefulness of the M&E framework.

Given that some of the data was dependent on government sources, the information for several indicators was not always available, and some indicators remained in the end with no data. Other sources, which remained under the reach of the project were easier to access: For example, collecting information on qualitative indicators, focused on the adoption of policies or enactment of laws; information collected from migrant workers was directly entered into the system by the project team; there were several activity indicators, focusing on trainings and

full potential for the furthering of the TCP had not been realized. For example, they invoked that their roles were not well publicized for the domestic workers and that the latter were not aware of the newly implemented reforms.

²⁰ However, the high number of indicators to be tracked and the fact that the information was not available in all cases as expected, did not increase transaction costs and time away from programme management for delivery. The Programme had an M&E Officer to specifically deal with the tasks of gathering and processing information.

communication activities (e.g., production of tools, documents, and awareness materials), which were under project's immediate reach.

Looking forward, it may be relevant to continue strengthening MADLSA's data collection/analysis capacity to produce a limited number of outcome indicators. For example, MADLSA Wages Protection System Unit can now track, in real time, key indicators on violations detected and internal action taken, and generate periodic reports. At the strategic level, the analysis of trends and challenges in compliance of labour law can help guide interventions, as well as training of staff and information campaigns for the public.

5.5 Progress towards Impact and Sustainability

The TCP made a sizeable contribution to its long-term objective of ensuring compliance with ILS and ensuring adequate protection for workers in Qatar.

By achieving most of its expected results in each of the 5 pillars (wages, labour inspection-OSH, labour mobility and fair recruitment, human trafficking and forced labour, workers' voice and dispute resolution mechanisms) the TCP helped bring a "180-degree change" to labour relations and labour laws in Qatar.

Having been successful during its first stage **in establishing the legal foundations and kicking off the mechanisms** for improving the protection of labour rights, future ILO cooperation in Qatar should focus on consolidating TCP results by helping generalize the application of the new labour laws and strengthen its implementation mechanisms, thus ensuring increased **compliance** with Qatari labour law.

The programme's ultimate beneficiaries (most of the migrant workforce in Qatar) have started to enjoy the benefits of legal reform, such as freedom of movement and to change jobs, and better OSH and working conditions. But changes have occurred very recently and need to be expanded. While the requirement to obtain NOCs was eliminated in 2020, some employers are presenting obstacles to implementing the new legal provisions (e.g., false allegations of abscondment, etc.). After a six-month transition period for employers to adapt to change, Qatar's non-discriminatory minimum wage came into force (including domestic workers) by end of March 2021. However, non-payment of wages and benefits, or delayed payment remains an issue to be addressed by authorities. Ensuring compliance would require both awareness raising and effective enforcement mechanisms. That is, "spreading the word" and implementing legal provisions.

In this sense, much has been achieved, but much is yet to be done to ensure real change for all daily labour relationships. For example, awareness raising on Qatari labour law and workers' rights needs to continue; business sector support to the reform process needs to be further developed; the Workers' Support and Insurance Fund needs to be strengthened, as compliance from employers regarding payment of wages and work

conditions needs to be more actively **enforced**; competence of Dispute Settlement Committees on certain issues (e.g., collective disputes, management of strikes) needs to be established; NCCHT annual plans need to be developed and implemented, etc.

While it is still too early to evaluate the lasting impact of the TCP, its achievements to date seem promising.

However, the long-term impact and sustainability of the achievements of the TCP could be assessed **after the end of phase two**, by selecting a limited number of outcome and output indicators per pillar and establishing a baseline by the end of the program and two follow-up assessments 3 and 5 years after the end of the same. Box 2 provides some examples of indicators to be considered.

BOX 2: Examples of outcome and outputs indicators per pillars:

Pillar 1: a. Proportion of workers receiving less than the minimum wage, b. Percentage of workers who are paid wages on time, c. Proportion of micro-, small and medium-sized enterprises (MSME) registered in the WPS, d. Domestic workers covered by the WPS or a similar monitoring mechanism.

Pillar 2: a. Number of inspection visits conducted, b. Number of labour law violations detected by labour inspectors in the field per type of violation, c. Number of penalties imposed per type of violations, d. Percentage of companies implementing OSH policy in the workplace.

Pillar 3: a. Number of migrant workers' complaints (before MADLSA) regarding freedom of movement between employers and renewal of QID, b. Number of domestic workers' complaints regarding freedom of movement between employers and renewal of QID, c. Number/percentage of public and private companies implementing fair recruitment policy, d. Number/percentage of private and public companies offering acceptable working and living conditions for migrant workers.

Pillar 4: a. Number of prosecutions on forced labour and human trafficking, b. Number of shelters for victims of forced labour and exploitation are fully operational, c. Annual number of victims of forced labour and exploitation assisted by shelters, per type of service.

Pillar 5: a. Number of complaints submitted by migrant workers to ADLSA, per type of claim, b. Number/percentage of public and private companies, per sector, with established joint committees, c. Number of annual meetings of governance structure for tripartite social dialogue (Tawoon), d. Number/percentage of successful conciliation processes completed by MADLSA's Labour relations Department or other competent body)

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The TCP built the necessary capacity of people and institutions at all levels. It worked with MADLSA, the Ministry of Interior, the Ministry of Public Health and several private and public enterprises to provide training and pilot implementation models. It invested heavily in different types of training addressed to diverse public, favoured the exchange of experiences with other countries, and fostered social dialogue to consolidate consensus around labour reforms. Having built and strengthened GOQ's capacities to implement labour law and defend workers' rights, all areas of project work should

become sustainable by themselves **as far as the SOQ maintains its political will and commitment** to continue enforcing the reforms, promoting compliance with ILS and to further enhancing the quality of Qatar’s labour environment.

The TCP did not have an exit strategy. The existence of a relevant amount of unspent funds from the programme, plus GOQ’s agreement on the need to consolidate certain changes, opened the way for a “second phase” of the programme. Notwithstanding the above, it must be said that the sustainability of the programme results depends less on any formal transfer of responsibilities than on the way it was effectively implemented throughout the life of the programme (LOP) to generate **ownership**. In this sense, the fact that the programme was mostly implemented together with and **through** government agencies (MADLSA, others), as well as public and private companies, rather than “for them”, should contribute to the sustainability of its outcomes. Having built and strengthened GOQ’s capacities to implement labour law and defend workers’ rights, all areas addressed by the TCP should become sustainable by themselves, insofar as the SOQ continues supporting the mechanisms established to address these issues.

While some interviewees expressed their concerns that the changes implemented with TCP support may receive a backlash from conservative sectors or business interests after 2023²¹, most interviewees remained optimistic and hopeful that the changes will remain in place. Several interviewees insisted that for the latter to occur, legal reforms needed to be consolidated by implementing law provisions, increasing awareness among Qataris and the migrant population about labour rights, fostering employers’ compliance with law, and establishing unequivocal enforcement mechanisms to promote rule of law, particularly with regards to wages protection, labour mobility, fair recruitment, and domestic workers’ rights. The fact that the reforms supported by the programme are in line with Qatar’s Vision 2030 objectives of building “a capable and motivated workforce” and developing “suitable economic diversification” should promote the upscaling and replication of project results.

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However, given that labour reforms have recently been the object of criticism by certain sectors of the local business community and the Shura Council, **relevant** upscaling and extension of reforms (e.g., JC, fair recruitment) by GOQ **and by the Qatari business community** between 2021 and 2023 should provide a clearer indication of the sustainability of the reform process. While ILO supervisory bodies will continue to supervise the application of those Conventions ratified by the SOQ, the ratification and application of other Conventions envisaged in the TCP (e.g., P29 on forced labour and C155 and C187 on OSH) would support GOQ’s commitment to continue making progress in these areas.

²¹ According to some interviewees, the need to avoid reputational costs derived from the complaint laid before the ILO, the imminence of the WFC 2022 and the embargo from other GCC countries may have acted at the beginning as relevant driving forces in support of change.

6. Conclusions

Relevance

The TCP was relevant to the context and the needs and priorities of the target beneficiaries. The project was designed in a participatory manner. The project designed ensured that the issues raised in the complaints against SOQ were addressed. This included a focus on issues pertaining to forced labor such as the *kafala* system as well as a focus on strengthening labor inspection systems including the development of adequate OSH systems.

Effectiveness

Except for outcome 4 (forced labour), where delays in implementation were observed, most outputs corresponding to outcomes 1 (payment of wages), 2 (labour inspection and OSH systems), 3 (improvement of employment conditions and labour recruitment procedures -dismantling of kafala, and 5 (promoting workers' voice) were achieved. The importance of gender equality is not explicitly addressed in the TCP and may need to be further emphasized during phase II of the TCP. Given that the programme operates mostly in the realm of public policy and does not address specific groups of communities or beneficiaries, the gender aspect of the same is not very visible.

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The TCP achieved tremendous progress in legal reform and in the engagement of different stakeholders within Qatar. In terms of concrete results, the project achieved most of its intended outputs. The dismantling of the *kafala* system is celebrated by all stakeholders interviewed at national, regional, and international levels. Enforcing the recent reforms is a considerable challenge in various sectors including the situation of domestic workers, this sector being considered as a “private realm” where MADLSA has a limited capacity to inspect and monitor.

Other gaps include the fact that the State of Qatar did not ratify ILO conventions 155 and 187 on OSH as well as the 2014 Protocol (C29) on Forced Labour. Pillar/Outcome 4 on forced labour is perhaps the one with the least progress as reported by different stakeholders, including informants from MADLSA.

Efficiency

The TCP was efficient in delivering the desired/ planned results in a short span of time. The existence of a clear M&E framework, as agreed between the ILO and the SOQ, served to build transparency and commitment as well as to keep the Governing Body informed of progress in the implementation of the TCP.



The TCP was a highly visible project and received the highest levels of support from different relevant departments within the ILO HQ. However, some branches or bureaux representing key stakeholders appears not to have been consulted nor engaged in the design and implementation of the TCP (e.g., ACTRAV, ACTEMP).

The TCP's M&E framework ended having 72 indicators, an excessive number for adequately informing action and decision making on an ongoing basis. However, its final report/ tables serve to provide a good “end line picture” of the TCP's achievements.

Sustainability and Orientation Towards Impact

While it might be too early to assess the impact of the TCP, statements by different stakeholders interviewed during the evaluation process suggest that tremendous and highly applauded progress has been made to promote international labour standards in Qatar. Workers interviewed used statements such as “we feel heard”; “domestic workers in Qatar now feel and see a different Qatar”; “the project helped increase collaboration amongst different departments and ministries in Qatar”. These statements made by workers, global unions and government informants attest to the progress made in labour conditions in Qatar. Although most stakeholders continue to be concerned with the systematic and consistent implementation of the reforms, the renewed, continued priority expressed by the state of Qatar is likely to ensure their continuation. The follow-up project (TCP 2), started by mid-2021, is a positive indication that the SOQ continues to prioritize the TCP labour reform agenda and to be committed to implementing improvements in labour relations and working conditions in the country.

7. Lessons Learnt and Good Practices

7.1 Lessons Learnt ²²

- a. ILO's supervisory function is an effective and relevant driver for legislative reform
- b. The role of the ILO Social Partners is of capital importance in leveraging the supervisory system of the ILO for legislative reform
- c. Social dialogue, based on trust, direct communication and tripartite consultations, together with governmental commitment and political will, are key for creating an enabling environment that makes labour reform viable
- d. A gradual and systematic approach, based on a clear roadmap towards implementing labour law reforms, may be an effective way to promote Member States compliance with ILS

7.2 Good Practices

- a. The TCP general implementation approach: Working step by step, on multiple parallel fronts, towards the implementation of ILS in those aspects in which it is realistically feasible to obtain change
- b. The use of focal points for each pillar, which provided an affective and rapid means for coordination among ILO and MADLSA
- c. TCP's cooperation schemes with private and public entities (QF, SCDL, QVDC, visa centers, etc.), aimed at piloting initiatives and trickling down reform (fair recruitment, joint committees) through a supply chain approach
- d. The TCPs proactive efforts to sensitize the local and international business community operating in Qatar (e.g., foreign companies and countries' business councils) with regards to changes in labor law and opportunities for cooperation
- e. The biannual meetings between MADLSA, the ILO and GUF, which provided an effective mean to receive stakeholders' points of view and priorities and inform them on the TCP progress
- f. Taking the backseat: TCPs efforts to promote programme ownership by broadening the scope of stakeholders engaged in its implementation (GOQ, ITUC, GUF, IOE, other stakeholders²³), while the ILO did not take direct credit for programme's successes
- g. TCP's communication strategy, which delivered diverse awareness-raising materials in multiple languages, addressed to the migrant workers' community. Likewise, MADLSA use of interpreters to support LI work.

²² The lessons learned from an evaluation are an external perspective based on available data and analysis. Other lessons learned may emerge, albeit the validation of lessons learned being part of the use of an evaluation.

²³ Such as other partner countries (e.g., Netherlands, France, Sweden, US, UK, Australia and other).

8. Recommendations

8.1 General Recommendations

General recommendations focus on the need to promote respect for labour rights, provide a clearer gender equality-related focus to activities, document and systematize the results of the TCP as an eventual reference for other GCC countries, and systematize the combined normative-technical cooperation model applied in the implementation of the TCP, as a reference for ILO future support to other Member States.

Recommendation 1: Implement periodic media campaigns to promote a culture of respect for labour law and foster the sustainability of TCP results

MADLSA with the assistance of the ILO Doha Project Office should develop periodic campaigns aimed at promoting a culture of respect of labour rights and compliance with labour law. The imminence of the WFC could be used as an auxiliary theme for these campaigns, associating the idea of “fair play” with the need to respect both labour regulations and sport rules

Responsible Unit(s)	Priority	Time Implication	Resource Implication
ILO Doha Project Office and MADLSA	High	Short term	Within current TCP resources plus additional funding from GOQ

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Recommendation 2: Give gender equality a more visible role as complementary driver of labour reform

MADLSA and the ILO Doha Project Office, with ROAS support, should promote an increased participation of women in the Qatari workforce, and advocate for an equal treatment of women and men in the workplace. Additionally, the GOQ, with support of the TCP, could target the ratification of gender related international labour standards which have not yet been ratified by Qatar, notably conventions Nos. 100 (equal remuneration), 156 (workers with family responsibilities) and 183 (maternity protection)

Responsible Unit(s)	Priority	Time Implication	Resource Implication
ILO Doha Project Office, ROAS and MADLSA	High	Short term	Within current TCP resources

Recommendation 3: Document and disseminate the results of the TCP Phase I among other GCC countries

MADLSA and the ILO Doha Project Office, with ROAS support, should systematize the features and key achievements of the Qatari labour reform process, and organize events to share this information, as an example of good practice, with ILO Member States in the Middle East and North African region, and particularly with GCC countries.²⁴

Responsible Unit(s)	Priority	Time Implication	Resource Implication
ILO HQ, ROAS, ILO Doha Project Office and MADLSA	Medium	Medium term	Within current TCP resources

Recommendation 4: Systematize the main features of the joint normative and technical cooperation model implemented through the TCP in view of its replication in other appropriate cases

The ILO should systematize the steps and methodology used in developing the TCP in Qatar and assess the driving factors that supported its implementation, in order to outline a work model that combines ILO’s normative and technical cooperation functions, which may be replicable in ILO’s work with other Member States.

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Responsible Unit(s)	Priority	Time Implication	Resource Implication
ILO HQ (NORMES, LABADMIN/OSH, FUNDAMENTALS & PARDEV), with input from Doha Project Office and ROAS	Medium	Medium term	ILO P&B

8.2 Specific Recommendations for Phase II of the TCP

Specific recommendations refer to the need to take advantage of the additional timeline established by Phase II of the TCP phase, to scale up help, and to move forward some of the mechanisms that were established/ institutionalized during the first three years of

²⁴ For example, a number of tools and informative materials for workers and employers were produced during the life of the TCP and could be used in other countries facing the same labour challenges as Qatar.



the TCP: Minimum wage, fair recruitment practices, joint committees, OSH policy, forced labour policy.

Recommendation 5: Review the possible the inclusion of food and accommodation costs within a more comprehensive calculation of the minimum wage

To consolidate progress made in the area of protection of wages and workers’ welfare, MADLSA may consider revising the way in which the minimum wage is set and establishing that the basis for calculation of the minimum wage includes the cost of workers’ food and accommodation. This minimum monetary standard would guarantee the quality of accommodation and food being offered to workers by employers.

Responsible Unit(s)	Priority	Time Implication	Resource Implication
ILO Doha Project Office, MADLSA	Medium	Medium term	Within current TCP resources

Recommendation 6: Integrate fair recruitment practices and labour rights to all public procurement processes

The ILO should provide technical support to MADLSA and other relevant bodies to produce regulations that extend fair recruitment practices to all public procurement processes.

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Responsible Unit(s)	Priority	Time Implication	Resource Implication
ILO Doha Project Office, MADLSA	High	Short term	Within current TCP resources

Recommendation 7: Promote legislative reform to make Joint Committees become mandatory for all workplaces with/above a certain number/threshold of workers

To consolidate the results obtained, the ILO should provide technical support to MADLSA for the development of regulations that make joint committees mandatory for all workplaces with /above a certain number of workers. MADLSA should assess the viability of expanding the role of joint committees so that they are enabled to carry out negotiations, and should monitor the implementation of their results.

Responsible Unit(s)	Priority	Time Implication	Resource Implication
ILO Doha Project Office, MADLSA	High	Short term	Within current TCP resources

Recommendation 8: Promote the ratification by the SOQ of ILO conventions C155 and C187, and of the 2014 Protocol (C29)

To consolidate progress and ensure sustainability, the ILO Doha Project Office should continue its advisory and advocacy role before MADLSA, in favour of ratification by the SOQ of the Occupational Safety and Health Convention, 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and of the 2014 Protocol to the Forced Labour Convention, 1930 (No. 29), to strengthen GOQ’s commitment and action in these key areas, as foreseen under the technical cooperation agreement (TCA). The ILO should also promote the ratification by the SOQ of the Domestic Workers Convention, 2011 (No. 189).

Responsible Unit(s)	Priority	Time Implication	Resource Implication
ILO Doha Project Office, MADLSA	High	Medium term	Within current TCP resources

Recommendation 9: Identify activities and stakeholders that contribute to the sustainability of programme results and take practical steps to implement them as part of a second phase of the project.

The following examples illustrate some possible means to implement this recommendation:

- Develop further sensitization work with QCCI members aimed to promote that they become advocates of legal reforms and compliance with labour law, particularly with regards to fair recruitment, wage protection, OSH, and promotion of joint committees
- Carry out awareness-raising campaigns on domestic workers’ labour rights and the need to improve DWs working conditions
- Provide ad-hoc support to Taawon so it becomes an effective platform for exchange and fostering workers’ and management concerns to the national level
- Strengthen the Workplace Cooperation Unit at MADLSA, so it can help extend the reach of Workers’ Dispute Settlement Committees
- Provide technical support to NCCHT in the implementation of its HT Strategic Plan
- Support MADLSA ensuring that annual meetings of the Minimum Wage Commission are held regularly, and that its agreements both publicized and implemented
- Strengthen Labour Inspection capacity to enforce regulations and to reduce compliance gaps in targeted sectors, by further developing LI’s Strategic Unit capacity
- Improve GOQ capacity for timely collection and use of key labour data and accessibility to the same by relevant national and international stakeholders

Responsible Unit(s)	Priority	Time Implication	Resource Implication
ILO Doha Project Office and MADLSA	High	Short term	Within current TCP resources plus additional funding from GOQ

ANNEXES

ANNEX 1: Summary on Performance by Outcome/ Output by end of life of Programme

Outcomes	Outputs	Progress	Overall Assessment by evaluation team (as of June 2021)
Outcome 1 Improved payment of wages	Output 1.1 Enhanced Wage protection system (WPS)	Law has been passed in 2015 but implementation remains to be seen; the TCP conducted and published a comprehensive independent assessment on the same, with several recommendations on how to enhance the WPS	Achieved
	Output 1.2 Expand the coverage of the WPS to small and medium enterprises (SME) & subcontractors	Partially achieved - 77.4% Target by June 2021 90%	
	Output 1.3 Expand the coverage of the WPS or a similar monitoring mechanism to domestic workers	Initial activities have taken place but formal development of systems have not yet been established	
	Output 1.4 Adopt Minimum wage	Achieved	
Outcome 2 Improved labour inspection and OSH systems	Output 2.1 Labour inspection policy implemented with a clear strategy	Achieved	Achieved
	Output 2.2 Improved communication with migrant workers	Achieved	
	Output 2.3 Occupational Safety and Health (OSH) policy implemented with a clear strategy	Achieved	
	Output 2.4 Develop and implement a National Action Plan (NAP) on the	Achieved Qatar adopted a law on protection	

		management of heat related risks	from heat stress and it started the implementation of a National Action Plan on Heat Stress in line with the Annual Strategy for Labour Inspection Services 2020	
		Output 2.5 Awareness raising campaign carried-out on OSH amongst workers	Achieved	
Outcome 3 Implement a contractual system to replace <i>kafala</i> and to improve employment conditions and labour recruitment procedures	Output 3.1	Assessment of implementation challenges of Law No. 21 and other relevant laws regulating recruitment, including the need for further revision in line with ILO's Committee of Experts' comments	Achieved	Achieved
	Output 3.2	Training on the law and its subsequent revision delivered to the relevant stakeholders	Achieved	
	Output 3.3	Domestic workers law implemented	Experiencing Delays Some initial activities have taken place, but implementation is challenging due to the nature of domestic work being more within the private realm and out of the reach of inspection by MADLSA (See indicators 1I and 3I below)	
	Output 3.4	Improved recruitment	Achieved	
Outcome 4 Increased prevention, protection, and prosecution against forced labor	Output 4.1	Develop effective policies on Human Trafficking (HT), based on a clear definition and forced labour (FL) indicators	Some Progress	Not Yet on Track Some activities have been implemented across the seven outputs under this pillar however there is still no
	Output 4.2	Develop and implement a NAP on FL, which includes measures to	Some Progress	

		address passport confiscation, contract substitution, and impediments to accessing justice for victims, as well as legal reforms if necessary		national plan on HT with a focus on FL.
		Output 4.3 Assist in the development of the National Strategy on HT	Some Progress	
		Output 4.4 In collaboration with the Qatar National Committee to Combat HT (NCCHT), support coordination with relevant international bodies on FL and HT	Some Progress	
		Output 4.5 Develop training plans to build the capacity of national enforcement authorities and other relevant stakeholders (police, public prosecutors, judges, labour inspectors, members of the NCCHT)	Some Progress	
		Output 4.6 Technical assistance provided on the ratification of the 2014 Protocol to the FL convention, 1930 (No. 29)	Some Progress	
		Output 4.7 Awareness-raising activities on FL, HT and the ILO general principles and operational guidelines for fair recruitment in collaboration with Qatar Chamber of Commerce	Some Progress	
Outcome 5 Promoting workers' voice	Output 5.1	National Worker's Complaint Mechanism improved	Achieved	Achieved
	Output 5.2	Establish ILO support to workers in submitting complaints through the national mechanism, including follow-up with a view to ensuring speedy and fair treatment and absence of retaliation	Achieved	
	Output 5.3	Carry out awareness-raising among	Achieved	



	expatriate workers on their rights and obligations, especially with regards to the submission of complaints the documents required and various other procedural matters		
	Output 5.4 Establish Representative Joint Committees	Achieved	
	Output 5.5 Improved implementation of the legislation and functioning of joint committees	Achieved	
	Output 5.6 Carry out a national campaign of awareness raising on rights at work and capacity building for all workers, employers, and relevant government officials in Qatar	Achieved	

ANNEX 2: Monitoring Plan on Performance Indicators ²⁵

Project Outcome 1: Improvement in Payment of Wages		
Indicator	Status	Date
1.A Proportion of workers receiving less than the minimum wage	6%	May 2020
1B. Non-discriminatory minimum wage adopted in law	Achieved	M&E Report November 2020
1C. Sustainable mechanism to periodically assess and revise the minimum wage established	Achieved	M&E Report November 2020
1D. Workers' Support and Insurance Fund is operational	Not Fully Achieved (Fund has disbursed payment in specific cases)	M&E Report November 2020
1E. Proportion of workers who are paid wages on time	Data Not Available Target by June 2021 was 95%	
1.F Measures introduced to protect workers from illegal wage deductions	Review of national and international best practices and standards on the issuance of pay slips - In Progress Amendments to the Salary Information File to collect additional details (food/housing allowances, overtime) - In Progress	September 2020 (M&E Report November 2020)
1G. Proportion of micro-, small and medium-sized enterprises (MSME) registered in the WPS	77.4% Target by June 2021 90%	March 2019 (M&E Report November 2020)
1H. Proportion of eligible workers registered in the WPS	96.7% Target by June 2021 83.7	September 2020 (M&E Report November 2020)
1I. Domestic workers covered by the WPS or a similar monitoring mechanism	The QCB has facilitated the process for domestic workers to open bank accounts, and ADLSA has encouraged employers to open accounts for their domestic workers, and pay wages into workers' accounts. The ILO has prepared a note proposing a wage protection system for domestic workers, for discussion with ADLSA and QCB.	June 2020

²⁵ This table reflects the information stated in the TCP's monitoring system report (final). The dates are those of the last reporting in the system for each indicator. The evaluation team did not have direct access to the programme's M&E database to confirm the validity of the information provided by the same.

	Target by June 2021 Establish a system to ensure domestic workers' wages are protected	
Project Outcome 2: Improved labour inspection and OSH systems		
Indicator	Status	Date
2A. Number of training courses delivered as part of the training plan of the Strategic Office	(7) Target By June 2020 (9)	M&E Report November 2020
2B. Number of key stakeholders which participated in capacity building activities on labour inspection and OSH outside the training plan of the Strategic Office	(286) Target by June 2021 (250)	M&E Report November 2020
2C. Proportion of labour inspectors, who passed proficiency checks	On average, 70 percent of 185 labour inspectors provided correct answers on Forced Labour trainings Target by June 2021 In each training course 60 percent of labour inspectors passed proficiency checks	October 2020 (M&E report November 2020)
2.D Increased number of interpreters	No progress	M&E Report November 2020
2E. Labour inspection policy developed, adopted and disseminated	Achieved All labour inspectors trained on labour inspection policy in 2019	M&E Report November 2020
2F. Labour inspection strategic compliance plan adopted and monitored	Achieved Periodic progress in the implementation of strategic compliance plan on heat stress is monitored and reported in 2020	M&E Report November 2020
2G. Number of inspection visits conducted	(43,842)	2019
2H. Number of labour law violations detected by labour inspectors in the field	(9,927)	2019
2I. Number of penalties imposed for violations of heat-stress legislation	(263)	July-August 2020
2J. Number of penalties imposed for wage-related violations	(50,646)	2019
2K. OSH policy based on National OSH Profile developed, adopted and disseminated	Milestone Achieved: In 2020 OSH policy adopted and published Target by June 2021 in progress	



2L. ILO Occupational Safety and Health Convention, 1981 (No.155) ratified	Not Achieved	June 2021 – Evaluation Findings
2M. Number of people reached by OSH month activities	51%	
2N. Number of people reached by online awareness raising activities on OSH	(1,209,935) Target by June 2021 (100,000)	July 2020
Project Outcome 3: Implement a contractual system to replace <i>kafala</i> and to improve employment conditions and labour recruitment procedures		
Indicator	Status	Date
3A. Law No. 21 of 2015 on entry, exit and residence of expatriate workers and Labour Law No. 14 of 2004 amended to ensure the freedom of movement of workers between employers	Achieved	2020
3.B Law No. 21 of 2015 amended and Ministerial Decision adopted to remove the exit permit requirements	Achieved	2020
3C. Recommendations provided to ADLSA and MOI to allow renewal of QID by migrant workers	Not Yet Achieved	2021
3D. Bilateral labour agreement and standard contracts revised	Partially Achieved	2021
3E. Public procurement procedures reformed to address fair recruitment during the tendering process	In Progress /Partially Achieved	2020
3F. Number of key stakeholders, which participated in capacity building activities on migration, recruitment and employment-related laws and practices	(876) Target by June 2021 (700)	October 2020
3G. Public employment system on circulation of workers designed	Milestone in Progress Consultations with ADLSA and Qatar Chamber held to develop the scope and functionalities of the employment platform	M&E Report November 2020
3H. Number of fair recruitment pilots implemented	(3)	M&E Report November 2020
3I. Domestic work legislation improved and implemented	Partially Achieved	
3J. Measures taken to enhance the awareness of domestic workers and employers about relevant rights and obligations	In progress (4 milestones achieved)	
3K. Improved working and living conditions in hospitality and private security sectors	Partially Achieved	M&E Report November 2020

Project Outcome 4: Increase prevention, protection and prosecution against forced labour		
Indicator	Status	Date
4A. Number of prosecutions on forced labour and human trafficking (labour exploitation)	1 prosecution case (2 perpetrators, 2 victims) Target By June 2021(3 prosecution cases (1 case per year)	November 2020
4B. National Action Plan on human trafficking and forced labour adopted and implemented	Not Yet Achieved	Evaluation Findings
4C. Number of activities carried out with international bodies on combatting forced labour and human trafficking	(3) – Target by June 2021 (3)	M&E Report November 2020
4D. Number of key stakeholders which participated in capacity building activities on combatting human trafficking and forced labour	(284) – Target by June 2021 (300)	November 2020
4E. Number of successful proficiency checks for relevant officials on combatting human trafficking and forced labour, including labour inspectors	129 labour inspectors (i.e. 70 percent of 185) passed the test, according to the Ministry’s threshold. 35 employees (i.e. 83 percent of 42) of Labour Relations Department passed the test above the acceptable score Target by June 2021 – (100)	October 2020
4F. The 2014 Protocol to the forced labour convention, 1930 (No.29) ratified	Not Yet Achieved	M&E Report November 2020 & Evaluation Findings
4G. Number of people reached by awareness raising activities on forced labour and human trafficking	1,704 views of video produced for World Day Against Trafficking in Persons on 30 July 2020 4,000 flyers on passport confiscation printed and distributed through various channels, as well as online. Target by June 2021 (20,000)	M& Report November 2020
4H. Shelters for victims of forced labour and exploitation are fully operational	Partially achieved (COVID-19 Implication resulting in delays in operation)	Evaluation Findings

Project Outcome 5: Promoting workers' voice		
Indicator	Status	Date
5A. Satisfaction of workers with ILO advice and support to submit complaints	Achieved (100 percent of complainants – very satisfied September 2020)	M& Report November 2020
5B. Number of people reached by online awareness raising activity for the ADLSA complaint submission process	Data not available, as the upgrade of the dispute resolution system has not yet been completed and campaign has not yet been promoted	M& Report November 2020
5C. Number and type of claims lodged in ILO complaints to ADLSA	(2725) 86% related to wages (unpaid wages, unpaid leave, air ticket, end of service benefits)	M&E Report November 2020
5D. Time for submitting complaints by ILO to ADLSA	1.6 days Target by June 2021 (3 days)	July-September 2020
5E. Number of claims of retaliation raised by ILO	0 Target (0)	November 2020
5F. Number and type of requests for advice received by ILO [NEW]	(3219)	Cumulative until November 2020
5G. Number of joint committees established	Achieved (20 pilots by ILO/ADLSA + 112 Welfare committees without ILO/ADLSA intervention)	M&E Report November 2020
5H. Number of worker representatives elected in piloting companies	Achieved (14 worker representatives in 1 company + 110 worker representatives in 20 piloting companies)	M&E Report November 2020
5I. Number of workers represented in piloting companies	(18,750)	M&E Report November 2020
5J. Governance structure for tripartite social dialogue established	Capacity building sessions on social dialogue for TAWOON platform members delivered. Strategic plan of TAWOON platform developed and approved by members	M&E Report November 2020
5K. Companies adopt procedures on the establishment and operation of joint committees	Company-level procedures were developed and approved by 20 companies	M&E Report November 2020
5L. Knowledge by worker and management representatives of roles and responsibilities in relation to joint committee mandate	1 business group (20 worker and management representatives) participated in the training on roles and responsibilities of JC members	September 2020
5M. Knowledge by worker and management representatives of employee participation rights in relation to joint committee mandate	Delivered 6 hybrid capacity building sessions/consultations on employee participation rights for 5 joint committees, 4 in collaboration with the Embassy of the Netherlands, the Social and Economic Council of the	September 2020



	Netherlands and SBI Formaat (17 August – 28 September 2020) Workers’ and management representatives from 5 companies have discussed and adopted a model operational procedures for consultation in joint committees.	
5N. Degree of representativeness of JC structures and institutionalization of worker representatives’ roles	Joint committees in piloting companies represent 18,750 workers. Existing SC-supported joint committees represent 23,164 workers	June 2020
5O. Ministerial Decision on joint committees adopted	Achieved - Ministerial Decision (No. 21, 2019) on joint committees adopted	M&E Report November 2020
5P. Ministerial Decision on joint negotiations adopted	Not Yet Achieved	M&E Report November 2020
5Q. Ministerial Decision on the referral of collective disputes adopted	Not Yet Achieved	M&E Report November 2020
5R. Labour law amended to make joint committees mandatory	Not Yet Achieved	M&E Report November 2020
5S. Protocol for ADLSA Labour Relations Department on managing strikes adopted	Not Yet Achieved	M&E Report November 2020
5T. Number of relevant officials trained on skills for conciliation in collective disputes emerging from joint committees	Data Not Available	M&E Report November 2020
5U. Number of successful proficiency checks for relevant officials on skills for conciliation in collective disputes emerging from joint committees		
5V. Time for election supervision and capacity building program delivered by ADLSA		
5W. System to manage different components of workplace cooperation within reasonable timeframes developed	Not Yet Achieved	M&E Report November 2020
5X. Capacity of ADLSA’s Labour Relations Department to manage different components of workplace cooperation within reasonable timeframes improved	Data Not Available	M&E Report November 2020
5Y. Guidelines for the development of a comprehensive workplace conflict management system developed	Achieved - Series of meetings held with 20 ITC participants to develop guidelines for prevention and development of workplace conflict management system	M&E Report November 2020



5Z. Grievance handling procedures in companies improved	Achieved - With workers' input, 5 companies revised grievance handling procedures in line with ILO Recommendation No. 130	M&E Report November 2020
5AA. Workplace cooperation unit with ADLSA Labour Relations Department established and functional	Partially Achieved - Proposal on the establishment of workplace cooperation unit approved by ADLSA	M&E Report November 2020



ANNEX 3: Terms of Reference

TERMS OF REFERENCE FINAL INDEPENDENT EVALUATION – ILO DEVELOPMENT COOPERATION PROJECT

PROJECT TITLE	TECHNICAL COOPERATION PROJECT IN QATAR
DC PROJECT CODE	QAT/17/01/QAT
DONOR	STATE OF QATAR
TOTAL BUDGET APPROVED	USD 25,000 000
ILO ADM UNITS	INTERNATIONAL LABOUR STANDARDS DEPARTMENT (NORMES)
ILO TECHNICAL UNIT	INTERNATIONAL LABOUR STANDARDS DEPARTMENT (NORMES)
EVALUATION DATE	June 2021 (Project end date is 30 June 2021)
PROJECT MANAGER	Houtan Homayounpour, CTA / Head of Project Office, Doha, Qatar, International Labour Standards Department (NORMES)
EVALUATION MANAGER	Ritash Sarna (STATISTICS)
EVALUATION OVERSIGHT	Peter E. Wichmand, ILO Evaluation Office
TOR PREPARED	November 2020



1. Introduction and Rationale for the Independent Evaluation

The International Labour Organization (ILO) inaugurated its first project office in Qatar in April 2018 to support the implementation of a comprehensive programme on working conditions and labour rights in the country. The technical cooperation programme falls within the scope of the Government of Qatar's efforts to implement numerous reforms related to laws and regulations on employment and to provide additional guarantees that promote and protect workers' rights. It was developed as a result of negotiations conducted between the ILO and the Government of Qatar.

As per ILO's evaluation policy, this Project is subject to a final independent evaluation. This final evaluation examines the overall progress, outcomes achieved, outputs delivered, and assess the impact of the Project. This terms of reference (TOR) describes the scope of work and expected outputs from the evaluation, adhering to [ILO's policies and procedures on evaluations](#)²⁶. As per ILO evaluation rules, it will be conducted by external Independent Evaluator(s) and managed by an Evaluation Manager who is an ILO staff member with no prior involvement in this project. The ILO Independent Evaluation Office will oversee the process.

2. Background of the Project and Status

In June 2014 at the International Labour Conference a complaint following procedures set out in Article 26 of the ILO Constitution was lodged against the Government of the State of Qatar for non-conformity with the Forced Labour Convention, 1930 (No. 29) and the Labour Inspection Convention, 1947 (No. 81). Following discussions, the ILO Governing Body sent a high-level tripartite mission to assess the situation with regard to labour rights in Qatar, and the Government of Qatar eventually adopted a number of legislative reforms. At its 331st session in October-November 2017, the ILO Governing Body decided to close the complaint based on a comprehensive technical cooperation programme between the ILO and Qatar, and annual reporting to the Governing Body.

The technical cooperation programme reflects the joint commitment of both the State of Qatar and the ILO to cooperate on ensuring compliance with ratified international labour conventions as well as achieving fundamental principles and rights at work in the State of Qatar. The project was launched in February 2018 and a no-cost extension until 30 June 2021 was agreed with the donor. In line with the decision of the ILO Governing Body when endorsing the Technical Cooperation Project, 3 annual progress reports were submitted to the Governing Body in November of 2018, 2019 and 2020. [GB.334/INS/8, GB.337/INS/5, GB.340/INS/11]

The project seeks to achieve this through delivering the following outcomes:



Outcome 1. Improvement in payment of wages

Outcome 2. Improved labour inspection and OSH systems

Outcome 3. An employment contractual system replacing the *kafala* system

Outcome 4. Forced labour

Outcome 5. Promotion of the workers' voice

The project is overseen by the Director of the International Labour Standards Department (NORMES) responsible for the overall coordination and ILO Project Office in the State of Qatar responsible for the planning and implementation of the project, in coordination with the ILO Regional Office for Arab States.

3. Purpose, Scope and Users of the Evaluation:

The purpose of the independent evaluation is to:

- give an assessment of the relevance, coherence, effectiveness, efficiency and the sustainability of the project across the major outcomes;
- assess performance as per the foreseen targets and indicators of achievement at output and outcome levels, strategies and implementation modalities chosen, partnership arrangements, constraints and opportunities;
- provide lessons to improve design, performance and sustainability of future project and initiatives of similar nature

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Given the financing modality (national funding), standards focus and joint commitment of the project including reporting to the GB, this project offers unique strategic organisational learning opportunities for the ILO. These include but are not limited to how the use of technical cooperation modalities at a large scale can support standards implementation in a specific country.

The evaluation will cover the project's various components, outcomes, outputs and activities as reflected in the project implementation plan as well as subsequent modification and alterations made during its implementation. The evaluation will review the sustainability of the results of the project and broader contributions to national efforts aimed at improved implementation of standards concerned with the project.

The evaluation will also assess the broader organisational learning that can be gleaned from the project beyond Qatar in terms of demonstrating the role of the supervisory mechanism, how technical assistance from ILO can bring legislation and national practices in conformity with ratified conventions, and how engagement with social partners and multiple partnerships with governments can play in advancing project and organizational goals.

Below is the list of intended users of the evaluation:



- Ministry of Administrative Development, Labour and Social Affairs (ADLSA),
- Qatar Chamber of Commerce
- ITUC,
- IOE,
- International Labour Standards Department (NORMES),
- ILO Project Office for the State of Qatar,
- ILO, broadly for strategic organisational learning
- Independent ILO Evaluation Office (EVAL)

The ILO evaluation office will use the evaluation for reporting, input for organisational learning and other meta-evaluation purposes. The evaluation or its summary could also be shared with the Governing Body for information.

4. Evaluation Criteria and Suggested Evaluation Questions

The project will be evaluated against standard OECD DAC criteria including relevance and validity of design; strategic fit/coherence with other efforts, project effectiveness, the efficiency of resource use, progress toward impact; and sustainability, as further defined in the [ILO policy guidelines for results-based evaluation \(2020\)](#)²⁷.

The gender responsiveness of the project's design, implementation and impact will be considered throughout. This includes ensuring both men and women are involved in the consultations, and the gender dimension is considered in the evaluation analysis and evaluation reporting. Moreover, the Evaluator(s) should review data and information that is disaggregated by sex and gender and assess the relevance and effectiveness of gender-related strategies and outcomes to improve the lives of women and men. The Evaluator(s) should also consider adopting evaluation methods developed to better assess ILO's normative and tripartite mandate as illustrated in [Guidance Note 3.2. of the ILO Policy Guidelines for Evaluation](#)²⁸ [on Adapting evaluation methods to the ILO's normative and tripartite mandate](#). Given the current Covid-19 pandemic, when and where relevant, evaluation questions will also be guided by the ILO [Protocol on collecting evaluative evidence on the ILO's Covid-19 response measures through project and programme evaluations](#)²⁹.

Based on received input from key stakeholders and in line with the ILO Policy Guidelines on Evaluation, the Evaluator(s), in consultation with the Evaluation Manager, will develop a methodological note in the inception report in line with the points listed below:

Relevance and Validity of Design (*Is the intervention doing the right things?*)

1. *To what extent were the needs of beneficiaries and stakeholders taken into account in project design?*
2. *To what extent do the intervention objectives and design respond to beneficiaries', global, country, and partner/institution needs, policies, and priorities? Was it based on participation and institutional capacity building of social partners?*
3. *Were the planned project objectives and outcomes relevant and realistic to the situation on the ground? How were they adapted to unforeseen or emerging issues or conditions?*
4. *Did the project design establish a clear strategy to respond to the conditions and issues detected?*

Coherence/Strategic fit *(How well does the intervention fit?)*

The extent to which other interventions support or undermine the intervention, and vice versa. This includes internal coherence and external coherence, in particular, synergies and fit with national initiatives and with other projects supported by other actors, and project visibility.

- 1) *To what extent was the project aligned to national priorities?*
- 2) *Are strategies and approach coherent with ILO global policies, thematic/sectoral strategies, action plans and other relevant frameworks, specifically with the Programme & Budget 2018-19 and 2020-21 as well as the GB paper (GB.331/INS/13)?*
- 3) *Is the project coherent with the interventions and strategies of other actors working on labour rights in Qatar, including from partner governments, workers' and employers' organizations, and civil society?*

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Project results and effectiveness *(Is the intervention achieving its objectives?)*

- 1) *To what extent did the project achieve planned objectives? Has the quantity and quality of the outputs produced been satisfactory?*
- 2) *To what extent did the project coordinate and collaborate with other on-going ILO, UN and/or other partners' programmes/projects/initiatives to increase its effectiveness and impact?*
- 3) *What are the main factors – internal to the project and external – that have hindered the project capacity to fully reach all of the objectives? Are there alternative strategies that would have increased the prospects of fully achieving the project objectives?*
- 4) *To what extent was the monitoring and evaluation framework appropriate and useful in assessing the project's progress?*

Efficiency of resource use *(How well are resources being used?)*

- 1) *To what extent have financial, human, and institutional resources been sufficient and adequate to meet project objectives?*



- 2) *To what extent was the project efficient in delivering the desired/planned results? Are there other more efficient means of delivering more and better results (outputs and outcomes) with the available inputs?*
- 3) *Has the project received the necessary institutional, technical, and administrative guidance from different ILO departments for successful execution?*
- 4) *How efficient were the management and accountability structures of the project?*

Progress towards Impact and Sustainability (*Will the benefits/changes last or be used for further changes?*)

- 1) *What contribution did the project make towards achieving its long-term objective?*
- 2) *To what extent has the project generated or is expected to generate significant positive or negative, intended or unintended, higher-level effects, or impact, including in actual improvement in conditions for ultimate beneficiaries?³⁰*
- 3) *How effective and realistic is the exit strategy of the project?*
- 4) *How effectively is the project building the necessary capacity of people and institutions?*
- 5) *To what extent are planned results of the project likely to be sustained and/or scaled-up and replicated by stakeholders?*
- 6) *What further concrete steps could be taken to increase the sustainability of the results?*

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In addition, *effectiveness of management arrangements and knowledge management* as the extent to which lessons learnt during the project were documented, validated, shared with participants, and used for changing methodologies and approaches, is an additional focus.

5. Methodology

The evaluation will be based on a participatory approach, involving a wide range of key stakeholders. The evaluation will take into account the need for adequate gender representation among these stakeholders, as well as representation amongst social partners. To the extent possible, quantitative and qualitative data will be collected, validated and analysed. The evaluation process will include the following:

- A desk review of relevant documents related to project delivery, including the initial project document and its subsequent revisions, implementation plan, and the GB annual progress reports.
- Interviews through videoconference with staff from the ILO Project Office in the State of Qatar; from NORMES and other relevant Departments in ILO Geneva; from the Regional Office from the Arab States; and from the Turin centre.
- Interviews through Skype/videoconference with individuals and/or focus group discussions with relevant national and international stakeholders (i.e., Government, global union federations (GUFs), Employers, public institutions, social partners and project partners).



The methodology for the evaluation can be adjusted by the Evaluator(s) if considered necessary, in accordance with the scope and purpose of the evaluation and in consultation with the Evaluation Manager, as overseen by the ILO Evaluation Office (EVAL) as part of the process for management and implementation of independent evaluations.

The current COVID-19 pandemic severely restricts the mobility of staff and consultants. The methodology should consider any implications on evaluation of the Covid-19 pandemic as outlined in the relevant ILO Guidance. This could include online methods such as online surveys, telephone or online interviews and a hybrid face-to-face/remote approach for collecting data using national consultants. The ILO Evaluation Office guidance on the evaluation process during Covid-19 is available here:

https://www.ilo.org/eval/WCMS_744068/lang--en/index.htm

The evaluation manager may propose alternative methodologies to address the data collection that will be reflected in the inception phase of the evaluation developed by the evaluation team. These will be discussed and require detail development in the Inception report and then must be approved from the evaluation manager.

The evaluation should be carried out in adherence with the relevant parts of the ILO Evaluation Policy and ILO Policy Guidelines for Evaluation: Principles, Rationale, Planning and Managing for Evaluations (4th ed. November 2020)³¹.

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The following is the proposed methodology:

i. Inception Phase

The Evaluator(s) will review the project document, implementation plan and its subsequent revisions, project monitoring plans, progress reports, comments from and reports to the Committee of Experts, technical reports, and other relevant documents that were produced through the project or by relevant stakeholders.

The Evaluator(s) will have an inception meeting with the Evaluation Manager, the Departmental Evaluation Focal Point (DEFP) of NORMES and the Senior Evaluation Officer in EVAL with a focus on the evaluation process such as key evaluation questions and priority assessment questions, key informants and data collection instruments, outline of the inception and final report etc. This will be followed by initial interviews with key project informants (Head of Project Office, Technical Specialists, etc.) and the Director of NORMES in ILO HQ. These meetings will be held online. The purpose will be to provide background to the project, key perspectives



on the implementation and results of the project, a common understanding on the purpose, scope and evaluation questions and the implementation of the evaluation. The discussions will include the list of possible stakeholders to interview, status of logistical arrangements for interviews, project background and materials, and the required support from the project.

Based on the scope and purpose of the evaluation, document review, briefings and initial interviews, the Evaluator(s) will prepare an inception report with the final methodology.

ii. **Data Collection Phase**

The Evaluator(s) will first complete relevant consultations with internal project stakeholders such as the project staff, technical backstopping staff and those on the list of key stakeholders. The interviews will be arranged by the Project Office in Doha, but the Project Office will not participate in the interviews of other stakeholders. The Evaluator(s) may want to submit an initial set of questions to the stakeholders so that they have time to reflect ahead of the interview. In certain circumstances, group interviews may be proposed by the Project Office, and discussed with the Evaluator(s) and the Evaluation Manager. If the Evaluator(s) wish to speak with other stakeholders beyond the list, this can be discussed with the Evaluation Manager and the Head of the Project Office. The Project office will provide a detailed list of stakeholders with their contact details and role or involvement with the project.

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iii. **Report Writing Phase**, including lessons learned, emerging good practices and recommendations

Based on the inputs from discussions and interviews with key stakeholders, the Evaluator(s) will prepare the first draft of the evaluation report, including lessons learnt, emerging good practices and recommendations. The draft report will be sent to the Evaluation Manager, who will review the draft with the help of the DEFP of NORMES and EVAL for methodological and compliance with TORs before sharing the draft report with key stakeholders for their inputs/comments.

The Evaluation Manager will consolidate all comments including comments on the methodology, and will then share them with the Evaluator(s) for consideration in finalizing the report. The Evaluator(s) will finalize the report, taking into consideration the stakeholder comments and submit one complete document to the Evaluation Manager, who will review for final compliance with TORs and methodology. A debriefing will be held with the ILO through conference call, following the submission of the final report.



The final report will be reviewed and approved by EVAL, who will also provide support to the Evaluation Manager and oversee the process as required.

6. Evaluator(s') Responsibilities and Deliverables

This evaluation will comply with UN norms and standards for evaluation and ensure that ethical safeguards concerning the independence of the evaluation will be followed. UNEG code of conduct will be followed: <http://www.unevaluation.org/document/detail/100>

The evaluation will be carried out by a team of minimum two evaluators, with the possible support of national consultants.

1. Key profile of evaluation team:

The evaluation team will have the following profile:

- Documented senior evaluation experience from similar project evaluations at equivalent level and scope
- Experience with evaluations in the UN system, preferable with ILO
- Technical knowledge and familiarity with international labour standards, preferable in the context of ILO
- Relevant education, academic and technical knowledge background
- Experience and ability to carry out evaluation in complex and sensitive context
- Regional and sectoral knowledge

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The evaluation team should not have any links to project management, or any other conflict of interest that would interfere with the independence of the evaluation.

The evaluator(s) will abide by the EVAL's Code of Conduct for carrying out the evaluations:

https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_649148.pdf

2. Key responsibilities:

The evaluation team will be responsible for:

- The design, planning and implementation of the evaluation and the write-up of the evaluation report, using an approach agreed with ILO, and for delivering in accordance with the ILO's specifications and timeline;
- Drafting of a report on lessons learned and good practices collected during the desk review;
- Consulting and liaising, as required, with ILO and any partners to ensure satisfactory delivery of all deliverables;



- Making themselves available, if required, to take part in briefings and discussions, online or, if judged necessary, at the ILO Geneva Office or other venue, on dates to be agreed, in line with the work outlined in these ToRs.
- If any, supervise the other team members which will be contracted individually by the ILO and ensure quality assurance for their deliverables.

The contractor should provide the following deliverables:

3. Key deliverables:

i. **Deliverable 1: Inception report with methodology**³²

The inception report should detail the Evaluator(s)' understanding of what is being evaluated and why, showing how each evaluation question will be answered by way of: proposed methods; proposed sources of data; and data collection procedures. The inception report should also include an evaluation matrix, proposed schedule of tasks, activities and deliverables. The evaluation methodology should include a description of:

- An analytical approach to evaluating the project; this should include consideration of the use of appropriate Theory of Change
- A methodology to evaluate the project referring to the evaluation criteria and questions above;

ii. **Deliverable 2: Draft Evaluation Report**

To be submitted to the Evaluation Manager in the format prescribed by the ILO checklist number 5³³.

iii. **Deliverable 3: Presentations of Draft Report**

A presentation should be prepared for the ILO on the draft report, to be used during the debriefing.

iv. **Deliverable 4: Final Evaluation Report**

To be submitted to the Evaluation Manager as per the proposed structure in the ILO Evaluation guidelines, checklist number 5, carefully edited and formatted³⁴. The quality of the report will be determined based on quality standards defined by the ILO Evaluation office³⁵ responsible for final approval of the report. The report should also, as appropriate, include specific and detailed recommendations by the Evaluator(s) based on the analysis of information obtained. All recommendations should be addressed specifically to the organization or institution responsible for implementing it, as indicated in



the section specifying the clients of evaluation (see above). The report should also include a specific section on lessons learned and good practices³⁶ emerging from aspects of the project on which the evaluation will focus and could be either replicated or avoided.

v. **Deliverable 5: Evaluation summary**

A standalone summary of the evaluation in the template provided by EVAL for wider dissemination³⁷.

Acceptance will be acknowledged only if the deliverable(s) concerned are judged to be in accordance with the requirements set out in the contract, to reflect agreements reached and plans submitted during the contract process, and incorporate or reflect consideration of amendments proposed by ILO.

Completion and acceptance of the final report will be based on the criteria set out by the ILO Evaluation Office, which are outlined in a note accessible at the following link:

http://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_165968.pdf

Deliverables will be regarded as delivered when they have been received electronically by the Evaluation Manager and acceptance of them has been confirmed.

7. Evaluation Management Arrangements

The Independent Evaluator(s) will report to the Evaluation Manager appointed by the ILO in line with the process of managing and implementing independent evaluations as overseen by the ILO independent Evaluation Office. Any technical and methodological matters should be discussed with Evaluation Manager. The Evaluation will be conducted with logistical support and services of the Project Secretariat and the ILO Office in Geneva.

The Independent Evaluator(s) will be responsible for the deliverables under the TOR and required to ensure the quality of information (validity, reliability, consistency, and accuracy) throughout the analytical and reporting phases.

For this independent final evaluation, the final report and submission procedure will be as follows:

- The Evaluator(s) will submit a draft evaluation report to the Evaluation Manager;
- After reviewing compliance with the TORs and assessment of required quality and completeness in consultation with the DEFP and EVAL, the Evaluation



Manager will forward a copy to the project staff and other key stakeholders for comment and factual check;

- The Evaluation Manager will consolidate the comments and send these to the Evaluator(s);
- The Evaluator(s) will finalize the report, incorporating any comments deemed appropriate and providing a brief note explaining why any comments might not have been incorporated. He/she will submit the final report to the Evaluation Manager;
- The Evaluation Manager will forward the report to EVAL for approval after which it is to be submitted to ILO responsible official, key stakeholders and donor as per established process applying to the project.

8. Administrative and logistical support

The project staff in the ILO Project Office in the State of Qatar will provide relevant documentation and logistical support to the evaluation process, i.e. assist in organizing meetings with stakeholders. The ILO Project Office will contract consultants to provide English <> Arabic interpretation services in certain meetings, and translate certain materials.

9. Special Terms and Conditions

All draft and final outputs, including supporting documents, analytical reports and raw data should be provided in electronic version compatible with Word for Windows. All data and information received from the ILO for the purpose of this assignment will be treated confidentially and are only to be used in connection with the execution of these Terms of Reference. All intellectual property rights arising from the execution of these Terms of Reference are assigned to the ILO. Use of the data for publication and other presentation can only be made with the agreement of ILO. Key stakeholders can make appropriate use of the evaluation report in line with the original purpose and with appropriate acknowledgement

Confidentiality: The Evaluator(s) agree that they shall hold in trust any confidential information received in the course of carrying out this Evaluation, and the strictest of confidence shall be maintained in respect of such information.



Annex 4: Stakeholders interviewed in this Evaluation

The evaluation team carried out remotely 46 key informant interviews and 4 focus group discussions with relevant stakeholders through videoconference (e.g., Zoom, MS Meet) or phone calls.

Key informant interviews included the following stakeholders:

- ILO Bureaux of NORMES, LABADMIN, Fundamentals, INWORK, ITC in Turin, and RO Arab States
- TCP staff at Doha CO
- Relevant Ministries (MADLSA, Ministry of Public Health)
- Qatari Employers' Organizations (QCCI)
- International Employers' Organizations (IOE)
- Global Union Federations (International Trade Unions Confederation -ITUC, International Transport Workers' Federation -ITF, Building and Wood Workers' International -BWI, International Domestic Workers' Federation -IDWF, UNIGLOBAL Union -UNI Global)
- International CSOs and thinktanks (Migrant Forum in Asia -MFA, Institute for Human Rights and Business -IHRB)
- Private sector (Qatari Diar Vinci Construction -QDVC, STS Group, hospitality working group representatives)
- Public bodies (Qatar Foundation -QF, Qatar Manpower Solutions Co. -WISA, Supreme Committee for Delivery and Legacy -SCDL)
- Universities (Hamad Bin Khalifa University; Fame Lab University of Thessaly)
- Representative of the National Committee to Combat Human Trafficking
- Foreign embassies or development agencies in Qatar partnering with the project or/and MADLSA (Canada, European Union Delegation, USA, Netherlands, Kenya, Swiss Agency for Development and Cooperation)

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The evaluation team carried out **focus group discussions** with Community Liaison Officers (CLO), with MADLSA staff responsible for each pillar, and with workers and management representatives from various companies (e.g., Engineering Maintenance Company/EMCO, Landmark Group, Integral Forces Services/IFS, Al Qamra Facilities Management/QAFM) participating in workers-management joint committees. Some of these representatives participated in the National Social Dialogue Platform (Taawon).

The following table summarizes the total number of people involved in KII/ FGD carried out during the evaluation, as per gender and type of stakeholder.³⁸

³⁸ The *KII forms and FGD guides* used in the evaluation are presented in Annex 7.



Evaluation Participants per Type of Stakeholder and Gender

Type of Stakeholder	Male	Female	Total
ILO backstopping staff: HQ, ITC Turin, ROAS	8	3	11
ILO TCP staff (past and current)	7	2	9
MADLSA staff	4	1	5
Other Ministries staff	1	1	2
QCCI	1	0	1
Global Unions	4	2	6
IOE	1	0	1
CLO	2	2	4
International CSO	2	0	2
Private Sector	2	2	4
Public Bodies	1	1	2
Universities	2	0	2
Joint Committees members	8	2	10
Reps before Taawon	1	0	1
Rep. of Foreign Governments in Qatar and International Agencies	4	1	5
Total	48	17	65



ANNEX 5: Type of Documents Reviewed

The evaluation team conducted a document mapping of background data, relevant documents, and research at country level. The evaluation team reviewed a variety of documents related to the current evaluation. Examples include:

- Complaints submitted to the ILO under article 26 of the ILO Constitution and Decisions by the Governing Body on the same (notably Document - GB.331/INS/13 Rev.)
- TCP annual progress reports submitted to the GB and Governing Body decisions (Document GB.334/INS/8, GB.337/INS/5 and GB.340/INS/11)
- Comments of the Committee of Experts on the Application of Conventions and Recommendations (observations and direct requests)
- Text of relevant international labour standards, in particular the Forced Labour Convention, 1930 (No. 29) and its 2014 Protocol, the Labour Inspection Convention, 1947 (No. 81), the Occupational Safety and Health Convention, 1981 (No. 155), the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156), the Maternity Protection Convention, 2000 (No. 183), the Domestic Workers Convention, 2011 (No. 189), the Violence and Harassment Convention, 2019 (No. 190), etc.
- Project document, , project monitoring reports, project budget report, original and current implementation plan and other project documents
- ILO Programme & Budget 2018-19 and 2020-21; ILO PIR 2018-2019;
- Assessments on several topics (minimum wage, labor inspection, labour dispute resolution system, other)
- Qatari labor legislation (Law No. 13, 17, 38, 21 on minimum wage, working conditions, labour recruitment, joint committees and other topics; ministerial decisions 25, 51, 95, other regulations)
- Labour inspection policy, OSH policy and related documents, national action plan on human trafficking
- Training plans, training materials and reports on trainings addressed to various publics (labour inspection, human trafficking related staff, joint committees, other)
- Articles and guidance tools on employment conditions, labour recruitment and other topics
- Reports on public private partnerships supported by the project
- Communication materials addressed to diverse public (employers, workers, general public); and
- Covid-19 guidance and other related documents.