



# Evaluation Summary



International  
Labour  
Office

Evaluation  
Office

## Quick Facts

**Countries:** *Qatar*

**Final Date:** *July-November 2021*

**Mode of Evaluation:** *Independent*

**Administrative Office:** Geneva

**Technical Office:** NORMES

**Evaluation Manager:** *Ritash Sarna*

**Evaluation Consultant:** *Dwight Ordonez and Nahla Hassan*

**Project End:** *July 2021*

**Project Code:** QAT/17/01/QAT

**Donor & Project Budget:** State of Qatar, USD 25,000,000

**Keywords:** [Fundamental Principles and Rights at Work](#), [Technical Cooperation](#), [Working Conditions](#), [Occupational Safety and Health](#), [Labour Law](#), [Forced Labour](#), [Social Protection](#)

## Background & Context

### Summary of the project purpose, logic and structure

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.

### **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 & 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.

## 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.

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 jobs<sup>1</sup>, and better OSH and work

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<sup>1</sup> 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](https://www.ilo.org/beirut/countries/qatar/WCMS_832122/lang--en/index.htm)

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.

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 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.

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, Good Practices and Recommendations

### 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

### 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

**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:** Promote the 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)*