

[Home](#) [Country of Origin Information](#) Responses to Information Requests

Responses to Information Requests

Responses to Information Requests (RIR) are research reports on country conditions. They are requested by IRB decision makers.

The database contains a seven-year archive of English and French RIR. Earlier RIR may be found on the [UNHCR's Refworld website](#).

Please note that some RIR have attachments which are not electronically accessible here. To obtain a copy of an attachment, [please e-mail us](#).

Related Links

- [Advanced search help](#)

10 April 2018

ZZZ106065.E

Palestine and Qatar: residence status of foreign workers in Qatar, particularly stateless Palestinians, including access to employment, education, health care and other services, and the ability to travel in and out of the country; information on the requirements and procedures to renew residence status; treatment of stateless Palestinians whose residency status has expired (2016-February 2018)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Residence Status of Stateless Palestinians in Qatar

According to sources, Qatar is not a signatory to the 1951 Refugee Convention (US 3 Mar. 2017, 11; DW 28 July 2016). The US Department of State's *Country Reports on Human Rights Practices for 2016* notes that the "law does not

explicitly provide for the granting of asylum or refugee status, but occasionally the government accepted such individuals as 'guests' on a temporary basis" (US 3 Mar. 2017, 11).

In correspondence with the Research Directorate, a legal researcher at BADIL Resource Center for Palestinian Residency and Refugee Rights [1] stated that Gulf countries, including Qatar, "do not accept any Palestinian, whether refugee or non-refugee, without a travel document" and that "in order to enter the country, Palestinians must make the arrangements in advance, including getting a work visa" (BADIL 6 Nov. 2017). According to a 2017 blog post on the website of Fragomen, an international immigration law firm (Fragomen n.d.a), and written by Vladimir Jankovic, the manager of the firm's Doha office (Fragomen n.d.b), Palestinians, among others, "find it difficult or impossible to obtain work or business visas or visas on arrival" in Qatar (Jankovic 30 Oct. 2017).

2. Residence Status of Foreign Workers in Qatar

According to sources, foreign residents in Qatar need a sponsor or *kafeel* (BADIL 6 Nov. 2017; Qatar Labor Law n.d.). According to Reuters, the *kafala* sponsorship system "requires foreign workers to get their employer's consent to change jobs or leave the country" (Reuters 3 Aug. 2017). According to sources, the new law from 2015 on the entry, exit, and residency of foreigners does not introduce any significant changes to the existing sponsorship system (Amnesty International Dec. 2016, 5; Human Rights Watch 8 Nov. 2015). Migrant-Rights.org, "an advocacy organization that aims to advance the rights of migrant workers in the Middle East" (Migrant-Rights.org n.d.), indicates that under the new Law 21 of 2015, "the power dynamics remain heavily skewed in favour of the employer" and that some migrants "still face legal and bureaucratic barriers to actually exercising their rights" (Migrant-Rights.org 10 Feb. 2017).

An explanatory note on Qatar's legal framework of migration by Maysa Zahra, a scientific coordinator at the Gulf Labour Markets, Migration, and Population Programme (GLMM) [2] (GLMM n.d.), provides the following information about Law No. 21 of 2015 Regulating the Entry, Exit, and Residence of Expatriates, as well as the regulation that preceded it:

In 2009, Qatar adopted a new law regulating the entry, exit, residence, and sponsorship of expatriates. Under this law, expatriates still require the sponsorship of a Qatari national (typically their employer). They must work for their employer for at least two years before they are allowed to find a new employer and transfer their sponsorship after obtaining a clearance letter from their sponsor. The sponsor also has control over whether or not his/ her expatriate employee obtains an exit visa and whether or not they are banned from the country for two years.

In 2015, Qatar repealed this law and enacted a new one, which it claimed would introduce significant changes to the sponsorship system. In reality, it did little more than change the terms used for "sponsor" and "sponsorship," replacing them with "recruiter" and "responsibility," respectively. (Zahra 2016, 3-4)

Article 1 of the new law defines the term "[r]ecruiter" as "[t]he party, employer, head of household, or host who recruits the Foreign National, or who receives transfer of his Residency in accordance with the provisions of this law" (Qatar 2015).

Regarding the ability of foreign residents to stay outside of the country, Article 14 of Law No. 21 of 2015 provides the following:

The Foreign National who obtained a Residency Permit shall not reside outside of the country for a period that exceeds six continuous months, unless prior to his travels or one year since his departure he had obtained permission to reenter the country from the Competent Authorities, after paying the stipulated fees, unless more than 60 days had passed since the expiration of his Residency Permit.

The Minister or his representative may extend the time limitations mentioned in the preceding Paragraph. (Qatar 2015)

2.1 Access to Employment, Education, Health Care and Other Services

According to the legal researcher, "Palestinians with work visas do not have access to public services and must use private health care and education services" (BADIL 6 Nov. 2017). According to *The Washington Post*, citizenship is required for "state-distributed benefits, including public-sector salary increases, land ownership, education scholarships, [and] employment" (*The Washington Post* 9 Aug. 2017).

US *Country Reports 2016* states that "[t]he government discriminated against noncitizens in employment, education, housing, and health services" (US 3 Mar. 2017, 23). According to the same source,

[e]ducation is free and compulsory for all citizens through age 18 or nine years of education, whichever comes first. Education is compulsory for noncitizen children, but they pay a nominal fee. Noncitizen residents on work visas generally must send their children to local private schools. (US 3 Mar. 2017, 17)

The same report further states that

[t]he housing law, which governs the government housing system, discriminates against women married to noncitizen men Women married to noncitizens ... must reside in the country with their husbands for five consecutive years before applying for the housing benefit. (US 3 Mar. 2017, 15-16)

The GLMM explanatory note states the following:

Access to real estate ownership: [Gulf Cooperation Council (GCC)] nationals may own property in investment areas and under the conditions determined by a decision of the Council of Ministers (Article 2 of Law No. 17/2004). Non-GCC citizens may own property in the following locations: the Gulf Pearl Island, the Western Gulf Lake Project, and Al-Khor Resort Project (Article 3). A non-Qatari may also have the right of usufruct over real estate for a term of ninety-nine years renewable for another term (Article 4).

Limited social rights for foreign nationals (strike participation/organization and union participation prohibited). (Zahra 2016, 7, emphasis in original)

2.2 2014 Agreement

According to sources, before 2014, Palestinian access to Qatar was restricted, but in January 2014 Qatar agreed to allocate 20,000 work visas to Palestinians (MNA 28 June 2015; Doha News 16 Jan. 2014). According to an article by Ma'an News Agency (MNA) [3] published on 28 June 2015 and updated on 13 September 2015, this followed "20 years in which Palestinians had been unable to apply for work in the prosperous Gulf state" (MNA 28 June 2015). According to the Palestinian ambassador to Qatar, as quoted in a 2014 article by Doha News, a Qatari digital news source, the quota allotted to new Palestinian foreign workers had

been zero for at least the preceding eight years (Doha News 16 Jan. 2014). According to Vladimir Jankovic, "in recent years ... restrictions were imposed, due to political or security reasons" on nationals of several countries, including Palestinians (Jankovic 30 Oct. 2017).

According to the MNA article, there are "around 20,000 Palestinians already working in Qatar who have been living there for decades, before restrictions on work visas came into place" (MNA 28 June 2015). According to the January 2014 article by Doha News citing the Palestinian ambassador to Qatar, the work visas "would allow those holding Palestinian identification documents - and [who] do not necessarily have passports - to work in Qatar, and would roughly double the size of the Palestinian population" in Qatar, noting that "thousands of residents of Palestinian origin holding foreign passports do live in Qatar, but he has no estimates on that" (Doha News 16 Jan. 2014).

According to the 2015 MNA article, the Palestinian ambassador to Qatar indicated that "practical steps have started" to bring Palestinian workers to Qatar, and that the "first group of Palestinian employees will include 200 Gazans and an unspecified number from the West Bank, and are expected to work in the field of education" (MNA 28 June 2015). According to the ambassador, "Palestinian employees will be treated according to Qatari work laws and regulations" (MNA 28 June 2015). The 2014 article by Doha News cites the ambassador as stating that family reunification was not discussed as part of the agreement (Doha News 16 Jan. 2014).

Further information on the implementation of the work visa program for Palestinians could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.3 Family Reunification

Regarding family reunification, Article 12 of Law No. 21 of 2015 provides the following:

The Competent Authorities may issue Residency Permits to the spouse of the Foreign National who has received a Residency Permit, and to his male children who have not completed university-level studies and are under 25 years old, and to his female children who are not married.

The Minister or his representative may authorize exceptions to the preceding paragraph. With the authorization from the Minister or his representative, the Foreign National's parents may be issued Residency Permits if there is reason to do so.

The Competent Authorities may issue Residency Permits to the non-Qatari spouse and children of a Qatari national in accordance with the law. Non-Qatari parents may also receive Residency Permits in the same manner.

The specifications for the conditions of issuing Residency Permits, as stipulated in this Article, are contained in a decree issued by the Minister. (Qatar 2015)

The GLMM explanatory note states that the "minimum monthly salary of a resident requesting family reunification is 4,000 Qatari Riyals [C\$1,416]," according to Article 1 of Ministerial Decision 45/2001 (Zahra 2016, 7). According to the Qatar Labor Law website [4], the "spouse's employer must receive permission from the Ministry of Civil Service Affairs and Housing" and must "issue a labor card that must be renewed annually" (Qatar Labor Law n.d.). According to the same source, "spouses of sponsored workers are conferred a different legal status and thus may not be entitled to all of the benefits" granted to employees (Qatar Labor Law n.d.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.4 Ability to Travel in and out of the Country

Article 3 of Qatar's Law No. 21 of 2015 provides the following: "A Foreign National shall not enter or exit the country except via channels determined by the Minister, and only after receiving an Entry/Exit stamp on his Passport or Travel Document or any other mechanism established by the Minister" (Qatar 2015). Article 7 of the same law provides the following:

The Foreign National laborer or the Recruiter must notify the Competent Authorities each time the Foreign National leaves the country, prior to his leaving by at least three days.

In the event that the Recruiter or the Competent Authorities obstruct the Foreign National laborer's departure, the Foreign National may seek recourse at the Foreign Nationals Exit Grievances Council, whose formation, purview, organizational structure, and official proceedings shall follow in accordance with a decree from the Minister.

Barring this occurrence, a Foreign National laborer is permitted to leave the country immediately after the Recruiter has notified the Competent Authorities of his agreement that the Foreign National take a vacation.

In the event of an emergency situation facing the Foreign National laborer, the Council must take action on the request within three working days of the request's submission. (Qatar 2015)

According to *US Country Reports 2016*, the "government's sponsorship system severely restricted foreign travel for noncitizens and principally affected foreign workers" (US 3 Mar. 2017, 11). According to the GLMM explanatory note, under Law 21 of 2015, "the employer can still exercise control over the exit of the foreign employee from the country" (Zahra 2016, 4). According to Migrant-Rights.org, under this law, "[e]xpatriates are still required to obtain exit permits from their employers, but can now challenge denials of their requests through the Exit Permit Grievances Committee" (Migrant-Rights.org 10 Feb. 2017).

US Country Reports 2016 states the following:

On December 13 [2016], the government began a new system for requesting exit from the country. The new procedure requires that the government make a decision on whether to allow noncitizens to leave the country within 72 hours after an employee claims an employer failed to grant permission to leave. Government officials stated publicly that employees should be able to leave the country free from interference, unless blocked by a court order or an outstanding debt. The law prohibits the practice of employers withholding workers' passports and increases penalties for employers who continue to do so, but noncitizen community leaders and officials from labor-exporting countries confirmed it remained a common problem with insufficient enforcement. (US 3 Mar. 2017, 11)

Information on the ability to travel in and out of the country for Palestinians specifically could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. Residence Status

3.1 Requirements and Procedures to Renew Residence Status

Information on the requirements and procedures to renew residence status was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

According to Article 8 of Law No. 21 of 2015, residency permits must be renewed within 90 days of their expiration (Qatar 2015). According to a 2017 article published by *The Peninsula*, a Qatari daily newspaper, companies can renew residence permits online and can register for automatic renewal of employees' residence permit through the Ministry of Interior's website or its mobile app Metrash 2; the service also "allows to remove or exempt anyone who has terminated his job in the company or for any other reason" (*The Peninsula* 20 Mar. 2017).

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to sources citing Arabic-language daily newspaper *Al Watan*, in December 2016, the Ministry of Administrative Development, Labour and Social Affairs announced that it would stop renewing contracts and residency permits for expatriates over the age of 60, although it was expected that some professions and nationalities may be exempted from this rule (*Qatar Tribune* 25 Dec. 2016; *Gulf Times* 24 Dec. 2016). Information on exceptions to this rule could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3.2 Situation of Foreigners Whose Residence Status Is no Longer Valid

Law No. 21 of 2015 provides the following:

Article 24

If the Foreign National does not obtain a Residency Permit in accordance with this law, then he must leave the country.

The Foreign National must also leave the country within 90 days if his Residency Permit expires or it is revoked for any reason, or if the stated purpose for which he received the Residency Permit has expired.

The Foreign National may, with authorization from the Competent Authorities, reenter the country provided that he has fulfilled the conditions necessary for entry, as prescribed in this law and its implementing regulation.

...

Article 26

If the laborer is dismissed on disciplinary grounds, in accordance with the referenced Labor Law, or in accordance with the laws of the State Employee Affairs Organization, or any other law, and does not appear in court to contest the charges, or if he appeals and his appeal is refused in a final ruling from a competent court of law, then he shall not be permitted to reenter the country until four years from the day of his departure have elapsed.

For the Foreign National who has been ordered by court ruling to be deported or repatriated may not [*sic*] reenter the country unless decreed otherwise by the Minister. (Qatar 2015)

A 2016 article by *The Peninsula* citing *Al Sharq*, an Arabic pro-government daily newspaper, states that "[t]he executive regulations of the new residency law indicate that expatriate workers who terminate their job contracts and leave the country before completion of the contract period are not allowed to return to the country before the end of the contract period" (*The Peninsula* 23 Oct. 2016). A 2016 report by Amnesty International states that "[t]his suggests that a worker who leaves the country to remove themselves from a coercive or exploitative employment relationship will be unable to return, potentially for up to five years" (Amnesty International Dec. 2016, 10).

According to the legal researcher, "if the kafeel for any reason stops guaranteeing you, then the country usually expels you" (BADIL 6 Nov. 2017). According to the same source, in Gulf countries including Qatar, "if their residency permit has expired and hasn't been renewed, then Palestinian refugees risk detention by the local authorities, and potentially deportation" (BADIL 6 Nov. 2017).

3.3 Permanent Residency

According to sources, in 2017, Qatar approved a draft law at a cabinet meeting that would allow permanent residence to the children of Qatari women married to non-Qatari men (Reuters 3 Aug. 2017; *The Washington Post* 9 Aug. 2017) as well as to "expatriates who provide outstanding services to Qatar" (Reuters 3 Aug. 2017). According to Reuters citing the state-run Qatar News Agency (QNA), holders of the new permanent residency would have access to free public services such as education and healthcare, and have the right to own property and engage in some business activities without needing a Qatari partner (Reuters 3 Aug. 2017). Likewise, *The Washington Post* notes that this law is the first to allow noncitizens "the economic benefits akin to those under full citizenship - including free education, free health care and preferential hiring - as well as the stability of permanent residency rather than temporary visas that must be renewed annually" (*The Washington Post* 9 Aug. 2017). According to the QNA, as cited by Reuters, the Ministry of Interior would establish a committee to review applications for permanent residency (Reuters 3 Aug. 2017). Further information on the implementation of this law and whether it applies to stateless Palestinians could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. Access to Citizenship

According to *US Country Reports 2016*,

[t]he law allows long-term residents to apply for citizenship after living in the country for 25 consecutive years, but the government rarely approved citizenship applications, which were reportedly capped at 50 per year. Restrictions and uneven application of the law prevented stateless persons from acquiring citizenship. (US 3 Mar. 2017, 12)

The GLMM explanatory note indicates that further conditions under which expatriates living in Qatar for a minimum of 25 years can apply for citizenship include "a clean criminal record, good knowledge of the Arabic language, and [that they] make a good living" (Zahra 2016, 4). Additionally, according to the same source, "renunciation of original nationality [is] required" (Zahra 2016, 8). According to the 2017 Reuters

article, "Gulf Arab countries have a high number of expatriate workers but do not allow naturalizations of foreigners except in rare cases and under strict conditions" (Reuters 3 Aug. 2017).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] BADIL is "an independent, human rights non-profit organization committed to protect and promote the rights of Palestinian refugees and internally displaced persons" (BADIL n.d.a). It has offices in Bethlehem and Geneva (BADIL n.d.b).

[2] The GLMM is "an international independent, non-partisan, non-profit joint programme of a major Gulf think tank, the Gulf Research Centre" and the Migration Policy Centre that "provides data, analyses, and recommendations contributing to the improvement of understanding and management of Gulf labour markets and migration" (Zahra 2016, 10).

[3] MNA is an independent news agency based in Bethlehem that is part of the Ma'an Network, "a non-profit media organization founded in 2002 to strengthen professional independent media in Palestine" (MNA n.d.).

[4] Qatar Labor Law aims to "inform both citizens and expats about their rights and privileges as employees as well as to provide a comprehensive resource for companies that need to hire labor in Qatar" (Qatar Labor Law n.d.).

References

Amnesty International. December 2016. *New Name, Old System? Qatar's New Employment Law and Abuse of Migrant Workers.* [Accessed 7 Mar. 2018]

BADIL Resource Center for Palestinian Residency and Refugee Rights. 6 November 2017. Correspondence from a legal researcher to the Research Directorate.

BADIL Resource Center for Palestinian Residency and Refugee Rights. N.d.a. *"About BADIL."* [Accessed 6 Nov. 2017]

BADIL Resource Center for Palestinian Residency and Refugee Rights. N.d.b. "[Contact Us](#)." [Accessed 6 Nov. 2017]

Deutsche Welle (DW). 28 July 2016. Natalie Muller. "[Refugee Convention of 1951 Still Crucial Cornerstone of Human Rights](#)." [Accessed 1 Nov. 2017]

Doha News. 16 January 2014. Peter Kovessy. "[Qatar to Allot 20,000 Work Visas for Palestinians](#)." [Accessed 12 Mar. 2018]

Fragomen. N.d.a. "[About](#)." [Accessed 12 Mar. 2018]

Fragomen. N.d.b. "[Vladimir Jankovic](#)." [Accessed 12 Mar. 2018]

Gulf Labour Markets, Migration, and Population Programme (GLMM). N.d. "[Maysa Zahra](#)." [Accessed 2 Mar. 2018]

Gulf Times. 24 December 2016. "[Contract of Expat Workers Above 60 Not to Be Renewed](#)." [Accessed 12 Mar. 2018]

Human Rights Watch. 8 November 2015. "[Qatar: New Reforms Won't Protect Migrant Workers](#)." [Accessed 28 Feb. 2018]

Jankovic, Vladimir. 30 October 2017. "[Qatar Blockade and Its Impact on Immigration in GCC](#)." Fragomen. [Accessed 12 Mar. 2018]

Ma'an News Agency (MNA). 28 June 2015 [Updated 13 September 2015]. "[Ambassador: Qatar to Employ 20,000 Palestinians](#)." [Accessed 28 Feb. 2018]

Ma'an News Agency (MNA). N.d. "[About](#)." [Accessed 1 Mar. 2018]

Migrant-Rights.org. 10 February 2017. "[Qatar's New Law: One Month On](#)." [Accessed 28 Feb. 2018]

Migrant-Rights.org. N.d. "[About](#)." [Accessed 1 Mar. 2018]

The Peninsula. 20 March 2017. "[Metrash 2 Adds Automatic Renewal of Qatar Residence Permits](#)." [Accessed 12 Mar. 2018]

The Peninsula. 23 October 2016. Mohammed Osman. "[New Residency Law to Take Effect on Dec 13](#)." [Accessed 7 Mar. 2018]

Qatar. 2015. [Law No. \(21\) of 2015 on the Entry, Exit, and Residency of Foreign Nationals](#). [Accessed 28 Feb. 2018]

Qatar Labor Law. N.d. "[Welcome to Qatar Labor Law](#)." [Accessed 28 Feb. 2018]

Qatar Tribune. 25 December 2016. "Ministry to Stop RP Renewal for Expats Above 60." [Accessed 12 Mar. 2018]

Reuters. 3 August 2017. Sami Aboudi. "Qatar Approves Law Allowing Some Foreigners Permanent Residency." [Accessed 27 Feb. 2018]

United States (US). 3 March 2017. Department of State. "Qatar." __ Country Reports on Human Rights Practices for 2016. [Accessed 27 Feb. 2017]

The Washington Post. 9 August 2017. Jocelyn Sage Mitchell. "Why Did Qatar Just Change Its Residency Laws?" [Accessed 28 Feb. 2018]

Zahra, Maysa. 2016. __ Qatar's Legal Framework of Migration. Gulf Labour Markets, Migration, and Population Programme (GLMM). [Accessed 28 Feb. 2018]

Additional Sources Consulted

Oral sources: Center for Palestine Studies, Columbia University; Centre for Palestine Studies, London Middle East Institute; Global Campaign for Equal Nationality Rights; Gulf Centre for Human Rights; Gulf Labour Markets, Migration, and Population Programme; Human Rights Watch; immigration law firm in Brussels; Institute for Palestine Studies; Institute on Statelessness and Inclusion; Palestine – General Delegation in Ottawa, Mission to the UK; Palestinian Refugee and Diaspora Centre; Refugee Studies Centre; researchers who focus on citizenship and statelessness in the Gulf region.

Internet sites, including: Al-Fanar Media; Al Jazeera; *Arab News*; BBC; CNN; ecoinet; Factiva; Freedom House; Germany – Federal Office for Migration and Refugees; *Gulf News*; Life in Qatar; Norway – Landinfo; Qatar – Ministry of Foreign Affairs; UN – Committee on the Rights of the Child, Human Rights Council, OHCHR, Refworld, Relief and Works Agency for Palestine Refugees in the Near East, UNHCR; US – Congressional Research Service.

Date modified:

2018-06-25