

World Cup in Qatar: a real building site for workers' rights

Almost 20 million migrants work in the Arab states of the Persian Gulf. The majority today are from South Asia and many are exploited and face particularly harsh daily living and working conditions. In some cases, it could even be referred to as forced labour. The phenomenon is not new, but it is now very much in the spotlight with the new building sites for the 2022 FIFA World Cup. It is an opportunity for international trade unions and NGOs to relaunch the fight for these immigrants' economic and social rights.

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On 11 February this year, Qatar adopted a charter specifying that every migrant worker in a dormitory should have at least 6 sq. m. The International Trade Union Confederation (ITUC) branded it a "sham".

Image: © Amnesty International (p. 47, 51)



Qatar's successful bid for the 2022 FIFA World Cup¹ is bringing huge investment to that emirate in the Persian Gulf: construction of stadiums, hotels, roads and motorways, and other infrastructure. The money is going to pour in: there is talk of USD 100 to 200 billion between now and 2020.

These colossal projects will require 1 million migrant workers. These are additional migrants because Qatar, like other coastal Gulf states, has already for many years had a substantial foreign workforce, hailing mainly from Asia. Indeed, there are 1.7 million foreigners in Qatar, giving it the highest percentage of migrants in the world: they account for 90% of the total population and 94% of the employed working population.

Many of these immigrants are exploited and deprived of their main economic and social rights. Many of them are in a situation that could be described as forced labour under international law, and even quasi-slavery in some cases, particularly in the domestic sector.

The new building sites for the World Cup and the abuses that are taking place in them, or could take place in them, are today putting Qatar under the spotlight and attracting the attention of the global media. The problems facing migrants in the Gulf are not new, however; international trade unions and NGOs have been denouncing them for years. Human Rights Watch, Amnesty International and the International Trade Union Confederation (ITUC) have in the past three years published enlightening reports that are extremely precise and well-documented (see end of article).

At the sponsor's mercy

'Trapped' is the best word to describe the situation of these migrants. They are often deceived by charlatans before leaving their own country, then trapped when they arrive by various legal and illegal barriers, before returning home after having been cheated out of some of their earnings.

The problems appear at the very start of their adventure. In a desire to escape unemployment or poverty in their country, to help their family, to pay back debts, or to save some money to buy land or a house, get married or start a business, Indian, Nepalese or

On their days off, foreign workers are often denied access to the city centre and to shopping centres.

other migrants are hired by a local recruitment agency acting on behalf of an employer or contact in the Gulf. Even at that stage, they are made to pay exorbitant fees, some of which may be demanded by the employer, in cahoots with the agency, which is illegal under Qatari law. To get the money for these fees, the migrants get into debt with a local lender or the agency itself, at prohibitive rates. For example, Nepalese migrants often have to pay 35% interest². That is the start of the trap. The migrants frequently receive their papers, passports, job description, sometimes their contracts, and their documents for their Qatari 'sponsor' the day before they leave for the Gulf or even at the airport. They often do not understand them because they are drawn up in a foreign language.

Once they arrive in Qatar, they are 'looked after' by their 'sponsor' or 'backer', who is usually the employer himself. This is the *kafala* system, which requires every foreigner to be sponsored. Originally an Islamic custom providing guardianship for adopted children, it has now been extended not only to women but to the economy and the labour market. All foreigners, be they workers, entrepreneurs or investors, must have a sponsor, and it is through him that they obtain their entry visas, residence permits and work permits. Without his authorisation, they cannot change jobs or obtain an exit visa to leave the country. This system means that workers are completely dependent on their sponsor and it leads to many abuses³.

In a recent Amnesty International survey of 1 200 workers, 90% of those surveyed had had their passport confiscated, which is

1. It was awarded the World Cup under dubious circumstances. In addition to the significant money spent by Qatar on a series of operations abroad that seems to have acted as a 'sweetener', there have been allegations of corruption about some of the delegates who took part in the vote. An inquiry is under way. In January 2013, the French magazine *France football* carried out a thorough investigation into the matter.

2. On this issue, see the Amnesty International report on the Nepalese recruitment sector, 'False promises, exploitation and forced labour of Nepalese migrant workers', Amnesty International, 2011, and the report on money laundering through these channels, 'The Qatar-Nepal Remittance Corridor', World Bank, July 2011.

3. The *kafala* system exists throughout the Gulf but is stricter in Saudi Arabia and Qatar.

illegal under Qatari law. In some cases, they never actually receive their residence permit and thus become illegal immigrants.

If the workers did not already sign a contract before they left home, they are then offered one, which sometimes contains a different salary or job to that previously promised to them. In both cases, they are forced to accept it, because they are too committed and have too much debt. Moreover, they will need their sponsor's authorisation to leave the country, which is a crucial element in the trap.

Migrant work in Qatar is regulated by law. The Labour Law includes provisions on the maximum authorised working time, compulsory breaks because of the heat in the summer, a day off each week, paid leave, monthly payment of wages and safety standards in the workplace. However, crucially, it does not contain any provisions on a compulsory

minimum wage. In the same survey, 20% of workers said that their salary is lower than the one that they were promised.

The Labour Law is frequently infringed by employers. Indeed, 20% of the workers surveyed said that they do not receive their wages on time. Sometimes they have to wait for weeks or even months before they are paid. Employers often make unforeseen deductions that differ from, or are higher than, those laid down in the contract to cover various costs, especially accommodation and food.

There is a very high level of subcontracting in the construction sector. Thousands of companies from every continent are jostling to get to Qatar to take part in the building frenzy. The disputes between these companies frequently have repercussions for the workers: their employer will say that the contractor has not paid him, but it is impossible to verify this.

Health and safety at risk

In a report published in September 2013, the British newspaper *The Guardian* revealed that 44 Nepalese workers had died during the summer on Qatari building sites⁴. Stephen Benedict of the ITUC recently stated in a programme on Belgian public radio (RTBF)⁵ that every day two coffins arrived in Kathmandu from the Gulf and Malaysia. A recent report from the Nepalese capital in the Belgian newspaper *Le Soir*⁶ described in detail the distress of parents waiting for their son or relation to be returned to them. In this case, the victim had come from Malaysia: 'An airport employee puts the deceased person's passport into his father's trembling hands. A cousin takes the death certificate: *Severe pneumonia*, he says. The father, taken aback, doesn't understand. *My son had called me the day he died. He was complaining about money being taken out of his wages and cancelled leave. But he wasn't sick. We got a call from one of his friends that evening. It seems that he had become ill very suddenly and died on the way to the hospital.*'

These press articles reveal only the tip of the iceberg. Statistics on accidents in the workplace are not published in Qatar. Those that do exist, particularly those provided by hospitals, are very incomplete. However, the

Immigration in the Arab states of the Persian Gulf

Immigration in the Gulf states is linked to the phenomenal oil and gas resources of the coastal states (especially Saudi Arabia, the United Arab Emirates, Kuwait, Oman, Qatar and Bahrain). Today it accounts for 40% of the Gulf's population and two thirds of its working population. It increased significantly with the rise in oil prices in the 1970s and 1980s. This revenue has resulted in foreign deals and investments by the Gulf states but, of course, it has also benefited the local populations, who have become the richest in the world per head of population.

These populations are small, however, and they have a tribal structure. The indigenous people, originally nomadic, have settled down and become rentiers, first and foremost. The large ruling families share out the oil revenue, offering their own citizens practically free housing, education, health, consumer goods and public goods, and reserve for them all public service jobs and management posts in the private economy. However, for middle-tier and production jobs in industry, construction and private services (including domestic services), the Gulf states rely heavily on immigration.

Initially, this immigration came mainly from neighbouring Arab states: Iraq, Syria, Jordan, Palestine, Egypt, Yemen, etc. Its composition

subsequently changed. During the Iraq wars in 1991 and 2003, the Gulf states expelled many immigrants from countries that had taken a diplomatic stance alongside Iraq, notably hundreds of thousands of Palestinians and Yemenites. Another factor was the growing mistrust among the Gulf regimes with regard to Islamic extremism, which risked feeding off the exasperation of a sea of Arab workers who were experiencing discrimination (extremism that some of these states actually propagate themselves). Consequently, the proportion of Arab migrants fell from three quarters in 1975 to one quarter in 2005. They have been gradually replaced by workers from India, Nepal, Sri Lanka, Bangladesh, Pakistan, the Philippines, Indonesia and Thailand, alongside immigrants from China now, too.

Except for a middle class of expats, their working and living conditions are harsh and they experience a great deal of discrimination. They are mostly young men who find jobs in industry, construction and private services. Women (a quarter of all migrants) work primarily as maids in the homes of Qatari citizens. Family migration is either prohibited or strictly limited, if not practically impossible in certain countries, along with naturalisation and permanent residence. The migration is therefore temporary, often lasting just a few years, and the Gulf states want to monitor it closely: they do not want any new citizens who might upset the political/tribal and religious/historical balances. They also want to be able to reduce rapidly the number of migrants if oil prices and revenue fall.

scant statistics available indicate that deaths in the workplace are three to four times higher than the European average. Based solely on current trends, the ITUC has estimated that at least 4 000 people will die by 2020, not only from accidents but also from heart attacks caused by heat, stress and poor living conditions. That does not even take into account those whose experience will leave them injured, disabled or traumatised when they go home.

Migrant workers have to be housed at their employer's expense and their accommodation only has to comply with living

4. The Guardian (2013) Qatar's World Cup slaves, 25 September 2013.

5. RTBF, Samedi plus, 29 November 2013.

6. Le Soir (2013) Tej Bista est de retour (entre quatre planches), 21 December 2013.

7. Except for Saudi Arabia, the largest state in the region with almost 30 million inhabitants. Reforms in Saudi Arabia, such as an end to the *kafala* system, would undoubtedly lead to other reforms throughout the region.

8. For example, the money sent back to Nepal by the 3 million or so Nepalese emigrant workers around the world (including up to 300 000 in Qatar) accounts for almost a quarter of Nepal's GNP.

9. And undoubtedly for a controversial, if not pointless, project, symbolised by the building of nine brand new stadiums on the edge of a desert.

10. The United Nations Special Rapporteur on the human rights of migrants, François Crépeau, is calling for reforms of the Labour Law and an end to the worker sponsorship system.

standards that are already very low (a maximum of 2 m² per worker and four beds per room). In many cases, however, those standards are not met. If there are any problems or disputes, the employer may refuse to pay for their electricity and cut off their air conditioning and water... The accommodation is in camps of shacks or prefabricated buildings with one or two storeys, far from the city centres and construction sites. They are not allowed to be built in residential areas where Qatari families live. A spirit of apartheid and quasi-racism prevails, especially because foreign workers are frequently banned from going into the city centre or into shopping centres on their days off...

Workers have the option of bringing any infringements against them to the attention of the labour authorities and, eventually, the courts. Complaining is a risky business, however. They need to be able to travel, often on several occasions, and to speak Arabic or English, which is rare among these workers. Otherwise, they need someone to represent them. That all costs money and takes time, and during the process the workers are rarely paid, are ostracised or come under pressure from their sponsor. The number of complaints received is therefore much lower than the number of infringements, a situation that the Qatari authorities have themselves acknowledged. Finally, there are ridiculously few labour inspectors.

The situation can deteriorate rapidly when the abuses add up. Unpaid wages start to accumulate, under the pretext that the company is having problems with its

contractor, and a conflict arises. The workers want to stop work or change jobs without their employer/sponsor's permission. Then he threatens to tell the police that they are 'absconders'. When the situation becomes so bad that the workers decide to go home, they face the ultimate blackmail: they cannot get a visa to leave the country as it has to be approved by their sponsor. To put an end to the ordeal, they agree to sign a document stating that their employer has paid them all of the wages that they are owed. The investigations by Human Rights Watch, Amnesty and the ITUC uncovered several scandals of this nature, involving cases where these documents are sometimes signed in blank in advance. This kind of blackmail does not only affect 'low-cost' workers. Recent cases, with broader media coverage, have involved, in particular, footballers, a French football coach and expat European entrepreneurs, held in Qatar after a dispute with their Qatari sponsor, who is also their business partner.

Domestic workers are undoubtedly in the worst situation, although this is not specific to Qatar and the preparations for the 2022 World Cup. These cases, which usually involve women, should almost be dealt with separately. Unlike construction workers, they are invisible, receive even harsher treatment and have less legal protection because the Labour Law does not apply to them. They are isolated and privy to the whims of their employers, the private Qatari households who hire them. In practice, thus, there are no rules and they have absolutely no way to defend themselves. Sexual abuse is not uncommon. These extreme situations are equivalent to forced labour, as defined and prohibited by the international conventions.

Muzzled protests and revolts

How do they defend themselves collectively? When migrants protest, it can be explosive, as demonstrated by quite a few incidents and even riots. However, they have been muzzled and disregarded by the authorities and the local media. Trade unions are prohibited in Qatar. More precisely, they are authorised in very restrictive conditions and are only open to Qatari citizens. However, they have little or no interest in them as they have everything they need. Moreover, trade unions and

94% of workers in Qatar do not have any trade union representation.

strikes are prohibited right across the public sector, in the energy and transport sectors, and in all related sectors. In short, 94% of workers in Qatar are deprived of any trade union representation, which means that any trade union movement would be pointless. Qatar clearly does not adhere to the International Labour Organisation's fundamental conventions on trade unionism and collective bargaining.

Many parties are responsible for the exploitation of migrant workers; it cannot be blamed entirely on Qatar. Several actors must be taken to task, and in a very specific context. The migrations to the Gulf are at the heart of a globalisation that involves various actors. On the one hand, there are the mini-states⁷, which are very rich and undemocratic and which subscribe to key elements of international social law. On the other hand, there is a veritable, often shady, recruitment industry that is thriving. There are agencies in the countries of origin and intermediary levels between them and the Gulf, which involve Qatari sponsors and sometimes former migrants who have made their fortune. The migrants' home countries turn a blind eye as their emigrants send considerable sums of cash back home⁸. Then there is the myriad of companies, the huge Western and Asian companies, and the entire chain of subcontractors, from all around the world, too, in which the Qatari sponsor plays an important role. At the top of that chain, both the large companies and the major Qatari funds linked to the authorities claim often not to know what is happening with their subcontractors.

In light of the work to prepare for the 2022 World Cup, there is an enormous challenge in the years to come. It is rare for so much money to mobilise so many people⁹ over such a brief period of time in a region that is so small and that does not apply the necessary national and international regulations, and one that is so sensitive from a geopolitical perspective, too.

The investigations and warnings are increasing, even in the UN¹⁰. Given the poor representation of migrants, the absence, with a few rare exceptions, of any solidarity or interest from the Qataris themselves, and the lack of any reactions from the migrants' countries of origin, the main pressure has to come from outside. In this regard, FIFA, the International



The IMF and the World Bank rank Qatar among the top three countries with the world's highest per capita GDP.

Federation of Association Football, which is organising the World Cup and has been criticised by the ITUC and non-governmental organisations (NGOs), wears two different hats. It alternates between promising these bodies that it will put pressure on Qatar and complaining to the investors about the media bashing of Qatar and the World Cup.

The ITUC and NGOs agree on the essential reforms that have to be carried out. Firstly, Qatar should recognise the freedom to form or join a trade union without restriction and the right of collective bargaining. This is a cornerstone of all of the other reforms. It is also essential to do away with the sponsorship system so that workers are completely free to change jobs and leave the country. Thus, better equipped, the trade union movements will be able to campaign for the introduction of a fair minimum wage. They also want the entire recruitment sector to be regulated, and they want contracting companies to be jointly responsible for ensuring that the subcontractors further down the chain comply with the national and international social standards. Finally, Qatar must carry out workplace inspections and controls to ensure that basic social justice is guaranteed. ●

Further reading

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