

“I have nothing”

**Workers' rights and the Qatar 2022
World Cup**



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Foreword

In 2014, the TUC campaigned to draw attention to the appalling situation faced by migrant workers in Qatar tasked with building the infrastructure necessary to host the 2022 World Cup. Working with football fan groups, our campaign – Playfair Qatar – argued that, if urgent action wasn't taken, the Qatar World Cup would be built on the blood and misery of thousands of workers.

In 2017, a much bigger campaign than ours, by the International Trade Union Confederation, made an incredible breakthrough in negotiations with the Government of Qatar. Qatar would urgently revise its labour laws, improving health & safety, introducing a minimum wage and ending the abusive sponsorship system ("kafala") that gave employers control over almost every aspect of their workers' lives.

The promises amounted to most of our campaign asks. So Playfair Qatar was paused, its last public statement asking the question, "have we won?"

On the eve of the World Cup, eight years after we first started talking about the terrible conditions faced by Qatar's international workforce, we wanted to know: did we?

The answer is, of course, complicated. And it depends who you ask.

There is no doubt that – belatedly, at least – Qatar, under pressure from the ITUC and the International Labour Organisation (ILO), has repaired its terrible labour laws with unprecedented speed. Legally speaking, the landscape faced by workers applying the finishing touches to the World Cup infrastructure is utterly different to the one faced by Qatar's original workforce of trapped and coerced migrants.

From that perspective the news is good. No progress was possible in Qatar while its laws not only allowed extreme labour abuse, but actively enabled it. The concessions won by the ITUC are absolutely vital to protecting Qatar's workers.

But labour laws are only as good as their enforcement, and the ability of workers to seek justice and compensation for their abuse. And we were hearing a lot of reports from other campaigning organisations, many of whom we had worked alongside for Playfair Qatar, telling us that the picture on the ground did not reflect the progress on Qatar's statute books.

And, although this report focuses on worker's rights, we also have deep concerns about women's and LGBT+ rights, as well the harassment and imprisonment of journalists and bloggers.

So, the TUC sent a researcher out to Qatar to meet with workers and find out their stories. What they told us was that, for them and many of the people they knew, the Qatari system was still chewing up and spitting out workers, leaving them burdened with enormous debts.

They told us that kafala's legacy lived on in overmighty employers controlling their workers, and that they stayed or left Qatar at those employers' whim.

And they told us that trying to fix or get compensation for these problems remained difficult, expensive and could take years.

Two things appear to be true, and they are not mutually exclusive. Thanks to global campaigning, using the World Cup as leverage, the typical situation for workers in Qatar is stronger than it was eight years ago. But it is also true that, as we come to the final few weeks of the power of that leverage over Qatar, workers are still paying a shockingly high price to deliver the most expensive World Cup in history.



Current TUC General Secretary-elect Paul Nowak, and General Secretary Frances O'Grady, calling on Qatar and FIFA to protect workers' rights in October 2014 as part of the Playfair Qatar campaign

Executive summary

On the eve of the 2022 World Cup, the TUC spoke to workers in Qatar to learn more about conditions for the largely migrant workforce that has spent years getting the country ready to host the tournament. What we learned was that, too often, workers are subject to illegal or unfair fees, and subject to appalling rates of wage theft, leaving many of them with ruinous debts. We also found that employers were complicit, and were finding loopholes in the new law to continue their control over migrant workers, similar to that which had characterised the now-defunct kafala laws. On paper, kafala is gone – but it lives on in practice.

- Under pressure from the international trade union movement, Qatar has made significant progress in reforming its labour laws since 2017, with the oppressive kafala system abolished on paper. However, in effect, many of Qatar's employers – along with the system in which they operate – continue to control and exploit workers
- Qatar's recent rejection of the possibility of a FIFA-funded compensation fund for workers and their families ignores the reality of extreme exploitation and physical harm in the years in which it refused to change its laws
- Workers are still facing enormous problems, in many cases made worse by Qatar's efforts to put on its best face for the World Cup by shutting down construction projects
- The kafala system – which allowed employers to control their workers' lives to the extent it could even prevent them from returning home – has been abolished on paper, but employers are finding new ways to control their workers, such as baselessly reporting them for 'absconding', which often leads to deportation
- Wage theft is rampant. The country's existing fund to cover lost wages had to pay out an enormous \$160m between July and September this year, double the amount it had paid out in the previous two years
- Accessing this fund, however, remains complicated and expensive for workers
- The new minimum wage has raised the pay of hundreds of thousands of workers, but it is still too low. Companies are failing to pay enhanced rates for overtime
- Companies that break the law are not facing severe enough penalties
- Despite recruitment fees being illegal, workers say the fees they pay today are higher than ever and claim that companies are complicit in practices that saddle workers with thousands of pounds worth of debt
- A decision to stop most construction during the World Cup has led to many workers being sent home, still deeply in debt, or has meant workers desperately looking for employment

- Companies and agents are charging fees from workers looking to change jobs – these fees should be paid by the new employer
- Despite the failing enforcement and remedy system, Qatar punishes protest more harshly than it does the exploitation that provoked it. Over 300 workers were arrested and at least 60 – and possibly many more - deported for protesting that they hadn't been paid for months, despite the Government agreeing that they were victims and, in many cases, paying them their lost wages
- Migrant workers are still not allowed to join or form trade unions to represent their interests

Our recommendations for Qatar include:

- Support the creation of a migrant workers' centre so workers have a safe place to bring their cases
- Raise the minimum wage, in consultation with global unions
- Increase enforcement efforts, with more inspectors, more unannounced inspections, and more power for inspectors to sanction companies
- Make the new joint worker committees compulsory for all companies, and work towards full freedom of association
- Drop objections to receiving additional funds from FIFA to expand and increase the reach of the compensation fund
- Reopen investigations into the deaths of thousands of migrant workers

Introduction

In a few days' time, probably the most controversial – and certainly the most expensive – World Cup in history will kick off in Qatar. A few years ago, in response to united condemnation of its treatment of the vast migrant workforce that it needed to build the infrastructure necessary to host such a huge event – and specifically following a powerful campaign led by the global unions – Qatar agreed to overhaul its labour laws, and to end the oppressive kafala, or sponsorship, laws that gave employers total control over the lives of their employees.

Progress

The progress that has been made was on the back of a willingness of the Qatari authorities to work with partners – principally the International Labour Organisation (ILO), but also representatives of the global unions, especially the ITUC, BWI (the global union for construction) and ITF (the international transport workers' federation) – to understand what was wrong and develop solutions. For those of us who endured the years of Qatar's embarrassing PR-strategy deflections, deployed in the vain hope that critics would move on, that cooperation felt miraculous.

The minimum wage appears to have been fairly well implemented. However, the monthly basic wage, at 1,000 Qatari riyals (around £240), is too low. And there are reports of employers being able to manipulate information in the company's payroll in their use of the mandatory Wage Protection System.

Qatar also conceded the need to develop a voice for workers, agreeing to support the creation of joint worker committees, with 50% of committee members elected by the workforce. The ILO rather optimistically describes the role of the committees as "social dialogue", something which its own definitions insist has to involve independent workers' organisations, which these certainly aren't, but it's a start. Worker committees are common tactic worldwide to introduce the concept of workplace democracy to previously hostile environments, but they work best when there is an established path to genuine freedom of association.ⁱ

And there's no doubt that officially removing the need for an exit visa, through which employers controlled their workers' right even to quit and go home, has changed the nature of working in Qatar. Before, being trapped there indefinitely was a concern for some. Now, workers are more likely to fear being sent home too soon. But, as our report shows, that's still potentially devastating.

Backsliding

Now, however, more than a touch of the old defensiveness appears to have reappeared. Last week, Qatar ruled out cooperating with a remedy fund proposed by an alliance of NGOs and unions. The fund, suggested as FIFA's chance to provide restitution for some of the workers who suffered due to its failure to require even the barest minimum guarantee of workers' rights from its Cup hosts, would primarily benefit those who worked in Qatar before the reforms were brought in. As such, you'd think the Qataris would recognise that, since they agreed the reforms were necessary, previous working conditions weren't good enough.

But no. The fund was dismissed as a "publicity stunt", and Qatar's critics were labelled "arrogant" and "racist". With that single statement Qatar blew a considerable amount of the goodwill it had started to build up with its reforms.

Qatar held out against reforming its labour laws and working conditions for several years. Each year wasted with a defensive response to critics, or a PR-led strategy in the global media, was another year where lives were ruined.

It was told by its own legal consultants in 2014ⁱⁱ that it needed to carry out a comprehensive review into the high levels of reported cardiac deaths and unexplained 'sudden deaths' among migrant construction workers. It declined to do so. This meant the families of hundreds of workers were denied the compensation they were entitled toⁱⁱⁱ that would have been due if the workers' death had been officially recognised as work related.

So, to have representatives of Qatar suggesting that more funding is not needed, and asking "where are the victims, do you have names of the victims, how can you get these numbers?"^{iv} is a shameful slap in the face to those who have every right to expect redress.

The Report

The simple fact is that, as shown by the reports of workers themselves, migrant workers are still desperately exploited, and the system does not yet protect them. Qatar's employers are out of control, using loopholes to get past the new laws, and Qatar has a responsibility to get a grip on them.

Too much of this lavish World Cup has been built on the backs of many people who have not only gained very little, but have been made actively poorer by the system.

Our workers told us that they had to pay out large sums to get work, large sums to change jobs, and even large sums to take cases to the labour courts. The cumulative effect on some of those we interviewed was devastating. Many of these charges have been illegal for several years, but are obviously still widespread, and the relative powerlessness of workers means they cannot challenge the culprits themselves.

These concerns – despite Qatari dismissals of criticism – do not come from a position of ‘arrogance’. Wage theft and debt bondage, often crossing the line into modern slavery, are real problems here in the UK, and an uneven system that grants weaker rights to migrant workers will always be seized upon by unscrupulous employers. But here in the UK, you can at least see unions and civil society organising and pushing back against abuse. In Qatar, the government is still the only game in town, and it must act.

Our report is led by the testimonies of workers, and grouped by the major issues they raised. Many raised the misery of huge debts they are unable to pay off because of low pay, wage theft and recently because Qatar’s closing down of construction sites before the World Cup, that means many are being sent home long before they have a chance to earn their money back. But widespread failure to pay the enhanced overtime rates set out in law also makes it difficult for people to get out of debt, no matter how hard and long they work. Recruiters’ fees are also contributing to this, despite the fact that they are illegal. Qatar blames sending countries for not cracking down, but workers told us that Qatari companies were known to be complicit in the practice.

The workers’ stories of the realities of a life in debt are often heartbreaking.

Many also told us that kafala lives on in practice, despite being abolished in law. Several told us that employers told workers they needed “No Objection Certificates” (NOCs) to move jobs, even though these are no longer required, and used that to stop their workers leaving. Vindictive employers also find ways to punish those that leave them – for example by reporting workers for “absconding”, an allegation that places the worker at risk of deportation, or at the very least hugely complicates their efforts to clear their name and move jobs. While Qatar has promised to toughen penalties for misuse of the absconding law, its very existence is an unnecessary throwback to kafala.

And while Qatar’s compensation fund for missing pay is a valuable tool for providing money for workers whose companies go bust or otherwise find ways to avoid paying wages and benefits, workers told us the system was slow, complicated, and sometimes expensive. It’s no surprise that the system gets logjammed – Qatar doesn’t yet allow collective action by workers, so a company that didn’t pay hundreds of workers would soon lead to hundreds of separate claims, all of which have to be made by each worker in person.

Other Issues

There are, of course, other areas of concern, not raised by the workers we spoke to.

The failure to properly investigate thousands of deaths over the years is a running sore on Qatar’s reputation, something Amnesty International has spoken out about.

And the wider human rights context, especially Qatar’s anti-LGBT+ laws and the harassment of journalists and bloggers, cannot be ignored.

Finally, while Qatar fails to allow migrant workers to join and for unions, it will perpetuate the deep imbalance of power that currently allows employers to lie to their workers, cheat the system and profit from workers' misery. An independent voice for workers, at workplace, sectoral and national level, would aid Qatar in cracking down on the rogue employers still flouting the new laws, help ensure workers were swiftly paid or compensated, and also provide much better information for both the government and the ILO on where the system is still failing workers – as it clearly is.



“I have nothing”

The experiences of workers in Qatar on the eve of the World Cup

Some of the interviews in this briefing have been edited for brevity, clarity and to protect workers' identities. Names have been changed for the same reason.

Patrick's story

“I have no visa, no ID card, no passport. I have nothing. Even if you arrest me, I have nothing.

When I started work in Qatar, I got paid for the first three months only. For the next four months I carried on working without pay. It wasn't just me. I think we were 200 workers in total. Nobody was being paid. You go to the office and say you want your money and they say, 'Inshallah, Inshallah.' I got tired of that word.

So I filed a case at the labour court but my worksite was in a remote place and it cost almost 250 rials (£60) to get to the court and back. I didn't have cash so I had to call people back home to get the money.

I had to go to the labour court three times. My employer was informed of the case but did not respond, because he knew at one point I would run out of money.

I eventually got a notification that my case was being forwarded to the high court but I didn't know that you have to check up on your case in person each month. When I got to the court, they told me there was no record of my case. It had been removed.

They advised me to look for a company which was willing to provide a new visa. I found one, but they wanted 5000 rials (£1200) to manage the process.

I borrowed 2000 rials from someone but since I did not have any money, I had to give him my passport as security. If I want my passport, I have to pay him back.

So, I gave the new company 2000 rials and still owe it 3000. They told me the process takes one month, but two and a half months later I'm still waiting for my documents. Until then, I can't get a job.

I last sent money to my wife seven months ago. How do you expect her to survive? I pray it doesn't happen, but she may be forced to do anything, because when you don't have support, you know what happens.

I have no visa, no ID card, no passport. I have nothing. Even if you arrest me, I have nothing. I cannot even go home because I have overstayed my visa and need to pay a penalty fee before I can leave.

I don't think Qatar deserves to host the World Cup. The people who have contributed a lot to this tournament; they are not in good health, they are not in good condition and they are not being paid. So how do you expect me to be supportive?”

Rampant wage theft and poverty wages

Qatar's capital Doha has grown at an astonishing rate since the country won the bid to host the World Cup in 2010. It is nation-building on an unprecedented scale, funded by Qatar's vast gas-fuelled wealth. At one point, Qatar was spending \$500 million a week on infrastructure related to the World Cup.^v

This staggering growth has been largely built by men earning poverty wages.

For seven years after Qatar won the bid to host the World Cup, it was common for workers to earn a basic wage of as little as 600 rials a month (£140).^{vi} In late 2017, a 'temporary minimum wage' of 750 rials (£180) a month was introduced and then in August 2020 the Qatari authorities announced a minimum wage of 1000 rials (£240) a month, to come into forced in March 2021. In addition, employers must provide food and board, or an allowance to cover them of 300 rials a month for food and 500 rials for accommodation.^{vii}

The minimum wage, which appears to have been almost universally enforced, means the lowest earners are now earning significantly more than they were a decade ago. When it came into force, over 280,000 workers saw their wage increase to the minimum level, according to the ILO.^{viii}

Nevertheless, by any measure, it remains very low. The minimum wage equates to £1 an hour. The food allowance is the equivalent of about £2 a day.

At the same time many workers complain that the cost of living in Qatar is soaring.

Wage theft – the late or non-payment of wages – is still rampant. The UN's International Labour Organisation (ILO) recently reported that between July and September \$160 million was reimbursed to workers from a government insurance fund set up to repay unpaid wages and benefits to workers.^{ix} "This demonstrates the scale of the issue of unpaid wages," the ILO said.

This is the same amount that was paid out in the previous 18 months. The massive increase in repayments in recent months may reflect the more efficient operation of the Fund, but is also likely to be linked to the financial difficulties construction companies have faced after they were ordered to wind down projects before the start of the World Cup.

The real scale of wage theft is likely to be far higher because workers face numerous hurdles to reporting abuse and getting justice (see *Access to Justice* for more details).

"I worked in Qatar for almost four years. In the last seven months, the company didn't pay me anything. Just 100 rials (£25) a week for food. I knew it was illegal but there was nothing I can do. I felt like I was in jail. The government announced changes but in reality nothing is happening like that. They could enforce the laws but they don't really want to. There is a difference between what they say and what they do."

Factory worker, Nepal

Almost all low-wage workers in Qatar want and need overtime work to top-up their basic wage, but the law governing the rate of overtime pay is often flouted. Overtime work should be paid at 125% of the basic rate, with work on holidays paid at 150% of the basic rate.

"I work 12 hours every day, 30 days a month. I might get one day off. I've been here for three months now and I've only had one off. For the first month I wasn't given any work, so didn't get paid. They only gave 280 rials for food. They gave everyone a SIM card and deducted 20 rials for that."

Security guard, Kenya

However, research for this briefing and others^x has found that many workers are paid the same or less than the basic rate for overtime. This is particularly common among private security guards who often work 12-hour shifts, up to 30 days a month, in breach of Qatar's labour law.^{xi}

In late 2015, the Qatari authorities introduced the Wage Protection System (WPS), which required employers to pay workers' wages through Qatari banks so that payments could be monitored, and non-payment identified.

A 2019 assessment of the scheme by the ILO,^{xii} stated, 'The WPS has led to more timely payment of wages

and reduced a range of wage abuses... Wage abuses, however, are still far too common, as evidenced by the rate of non-compliance with the WPS, and the number of complaints lodged with [the Ministry of Labour].'

A source in the construction sector said the consequences for companies not severe enough. For example, companies who fail to pay workers on time may be barred from recruiting new workers from overseas, but they can still take on workers who are already in Qatar and have a work visa. "They're not crippling sanctions. They're not sanctions that will stop a company operating," said the source.

"[My salary] was not enough because of the inflation there. Cooking oil that once cost 6 rial now costs 22. The Pepsi we bought for 5 rials now costs 8.5. It was impossible for me to manage everything with that money... What can be done with such little money when inflation is so high?"

Construction worker, Nepal

Illegal recruitment

When Qatar won the right to host the World Cup, it recruited hundreds of thousands of workers from some of the poorest countries in the region - places like Nepal, Bangladesh, India and Kenya - to help transform the country.

But the people that make up this vast low-wage workforce, which built the stadiums and roads, and serves in the airport and hotels, have almost all had to pay for their own recruitment. The cumulative cost runs into billions of pounds.^{xiii}

With just days to go until the tournament kicks off, this illegal practice remains pervasive and deeply entrenched. Indeed, workers say the recruitment fees they pay today are higher than ever.

Migrant workers pay these fees to agents in their own country to secure their jobs in Qatar. Workers typically afford these fees by taking out high interest loans or selling land, leaving them deep in debt before they have even left home.

The payment of recruitment fees and the associated debt can put workers under severe psychological stress and leave them trapped in debt bondage, a modern form of slavery. The burden of recruitment debt is compounded if workers are not paid on time or as much as promised. In the worst case, if a worker dies, his debt is often passed on to his surviving relatives.^{xiv}

The charging of recruitment fees by agents or employers in Qatar is illegal and is largely prohibited in most labour-sending countries.

The fees that workers pay vary within and between countries but are typically in the following range:

Bangladesh	£2600 - £3470
Uganda	£491 - £1965
Nepal	£870 - £1300
Kenya	£790 - £1054
Ghana	£540 - £710

"I paid 4500 rials (£1100) to come to Qatar. To afford the fee, I had to sell the small piece of land my dad gave me before he died."

Worker, Uganda

Sources include: First person testimonies, Qatar Foundation, Amnesty International, Impactt, Verite, FairSquare, ILO, Migrant-rights.org

The basic minimum wage in Qatar is equivalent to £240 a month, meaning workers may have

"I paid to 6000 rials (£1460) come here. It's a huge amount. You know it's a business between the agent in Kenya and the company over here."

Security guard, Kenya

to work for between three months to over a year just to repay these costs. The payback period may be far longer due to the interest on the loans and because they must also send money home while keeping a small amount for daily living expenses.

On the surface, the blame for the practice lies with agents in the workers' home countries, but there is extensive evidence that agents or employers in Qatar charge huge fees to agents in labour-sending countries, reportedly as high as £530 a worker, in return for their business. These costs are then passed on to the worker.^{xv}

In an article on the practice published by Migrant-rights.org,^{xvi} a recruitment agent in Kenya explained how this works: "In Qatar, [every company except one] charges us. And they don't give an invoice for the payment. They are very clear from the beginning that we can't ask for any proof of our payment. And if you protest or insist, they just go to another agent."

The vulnerability of workers who carry huge recruitment debts to Qatar has been highlighted in recent months, as thousands of workers were sent home against their wishes, after the Qatari authorities ordered some construction companies to wrap up their projects before the start of the World Cup.^{xvii}

Many of the workers were promised a two-year contract and paid high recruitment fees believing it would be long enough to repay their debts and then earn enough to send money home to their families. Instead, they found themselves on a plane home long before the end of their contract and before they had even been able to pay off their debt.

Ram's story – construction worker

"They failed to pay my full salary for three months. It was 2500 rials a month but they paid me only 1500. They said take it or leave it. They did not pay us for overtime either. The government stopped funding the company so how could it pay the workers?"

Then the company issued a list of workers to be sent home. We didn't want to return because we had loans to pay back at home. We told the company this but they didn't listen. They said, if your name's on the list you have to go. We asked them to pay our remaining salary, but they told us we would not get anything.

We worked hard for them, constructed buildings and hotels for them, but they didn't pay for it. What can I do? We cannot protest in another country.

The World Cup does not benefit us at all. The benefits go to the government, not to us. We worked hard in their country and now we are unemployed."

"I paid an agent in India 100,000 rupees (£1050). He told me the contract would be for two years, but I was actually given a three-month visa. The company says it's a multi-entry visa so we have the right to terminate you whenever we want. The visa has been extended, but now I've been here for five months and I expect to be sent home at any time. I still owe 30,000 rupees. When I return, I'll have to go back to working for the local farmer. I have asked to go to another company but they will not allow me. I don't want to go back, but the company says everyone has to go. It's all because of the World Cup."

Construction worker, India

In response to the persistent practice, the Qatari authorities have opened recruitment centres in eight labour-sending countries. Workers must attend the centres to sign their contracts before departure. The centres have helped to reduce the prevalence of 'contract substitution' – where the terms of the contract agreed at home are different (sometimes involving a completely different job) to what workers are presented with in Qatar – but have done little to stop the payment of recruitment fees as these are usually paid long before workers reach the centres.

The local World Cup organising committee introduced a scheme in 2017 under which companies with stadium contracts

volunteer to repay the recruitment fees of their workers, as well as some workers on other projects. Companies have pledged to repay roughly £25 million to about 49,000 workers. So far around £20 million has been reimbursed.

However, the scheme only benefits a very small percentage of Qatar's migrant workforce. In most cases the repayments do not cover the full amount paid by workers, account for the cost of their loan or include any form of compensation.

Karim's story - casual worker

"I came to Qatar because my family have nothing. In Ghana, first you have to register with a recruitment agency and give them a deposit. I gave 3000 cedis (£190) to one and 2500 to another.

The agent called me for an interview with the representative of a company in Qatar. There were 50 posts but hundreds of applicants. I got selected. I was so happy. The agent said I would find it easy to make money in Qatar and that's what I expected to happen.

I went back to the second agency to ask for my deposit, but they would not give it back. I lost my money.

Then the first agent asked for another 4500 cedis (£280). Later he told me I had to give a further 1200 cedis (£75) to pay off the immigration officers at the airport. Without that, they would not let me pass.

This money is all taken by the Ghanaian agent and the agent that belongs to the company in Qatar. The Ghana agent has to give the company agent some money [for the visa].

There was a delay before we left but when we were ready to go, the agent said we had to give another 2500 cedis (£160) because the cost of the flight had increased. If I didn't pay, I would have lost everything.

To pay all the costs, we had to borrow money and sell some of our belongings, including my mother's bed. She's sleeping on the floor now and I just want to earn enough here to buy that bed back."

Freedom to change jobs: the legacy of kafala

"There is a problem with the transferring. According to the rules of Qatar, NOC is not a must but when I go to transfer, it is a must. This is a very big problem here."

Domestic worker, Kenya

For the decade after Qatar won the bid to host the World Cup – during the time in which almost all the construction of stadiums and key infrastructure were completed – all workers in Qatar were subjected to the kafala system. Under kafala, workers were unable to change jobs, or even leave the country, without their employer's permission.

The result was that many workers found themselves trapped in abusive conditions, which in the worst cases amounted to forced labour.

In 2018 the Qatari authorities ended the requirement for most workers to get an exit permit to leave the country and in August 2020 announced the effective abolition of the kafala system.^{xviii}

Under the new law, migrant workers could change jobs before the end of their contract without requiring a No Objection Certificate (NOC) from their employer.

A recent ILO report said that between November 2020 to August 2022, almost 350,000 applications to change jobs were approved and almost 184,000 were rejected (see their report for further details and explanations of the figures).¹⁸ This suggests workers can now easily change jobs.

"In this company it's very difficult to change jobs. If you ask for an NOC they will create problems. They may withhold end of service benefits, or say you owe them something."

Security guard, Ghana

However, evidence from experts^{xix xx} and testimonies from workers, suggest that while the new law initially allowed significant numbers to change jobs, employers soon began to push back against it, finding ways to make it harder for workers to leave.

"They think if they give you a contract for two years, they buy you for two years... We are suffering because of the NOC. If they gave NOC everyone would leave... If we complain they only have one answer, 'Resign and go home.'"

Security guard, Pakistan

Every low-wage worker interviewed for this briefing said it was very difficult or impossible to change jobs. Most said their employers refused to issue a NOC or told them that their only option was to resign, cancel their visa, go home, and apply again. Some said their employers threatened them with various penalties if they tried to change jobs. Others said they do not even bother asking to leave because they knew the request would be rejected.

The cost of changing jobs and issuing new ID cards should be borne by the new employer, but interviews for this briefing suggest these costs are sometimes passed on to the worker, particularly if they are transferring to a 'free visa' (see below). In some cases, employers demand workers buy themselves out of their contracts.^{xxi} The standard fee according to workers is around 5000 rials (£1210) or five months basic pay but can be higher.

At the same time, there appears to be a healthy trade in illegal 'free visas'. These visas are obtained by sponsors in Qatar and then sold to workers. They are only 'free' in the sense that workers who buy them are free to find their own work.

Some workers on 'free visas' enjoy the flexibility and independence they offer, others are forced to rely on extremely precarious casual labour, which they pick up on a daily or weekly basis.

Some workers said the World Cup has made it harder to find this kind of work because much construction has been put on hold until after the tournament.

"At the [work] site there is nowhere to hide. You start at 6.30am and end at 5.30pm. We normally accept any offer of work, no matter how little [the pay]. After one or two weeks they may not pay you. It has happened to me three times... We called the police once. When they came, they asked, 'Have you got a contract?' We said, 'No'. Then they said they cannot help."

Construction Worker, Ghana

"When I arrived at the airport there was no one to receive me. All I had was a phone number. No money. I spent two days at the airport. I called home and someone put him in touch with a 'brother' in Doha. So far things are very, very difficult. I have no work. My mum is asking me for money but how can I send her anything? It's difficult just to survive. I never knew it would turn out like this. If I had known I would have not come."

Worker, Sierra Leone

A number of aspects of the kafala system remain; in particular the power of employers to report workers as absconding. This can be used by rogue employers to threaten workers to stay in post or simply to exact revenge on workers who have left, in particular domestic workers. It is simple for an employer to file an absconding case online but very difficult for a worker to clear their name.

"Most of us are afraid to [stand up] for our rights. We're afraid to be sent back because things are very difficult in Ghana now."

Security guard, Ghana

"In Qatar, people are passing through so many challenges. They are unbelievable. [But] when you complain you're in for it."

Domestic worker, Kenya

"We don't even have time or energy to go to the labour court. We are black. We are voiceless."

Security guard, Kenya

Access to justice

A single statistic reveals the severity of abuse faced by tens of thousands of workers on the eve of the World Cup.

In the three months between July and September, the Qatar government's Workers' Support and Insurance Fund reimbursed \$160 million in unpaid wages and benefits to workers.^{xxii}

It also illustrates the efforts the authorities are making to tackle the problem. The purpose of the Fund is to reimburse unpaid wages when employers are unable to do so. It is one of a number of measures Qatar has taken to improve workers' access to justice, which include an online

complaints platform and Labour Dispute Settlement Committees, which promise to make decisions on cases within three weeks.

According to the ILO, the Ministry of Labour received almost 35,000 complaints between October 2021 and October 2022, the majority concerning non-payment of wages and end of service benefits and annual leave not being granted or paid.^{xxiii}

Despite the efforts to improve access to justice, workers still face numerous difficulties in reporting abuses and getting remedy. These are chiefly the length of time it takes to resolve a case, and regulations that mean workers cannot submit a case after more than a year, or do so from their home countries.^{xxiv} This forces workers to stay in Qatar until the case is resolved. Unsurprisingly, many simply give up and go home.

Workers interviewed for this briefing described other difficulties including the language barrier, cost of travel to attend court and a lack of confidence in the system, which convinces workers to give up quickly.

Where the justice system fails, some workers take matters into their own hands. There have been a number of well-documented cases of workers' protests over wage theft, most notably involving employees of the Al Bandy Group. In June 2022, hundreds of workers filed a complaint with the ministry of labour over unpaid wages.

"My sponsor accused me of running away. A runaway case is not a joke in Qatar. You can be deported anytime... He filed the case so that I would be deported... It's difficult to find another job since the case has been filed... There's no benefit to the sponsor, they only do it to mess [up] your life. It is jealousy. It is inhuman. Sponsors should have to explain how someone ran away, because it is very easy for someone to file [an absconding charge]."

Domestic worker, Kenya

In August a large number (between 200 – 500 according to different reports) held a protest in front Al Bandy's offices in Doha. After the protest about 300 workers were arrested,

detained and then at least 60 were deported. Some received their outstanding wages, others did not, according to reports.^{xxv xxvi}

The courage of the Al Bandy workers and the consequences they faced, explains the overwhelming culture of fear that exists among all workers in Qatar. The greatest barrier to accessing justice in Qatar, is the fear of being sent home. To speak up is to put your livelihood, and possibly your freedom, at risk.

Angelo's story – construction supervisor

"The company I worked for collapsed in 2016. I was owed three months wages plus my end of service benefits. I filed a case against the company [and eight months later] the court ordered the company to pay up.

It's now been more than five years and I still haven't received anything.

However, I heard most of my colleagues recently got paid through the government's insurance fund. The insurance fund is a very big help now.

I feel a little happy because my colleagues got the money. I'm still waiting but my bad dreams are a little bit good dreams now. I'm hopeful that I'll also get paid soon."

Suraj's story – painter

"I've been in Qatar for seven years and I have not gone home once in that time. I mostly do indoor painting.

We did not get our salary for three months, so we went on strike. We stayed in our room for 15 days. There was no response from management, so we went to the labour court. When reached the court, the company gave in and agreed to pay the money they owed us.

Now I want to go home, but there is still a lot of payment outstanding. The company owe us for return air tickets and they have not fully paid our end of service benefits.

Now our case has gone to high court but we don't know how long we will have to wait. We can't leave the country until it is resolved. Until then we have to survive. So now we are sitting in our room with no money or food."

Recommendations

For Qatar

Qatar should commit to immediate action to:

Raise the minimum wage. At £240 a month it is still far too low – and it should commit to setting a new rate in consultation with global unions.

Hugely increase its enforcement efforts. It's clear that too many employers are finding ways around the new laws. Qatar needs more inspectors, more unannounced inspections, and more power for inspectors to sanction companies immediately. The link between employers in Qatar and recruiters charging illegal fees needs thorough investigation.

Support the creation of a migrant workers' centre so workers have a safe place to bring their cases, generate independent data on workers' rights and conditions, work with enforcement bodies to target the worst employers and help increase workers' understanding of their rights

Provide more language support for inspectors, to help them directly engage with workers in carrying out checks

Prioritise enforcement of labour laws over its immigration laws. Workers should be free to protest over genuine grievances without the automatic risk of deportation

Improve Access to Justice – particularly by allowing collective claims to rapidly speed up compensation for large scale abuses, and to end the practice of charging workers for translating legal documents

Make the new joint worker committees compulsory for all companies. And it should commit to them being the first steps to fully respecting all the fundamental ILO conventions and allowing workers to form and join trade unions. This would finally give workers the ability to defend their own interests, and be an important strand of an increased enforcement drive

Drop its objections to receiving additional funds from FIFA to expand the compensation fund and remedy the harms suffered by workers in the many years when Qatar was refusing to reform its labour laws and was actively contributing to their exploitation

Carry out investigations into the deaths of workers and ensure that compensation is paid in any case where working conditions such as exposure to extreme heat cannot be ruled out as a contributing factor

Revise its wider human rights provisions, including legislation to protect against discrimination based on sex, sexual orientation or gender identity and repeal laws criminalising same-sex relationships. It should also revoke its vaguely worded fake news law^{xxvii}, ending the harassment of journalists and bloggers.

For FIFA

FIFA must provide the funds demanded by #PayUpFIFA and use its remaining influence on the World Cup hosts to persuade them to accept the funds and use them to remedy harms caused in preparing Qatar for the tournament, as well as supporting the other asks above.

In particular, it should play an active role in both pushing for, and supporting the establishment of, the migrant workers' centre as a vehicle for ensuring world football's long-term engagement on workers' rights issue and enabling a genuine legacy.

Make human rights due diligence and advocating for human rights, including the rights of workers who make the world cup possible, an organisational strategic objective.

For the FA, and the Football Association of Wales

Continue to publicly support the migrant workers' centre and work independently and with the UEFA working group to push FIFA to do the same, before and for years after it is in place, as a concrete legacy of the 2022 World Cup in Qatar.

Support a FIFA-funded reparations package for migrant workers.

Continue engagement with Qatar, especially on workers' rights, beyond the World Cup to monitor progress after the spotlight has moved on.

Work with civil society to share knowledge, gained through their monitoring visits and experiences during the games, with other sports governing bodies which may be considering holding competitions in Qatar.

For the UK Government

Use UK leverage on the global stage to put pressure on Qatar on workers' rights – starting with its trade talks with the Gulf States. Ministers should walk away from trade talks with Gulf States until they start respecting rights – in Qatar that means ensuring fundamental rights, such as the right to join a union being recognised and a beefed up enforcement system so workers can rely on these rights and protections when they most need it.^{xxviii}

For Business

Businesses should carry out human rights due diligence in line with the UN Guiding Principles on Business and Human Rights, to ensure their partners in Qatar are respecting the law and human rights generally. If they are not, as the UNGPs set out, they should do everything they can to change this, or, if this is not possible, end the business relationship, and establish remedy mechanisms for any workers whose human rights have been breached or abused, or who have otherwise been exploited.

International business organisations should join unions and NGOs in putting pressure on Qatar to complete and realise its reforms, and on Qatari companies to step up and aid the process.

Afterword

When the World Cup is over, the spotlight will move on from Qatar. But, if a legacy is secured, it will benefit the workers that come after the World Cup ends far more than it ever did the ones that built it.

Arguments will doubtless rage for years as to whether the World Cup should have taken place in Qatar. But it's perfectly possible to think it shouldn't, while recognising that some good can still be salvaged.

Qatar will remain sensitive to international opinion and pressure, it's just that – without the World Cup – there may be less of it.

The organisations currently calling out Qatar's failures will continue to do so. Global and sending-country unions will still be in Qatar, directly helping workers or negotiating further improvements in the law and its enforcement.

Watch the World Cup, or don't watch the World Cup – in some ways it doesn't matter. What does matter is that every outrageous story of exploitation and misery still finds an audience when it's over. Qatar will continue to host international sport and increase its presence on the global stage. There will be opportunities to hold them to account and make sure the legacy they speak of becomes a reality for all workers. Look out for them.

So - watch the World Cup. Don't watch the World Cup.

But keep watching Qatar.

ⁱ <https://www.ethicaltrade.org/resources/implementing-freedom-association-five-step-plan>

ⁱⁱ DLA Piper's Qatar report: little new, but calls to end kafala and investigate cardiac deaths - Migrant Rights (migrant-rights.org)

ⁱⁱⁱ <https://www.amnesty.org/en/latest/news/2021/08/qatar-failure-to-investigate-migrant-worker-deaths-leaves-families-in-despair/>

^{iv} <https://www.insideworldfootball.com/2022/11/02/qatari-minister-says-calls-migrant-worker-compensation-fund-racist-plot/>

^v <https://www.bbc.co.uk/news/world-middle-east-38905510>

^{vi} <https://www.theguardian.com/global-development/2014/jul/29/qatar-world-cup-stadium-workers-earn-45p-hour>

^{vii} https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_754394.pdf

^{viii} https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/---ilo-qatar/documents/publication/wcms_859839.pdf

^{ix} https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/---ilo-qatar/documents/publication/wcms_859839.pdf

^x <https://www.amnesty.org/en/latest/news/2022/04/qatar-security-guards-subjected-to-forced-labour/>

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- ^{xi} <https://www.amnesty.org/en/latest/news/2022/04/qatar-security-guards-subjected-to-forced-labour/>
- ^{xii} https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_726174.pdf
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- ^{xiv} <https://www.hrw.org/news/2022/10/20/qatar/fifa-reimburse-migrant-workers-recruitment-fees>
- ^{xv} <http://mfasia.org/recruitmentreform/wp-content/uploads/2014/07/Action-Migrant-Labour-Recruitment-to-Qatar.pdf>
- ^{xvi} <https://www.migrant-rights.org/2022/06/huge-recruitment-fees-charged-for-jobs-in-the-gulf-qatar-recruiters-accused-of-demanding-the-highest-commissions/>
- ^{xvii} <https://www.migrant-rights.org/2022/09/months-before-world-cup-workers-forced-to-return-home-early-and-with-pending-dues/>
- ^{xviii} https://www.ilo.org/beirut/countries/qatar/WCMS_754391/lang--en/index.htm
- ^{xix} <https://www.amnesty.org/en/latest/news/2021/11/qatar-one-year-to-make-good-on-promises-to-migrant-workers-as-progress-stagnates/>
- ^{xxx} <https://www.migrant-rights.org/2021/10/job-mobility-in-qatar-is-still-a-mirage-despite-reforms-domestic-workers-most-affected/>
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- ^{xxiv} <https://www.amnesty.org/en/documents/mde22/6106/2022/en/>
- ^{xxv} <https://www.migrant-rights.org/2022/09/months-before-world-cup-workers-forced-to-return-home-early-and-with-pending-dues/>
- ^{xxvi} [Equidem_Qatar_World_Cup_Stadiums_Report_Final.pdf](#) p42
- ^{xxvii} <https://www.amnesty.org/en/latest/news/2020/01/qatar-repressive-new-law-further-curbs-freedom-of-expression/>
- ^{xxviii} <https://www.tuc.org.uk/research-analysis/reports/tuc-opposes-uk-trade-talks-gulf-states-abusing-human-rights>