

Unsustained Reforms, Unprotected Rights

Assessment of labour reforms and the promise of a decent work legacy in post-World Cup 2022 Qatar

Table of Contents

Introduction	4
Methodology.....	5
While the World Was Watching: 2010 to 2022.....	6
Migrant Workers' Issues and Challenges	10
Internal Labour Mobility	10
Abolishment of the Exit Permit	12
Wage Theft	12
Worker's Support and Insurance Fund	13
Access to Justice.....	14
Harassment in the Workplace.....	16
Working Conditions	17
Occupational Safety and Health.....	18
Workers' Voice, Representation and Agency.....	20
Migrant Workers' Dissent and Fears	21
Conclusion: Post-Qatar 2022 FIFA World Cup Era.....	22
Annex: Recommendations	25

Foreword

BWI has run a decade-long campaign for and with migrant workers for decent work in Qatar. In recent months, there has been a division in global public opinion on the conditions of migrant workers in Qatar, changes brought and not brought, and justifications offered and contested. This report does not examine the issues from a distance, but rather from what BWI has seen, positive and negative, on the ground. It also draws on the views and experiences of migrant workers.

This document offers an assessment of the labour reforms instituted by the Qatar government sourced from data collected directly from migrant workers. It is critical to understand what is missing when analysed within the context of the national culture, socio-economic conditions, and the heavy reliance of Qatar on migrant labour. Such a focus relies entirely on the country receiving the migrant workers in this case study: Qatar. What is missing is a perspective that takes on board the global conditions and historical power relationships that lead approximately 2 million workers, half of them working in construction, from mostly less developed countries to leave their homes, their communities, their families and, frequently at great personal expense, travel to Qatar for employment.

This foreword offers the opportunity to recognise them as human beings, born equal to others in dignity and rights. Their hope to assert their fundamental rights depends on their ability to unite and to join with others. The BWI campaign to inform the world of their plight will not stop until freedom of association, the right to organise, and the right to collective bargaining are recognised. After all, if you are not able to speak freely with co-workers on the job site, can you consider yourself free? If your visa and passport are held by your employer, can you consider yourself free? If you are disadvantaged and subject to mistreatment because you cannot read or write, or do not speak the employer's language, can you consider yourself free?

Without an understanding of why these workers would subject themselves to what in essence was self-imposed bonded or forced labour it is impossible to get a clear picture of what happened in Qatar prior to the World Cup and continues to occur post World Cup.

Why would so many migrants borrow money at usurious interest rates to pay employment agencies, believe promises made by recruiters and employers, and subject themselves to discriminatory institutional social and economic structures to work in Qatar? To understand the reasons, conditions, and opportunities in countries of origin must be considered.

It is not possible to do an exhaustive study of the conditions of each country of origin of 2 million migrants. However, what must be recognised is that the risks they incurred, the dangerous work they were and are forced to do, the abusive employer relationships they endured would not have occurred if global poverty were not found in the countries of origin. They are among the countries where global poverty is concentrated and where there are large informal economies. They are also, often, countries where ILO core labour standards, including freedom of association, the right to organise and the right to collective bargaining, are not protected.

The global distribution of wealth and the uneven national development levels that result, creates a massive army of desperate unemployed workers. Countries with bifurcated labour policy and regulations that extend rights to citizens but deny those same rights to migrant

workers in a context where migrant workers are actively recruited will always have non-functioning labour markets and will deny the opportunity for decent work to migrant workers.

It is like neo liberal investment policy that rewards the “race to the bottom”. In this case, instead of Capital seeking places with the lowest wages and social protections for production, the choice of an international event may be awarded to a location where the granting institution expects to receive the highest rate of return generated by clear and consistent violations of globally accepted rights and social protections including ILO standards for decent work.

This report is the result of a survey, interviews, and extensive conversations with migrant workers who built and staffed the FIFA 2022 World Cup. It also includes information from migrants who remain in Qatar regardless of whether they chose to do so.

Ambet Yuson
BWI General Secretary

Introduction

The Qatar economy and labour force, like those of some neighbouring Gulf countries is, by global standards, exceptional. Qatar has a migrant labour force of over 2 million people, who comprise approximately 95 percent of its total working population. From a sociological perspective, those engaged in manual labour in Qatar were almost by definition not Qatari and thus burdened with the barriers and challenges that accompany an “outgroup” in most societies.

Over 1 million migrant workers are employed in construction while another 100,000 are domestic workers. The remainder are distributed across various industries, especially in oil and natural gas production.

While many countries disregard migrant workers when they develop labour market policies, Qatar is dependent upon them. The foundation for any Qatari success story for the 2022 FIFA World Cup was and remains in the hands of migrant labour.

At the time that the Games were awarded by FIFA to Qatar the “kafala” system was in place. The kafala system governing the employment of migrant workers gave employers control over migrant workers, including the power to prevent them from: changing jobs, escaping abusive labour situations, and, for many workers, leaving the country. Employers in this system frequently seized visas, passports, and permits required by their employees to leave the country, leave their job, or be eligible to be hired by another employer. Under the kafala legal system, migrant workers in Qatar had no agency, no voice, and few legal protections.

Over the past several years, the Qatari government, in partnership with the International Labour Organization (ILO), has enacted several **legislative and policy** reforms to address labour rights violations, principally forced labour, trafficking and other abuses linked to the kafala sponsorship system. Many of these reforms took effect so late in the World Cup process that millions of migrant workers had already suffered the consequences of unsafe work, debt servitude, and bonded labour.

The **FIFA and the** Qatari government **have** continued to bask in the glow of a successful World Cup. **I**. To date, FIFA has earned \$7.5 billion in revenues from the Qatar World Cup. That is \$2 billion beyond its initial budget projections.

But what about those who will continue to be part of the labour force in the country after the World Cup? Is there a continuing trend of improvement for migrant workers in Qatar? Have the Games set in motion a process to create decent work for migrants? Are social and labour protections continuing to expand now that the world’s attention has moved on?

The purpose of this report is to assess the implementation of the labour reforms of Qatar after the 2022 FIFA World Cup as reported by migrant workers based on their experiences. It examines the effects of reforms on migrant workers’ rights, welfare, working conditions, and access to justice. In addition to observations of migrant workers, the report draws on recorded claims, legal cases and complaints handled with the support of BWI and local community leaders, as well as semi-structured interviews and field observations with migrant community leaders **for a total number of cases of 1’153 (N=1’153)**.

Migrant worker communities maintain that the Qatari government's domestic labour reforms have resulted in "some" institutional progress. However, they point to **employer resistance and governmental deference to employers** in the implementation of reforms, including the failure to spread achievements of the Supreme Committee for Delivery and Legacy (SC) across the country. They have also witnessed increasing fear of retaliation for reporting abuses and the closure of opportunities for contributions from the bottom up.

The Qatar government has also failed to expand reforms to include all ILO fundamental rights. Notwithstanding the abolishment of the most exploitative parts of the kafala system in the law, workers did not and still do not have the human rights protected which are in the ILO Declaration on Fundamental Principles and Rights at Work. Lacking the legal framework for collective action, including the right to bargain, migrant workers remain at the mercy of their employers and the degree and quality of enforcement by Qatari governmental inspection. Government inspection and collective action by workers are complementary when both are possible and effective. Freedom of association, the right to organise and bargain collectively, "trade union rights", enable workers to protect other rights. The fact that those rights are not protected in Qatar helps to explain why many of the characteristics of the kafala sponsorship system as well as other abuses remain in place.

One question that must be kept in mind as we explore the advances and the failures of Qatar's labour policies during the pre- and post-World Cup periods is: were the identified abuses structurally inevitable given the nature of the Qatar human rights regime and labour market? If so, what lessons must be learned to prevent future situations from occurring with other international events awarded to countries without adequate human rights, labour market and social protection policies? If not inevitable, what steps must international organizations who profit from the awarding of events be required to take to safeguard workers and ensure that worker abuse does not become a recurrent problem? To help answer these questions, BWI assessed the post-2022 FIFA World Cup on-the-ground situation of migrant workers.

Methodology

The post-2022 FIFA World Cup situation of migrant workers is critical to understanding the initial impact of the Qatari government's domestic labour reforms.

To that end, the BWI third-party consultant elaborated a national-level database of migrant worker complaints (N=737) to gain insights into the scope, diversity, and kind of labour market concerns affecting the welfare, circumstances, and status of migrant workers in Qatar. These labour complaint cases were independently collected and compiled by the BWI and other rights groups in Qatar. Since 2018¹, BWI convened several legal clinics² to interview workers and examine their complaints. It conducted more than 200 activities on labour laws and rights' awareness, and occupational safety and health covering more than 50'000 workers. It also trained 35 paralegal migrant community leaders to assist migrant workers in filing complaints over employment law violations and helped settle cases for hundreds of workers for an amount of about 5 million Qatari riyals.

¹ [BWI Qatar Report EN.pdf \(bwint.org\)](#)

² [BWI Legal Clinic REPORT EN.pdf \(bwint.org\)](#)

In addition, semi-structured interviews with migrant workers' representatives from Southeast Asia, South Asia, and African sending country of origin who organised and provided migrant welfare support in Qatar before, during, and after the Qatar World Cup 2022 were conducted. They currently assist migrant workers with labour complaints and access to welfare (N=416). A critical observational focus on migrants and migrant community leaders is vital since they have substantial experience with the quality and efficacy of the Qatari government's implementation processes of labour reforms prior to, during, and after the World Cup 2022.

A secondary analysis of government, policy, and social media publications containing a critical analysis of the Qatari government's labour reforms was also conducted to triangulate competing perspectives regarding the overall ramifications of the Qatari government's progress on worker rights and conditions.

In April 2022, the research findings were validated by community representatives (N=80) from South Asia, Africa, the Philippines, women workers, and OSH practitioners in the course of separate consultation meetings, as well as 19 wage theft claimants attending a legal clinic.

While the World Was Watching: 2010 to 2022

Prior to FIFA's announcement awarding the World Cup to Qatar (2010), 50% of the country's population held 2.16% of the country's wealth. The top 10% possessed 70.6% while the richest 1% controlled 37.7%. By 2021, 50% of the population's share of wealth fell to 1.8%, while the top 10% increased to 71.6% and the top 1% rose to 39.1%. In other words, despite significant labour policy reforms and the legal abolishment of the kafala system, by the time the games were ready to begin, wealth was more concentrated in fewer families than it was prior to the commencement of construction for stadiums and other structures.

In terms of income, the bottom 50% of income earners received only 10% of national income while the top 10% gained a disproportional 54% and the richest 1% received 22% of the country's income when FIFA awarded the games. While income data for 2021 and beyond is not available, the trend from 2010 through 2012 reflects a similar pattern as the trend for wealth.

The announcement by FIFA of the 2022 World Cup to Qatar in 2010, showed the need to dramatically restructure the construction sector labour market from longer term oil and gas construction project employment to time sensitive shorter term Game infrastructure projects. That meant a dramatic increase in contract and subcontract situations frequently removing either Qatari or global corporations from direct responsibility for working conditions at the construction site. The labour requirements for such large construction projects created a speculative environment for both employment recruitment agencies and sub-contractors.

A complicating factor of the Qatari labour market's dependence on migrant workers is the recruiting system. Private employment agencies often offer market access to the country and the labour market as a package. Prices vary but for most migrants the fees represent a sizable expenditure.³ In the construction sector, in addition to having to repay employment agencies

³ Migrants report paying upwards of 40,000 QAR with double digit interest rates as high as 28%. A condition that, for some, put them in what can be described as indebted servitude.

for permits and access to the Qatari labour market many migrants attempted to repatriate a portion of their wages to their families in their home countries even at considerable personal sacrifice.

With the Qatari government and the ILO's technical cooperation, although incomplete, significant domestic labour reforms have been adopted to address migrant worker issues in the country.⁴ Since 2016, the Qatari government has:

- abolished the legal support for the kafala system,
- established the domestic work law,
- passed a non-discriminatory minimum wage law (including domestic workers),
- developed an online wage protection system,
- instituted joint workplace committee representation, and,
- abolished the No Objection Certificate (NOC).

In addition to these reforms, the Qatari government has also created the Taawon ('cooperation' in Arabic) at the national level in August 2019 to encourage 'tripartite consultation between the Ministry of Labour (MOL), management and elected workers' representatives on labour policies and procedures. (ILO, 2022: 14).

Overall, the Qatari government's domestic and international responses to the labour reforms have demonstrated its capacity to change laws, if not its political will to implement them so as to comply with international norms and standards on the rights of migrant workers in the country.

Despite these significant enhancements at both the public policy and enforcement levels, companies continued to engage in widespread violations of the new laws and framework.

Unfortunately, removing the legal structure that supported the kafala system does not, by itself, create decent work, prevent bonded and forced labour, or protect the rights of workers to form and join worker organizations of their own choosing.

BWI has been on the ground in the Qatar construction sector both at the work sites and the residential camps since 2016. Since BWI has members from almost all of the countries from which the migrants came, some were already familiar with BWI, and others had been working under collective agreements that BWI affiliates had negotiated and enforced with construction companies. This enabled BWI to build trust with the workers and their informal leadership. BWI assisted in the creation of effective Workers' Welfare Forums within the Supreme Committee's projects and Workers' Welfare Committees with multinational companies operating in Qatar with which BWI had International Framework Agreements.

Since 2018, the BWI has been instrumental in convening the first ever dialogue forum between migrant worker communities and the Ministry of Labour. Migrant workers were represented by the Community Leaders Forum (CLF) in the semi-annual meetings for the period 2018-2022. In the CLF, migrant community groups found a space to engage with the Qatari government and other local and international groups. Even though migrant communities emphasised the positive dialogue engagement of the Qatari government before and during the 2022 World

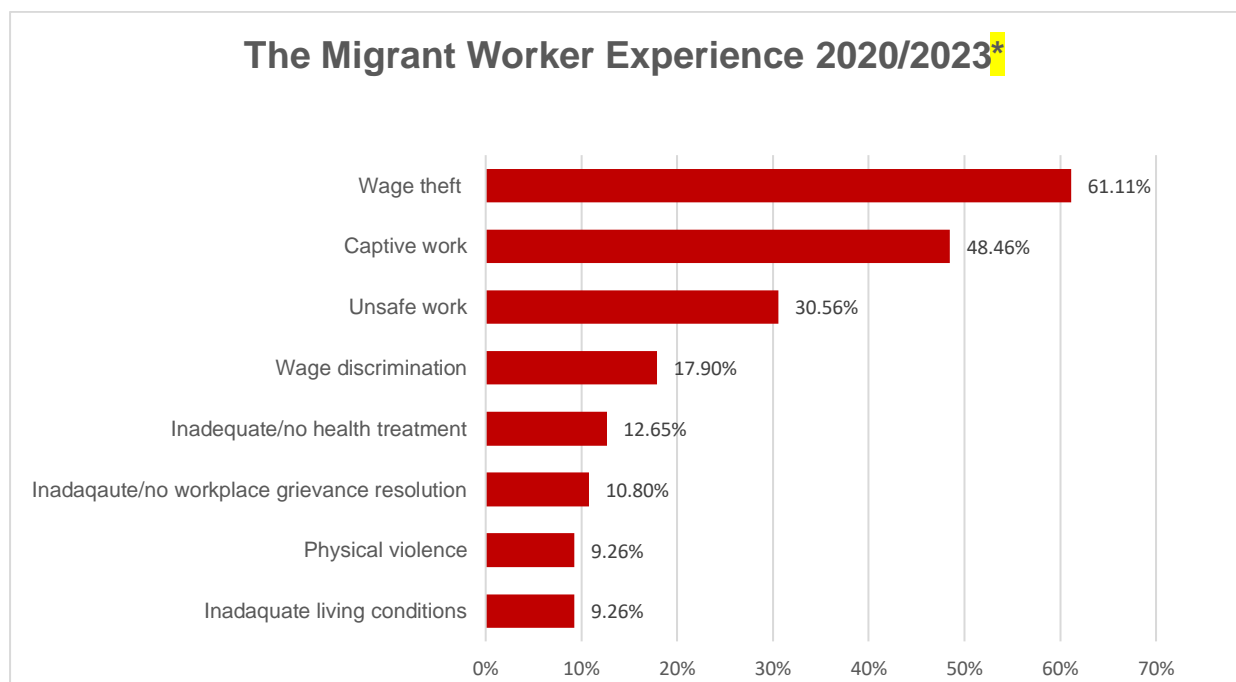
⁴ For this and subsequent ILO, 2022 references, see ILO (2022) '[Labour Reforms in the State of Qatar: Coming Together Around a Shared Vision.](#)'

Cup, fieldwork data analysis demonstrates that as state-led domestic engagement 'progress', the CLF meetings have swiftly decreased over time. In the post-World Cup 2022 era, the Qatari government frequently replaced these collaborations with 'silence' and 'non-cooperation'.⁵

The analysis of data collected and the corroboration with field interviews suggests that the absence of mechanisms for workers' representation and bargaining perpetuates the 'ongoing' exploitative presence and characteristics of the kafala sponsorship system. These exploitative situations and imbalances of power have, in turn, enabled companies and individual sponsors/employers to manipulate workers to maximize their economic gains and minimize their financial losses.

Without migrant workers having voice, representation and agency, the balance of power in workplaces and in economic sectors was left largely unchanged. Employers began to develop ways to circumvent legal changes, at times even before they were written into law or before administrative procedures had been established.

Based on its current dataset, BWI has documented a sample of violations in the construction sector (and, to a lesser extent, in the domestic sector) both on the job and in worker residential settings.



* Q1: January – March 2023

Out of **737 complaints** recorded, migrants reported that:

- 61% of them experienced some form of wage theft, including delayed or un-paid wages or end-of service payments, or other forms of wage deception such as below-minimum wages.
- 48% were prohibited from changing jobs (NOC) or in some cases leaving the country, experienced forced resignation or had their documents withheld.
- 30% were exposed to unsafe working conditions, including with intimidation or coercion.
- 17% reported nationality-based wage discrimination.
- 12% had medical care denied or not paid.
- 10% reported the lack of effective workplace grievance resolution processes.
- 9% experienced some form of employer retaliation and/or physical violence by supervisors following efforts to improve conditions.⁶

Less than 10% of migrant self-assessments reported only a single occurrence. Most workers experienced several incidents. It is safe to assume that more, perhaps many more than 50% of all migrant workers in the database experienced at least 3 of the above situations.⁷ As can be seen from the BWI data, the magnitude of the challenges facing migrants in Qatar dwarfs the impact of the “solutions” in the form of changes in public policy.

There is also the challenge of ensuring that rights and working conditions protected by reforms in public policy and law apply not only to employers but throughout the **supply** chain, including to contractors and sub-contractors.

Many of the situations reflected in the chart occurred after legal changes had been implemented. Given the fear of retaliation, it seems safe to assume that these figures minimize occurrences.

From a macro perspective, it is clear that significant national legal changes have not altered the situation sufficiently for migrant workers in Qatar. One common barrier for a migrant dominated labour force is the cost of agency fees. While turnover is a cost to all employers, when there is an agency recruitment fee to be paid to replace every worker who leaves, the price of turnover is increased substantially. Thus, local employers/sponsors vigorously resisted reforms granting workers the freedom to change jobs as they see it as meaning that they will lose the recruitment fee paid to agents.⁸

The following section illustrates the successes and failures of the Qatari government's domestic labour reforms and processes as identified by the affected stakeholders, namely the migrant workers, according to the reform areas.

⁶ Given the gender composition of the construction sector sexual harassment was not heavily reported. However, most female workers in the hospitality sector reported its occurrence perpetrated by both supervisors and customers.

⁷ The data presented is not a random sample. BWI is not contending that this sample is statistically representative of all migrant construction workers. Given the duplication of occurrences of worker abuse across all work sites and virtually all major employers there is ample evidence that structural problems existed and continue to exist within the enforcement of and the scope of labour policy reforms.

⁸ The agency fee and “Open Visa” process is a complex matrix ranging from totally funded by the migrant worker to some cost sharing with prospective employers.

Migrant Workers' Issues and Challenges

Internal Labour Mobility

The abolishment of the kafala system (i.e., abolishment of the No-Objection Certificate (NOC), removal of exit permits) has facilitated an increase in internal labour mobility, totalling over 348'450 applications to change jobs approved between November 2020 and August 2020' (ILO, 2022: 5). In reality, however, post-game fieldwork data indicates that employer-discretionary control of migrant workers is developing alternative methods to keep migrants in a forced labour situation. A local sponsor/employer's legal consent is still necessary, making internal mobility rights for migrant workers contingent on employer approval. Local employers and sponsors typically adopt several strategies to prevent labour mobility of workers, such as:

- delaying or denying employment transfer requests due to 'performance' or 'unsettled recruitment costs',
- threats of deportation,
- filing absconding cases,
- cancelling immigration and employment permits to punish migrant workers (Qatar Identity Card – QID/residence permit),
- requiring NOC/clearance forms from current/former employers,
- selling or charging migrants for NOCs,
- risk of delay or non-payment of end-of-service gratuities and benefits,
- unilateral modification of contractually agreed-upon wages to conceal fraudulent acts,
- 'softly' repatriating migrant workers to avoid paying them, especially injured workers due to their need for costly hospital procedures.

As one migrant housekeeper reports,

'Employers do not want to issue NOC because they feel bad for the initial expensive recruitment cost paid to the local agency. To do this, employers lock us up and confiscate our documents. They often only release us or offer the NOC if they sometimes manage to resell us to another new employer to offset their initial recruitment payments.'⁹

Such abusive behaviour is only effective in a legal environment where enforcement is not a priority. That employers are seeking to return to the conditions that existed prior to the games where they had almost complete control, should not be surprising. That the Qatari government is complicit in enabling many of these strategies to be implemented suggests that pre-Game social and labour reforms will be short lived.

The Qatari government, since the Games, has:

- systematically transferred authority and discretion to employers of the online application gateway process for internal labour mobility,
- failed to rigorously enforce restrictions on employer based instant termination of Qatar Identity Card (QID)/residence permits,
- allowed enforcement and labour inspections to lapse,

⁹ Interview with a migrant worker (Doha, Qatar: March 2023).

- allowed wage/promotion discrimination based on national origin to continue,
- permitted non-payment, underpayment, and illegal deduction of wages to continue,
- permitted employers to terminate workers and to file absconding or runaway cases upon being notified of an employee labour complaint,
- ordered migrant worker community leaders to return the special access cards to the Qatari MOL,
- expanded bureaucratic requirements to gain access to labour tribunals.

Lax government enforcement, combined with employers' institutional resource advantage (i.e., *wastas* – that are influential or powerful individual connections; Arabic language knowledge; material resources for court hearings; etc.), has produced an exploitative space for migrant workers. In this situation, local sponsors and employers have retained their ultimate power to facilitate immediate employment termination or deportation if labour or interpersonal disputes arise between them during the process. As a consequence, NOC has become a conditional bargaining tool in which local sponsors'/employers' economic interests take precedence over government labour rules. Notwithstanding the 'abolition' of the NOC, Qatari labour legislation favours employers, making it harder for migrant employees to attain internal labour mobility. Thus, the kafala sponsorship culture, which is anchored in local sponsors'/employers' power and mobility control over migrant labour through the withholding of legal documents and NOC, has been deliberately maintained in the 'after' Qatar 2022 FIFA World Cup era.

One reason freedom of association is so important is that it reduces reliance on a central governmental authority that has differing priorities at different times. Many countries with strong freedom of association cultures can operate effectively and efficiently with a minimum of national labour law enforcement costs because the workers are able to protect themselves. Places without protection of that right and a culture of freedom of association like Qatar require extensive national labour legislation and enforcement. Even then, inspectors are not in workplaces without interruption. It is foolish to speak of tripartism if workers **do** not have the right to form and join unions.

When the Qatari government initially modernised the online application gateway for internal labour mobility via MOL, local sponsors vigorously resisted the reform due to the high turnover rates associated with losing recruitment fees given to agents.

As one migrant worker recounts,

'I was able to switch employers quickly, even without the consent of the employer. However, my employer found out about the switch and complained to MOL. Others also experienced the same changes, and it became a national issue.'¹⁰

Due to this quick domestic labour market transformation, local sponsors/businesses criticized the 'policy shift,' compelling the Qatari government to revise the online system so that it transferred authority and discretion to employers.

¹⁰ Interview with a migrant worker (Doha, Qatar: March 2023).

Abolishment of the Exit Permit

The Qatari government and the ILO also argued that 'the legislation adopted in 2018 and 2020 eliminated the requirement for migrant workers to obtain exit permits from their employers to leave the country' (ILO, 2022: 6). While such exit permit requirements have been removed, the culture of passport and Qatar Identity Card (QID) confiscation has remained widespread. It was one of the problems the most frequently cited by workers for the two-year period after the law was changed. Local sponsors and employers use such tactics to control migrant workers' internal employment movement and institutional access to government services (i.e., hospitals, and labour courts, among others). While the withholding of migrant workers' legal documentation is prohibited by the Qatar government, migrant workers stressed that, in the post-World Cup period, they, once again face similar restrictions and abuses. According to one migrant worker,

'Qatar has implemented numerous improvements, but most companies still withhold national IDs. Many migrant domestic employees lack access to telephones and essential government paperwork. Particularly if you lack identification, you cannot hold or access justice in any field.'¹¹

With few sanctions and little enforcement, local sponsors and employers have limited the exercise of employment rights of migrant workers, including their internal mobility rights to shift to a new job on the domestic labour market or exit the country. Thus, the ongoing presence of the former kafala sponsorship system, combined with the persistent withholding of migrant workers' legal documentation, has rendered migrant workers systematically vulnerable to employer abuse and state-related arbitrary arrests, detentions, and deportations in Qatar.

Wage Theft

The Qatari government introduced the Wage Protection System (WPS) in 2015 as an essential tool to monitor the payment of workers' wages, as well as reducing wage abuses and resolving wage disputes. This new labour administration system required all employers in the private sector to transfer migrant workers' wages through approved Qatari banks, which the MOL monitors. Post games, the fieldwork analysis **reveals** that, despite the establishment of the WPS, migrant workers continue to be subject to wage fraud by their local sponsors and employers. Both our database of cases and field data observations suggest that local sponsors and employers have consistently been able to manipulate and circumvent the 'restricted characteristic' of the WPS monitoring process, despite the Qatari government's pledge to enforce a highly restrictive and rigorous monitoring procedure. In the construction sector, a BWI paralegal has reported dealing with cases of sponsors and employers depositing only one Qatari riyal into the WPS system so that the system would not issue any warning to the MOL on the non-payment of workers' salaries. Some withhold migrant workers' debit cards and modify their contractually agreed-upon wages to conceal fraudulent acts.¹² Other migrant workers argue that when the Qatari government's MOL completely supervises the payment, these WPS procedures do not adequately incentivise the employer, making limiting their

¹¹ Interview with a migrant worker (Doha, Qatar: March 2023).

¹² Interview with a migrant worker (Doha, Qatar: March 2023).

abusive or unethical actions difficult.¹³ This method allows companies to "buy time," violating Qatar's mandated WPS system. Additionally, the database of cases suggests a persistent discriminatory wage system with several cases analysed, mostly of migrant workers from Bangladesh, Nepal and India still being paid less than their co-workers from other countries (e.g., the Philippines).

In the post-2022 FIFA World Cup period, information from fieldwork data further suggests that migrant construction workers still face similar WPS-related issues from their Qatar-based construction companies. In fact, due to work suspension in the Qatari domestic building industry during the Qatar 2022 FIFA World Cup and in months afterwards, thousands of migrant construction workers were either terminated or "gently pushed" into taking a six-month unpaid vacation in their home countries while still waiting to receive their unpaid wages/benefits. While such local sponsors/employers' strategies helped to alleviate the unemployment pressure in the Qatari construction industry, it is highly problematic because the local sponsors and employers have still bypassed the WPS system by failing to pay migrant workers' wages on a timely basis. This condition places many migrant construction workers in a precarious position, as local sponsors/employers may be exempt from many legal, administrative, and technical requirements. The diplomatic missions of sending states in Qatar have limited executive authority to pursue legal claims, especially if the migrant worker has already been expelled. While the Qatari government increased the punishment for non-payment of wages to up to one year in prison and a maximum fine of QAR 10,000 (\$2,750), most employers managed to circumvent such regulations, especially in the post-World Cup 2022 context given the lack of global public pressure on the Qatari government to rigorously impose such labour standards on employers.

Worker's Support and Insurance Fund

As part of its comprehensive migrant protection program, the Qatari government established the Workers' Support and Insurance Fund in 2020. The ILO has highlighted that 'most WPS cases (84 percent in 2021-2022) are decided in favour of workers while emphasizing that there has been a dramatic increase in the amount paid out from the Workers' Support and Insurance Fund.' Claims of reimbursement of victims of illegally withheld wages and related abuses through the Fund for \$320 million in 2020¹⁴ indicate the increasing magnitude of abuse. Yet the Qatari government has yet to implement this protection fully and sustainably for all affected migrant workers. Field evidence suggests that thousands of migrant workers, who have explicitly experienced non-payment, underpayment, and illegal deduction of wages, have not been paid. As one migrant worker states,

'Workers are the fastest and easiest to control by the management. The first to sacrifice are migrant workers. It is now a norm not to pay workers, which is a consequence of the lack of enforcement of court rules. They do not even put employers in jail; they only did some when the global spotlight was on. Employers can get away with it, since there are no unionised groups to protect migrant workers here. Everything is stacked against the worker. The justice system is not enough.'¹⁵

¹³ Interview with a migrant worker (Doha, Qatar: March 2023).

¹⁴ <https://time.com/6240955/qatar-world-cup-migrants-labor-reforms/>

¹⁵ Interview with a migrant worker (Zoom: March 2023).

Instead of compensating for unpaid wages, the fieldwork data suggests that local sponsors and employers prefer to 'softly' repatriate migrant workers so they would avoid paying them. In fact, some employers facilitate the 'repatriation' of injured migrant workers due to the expense of their hospital procedures, which could have severe repercussions for their total health insurance costs. The lack of sending countries' support to appeal to the Workers' Support and Insurance Fund, as well as the limited capacity of the host migrant worker community, prevents a significant number of migrant workers from submitting claims to the Qatari Workers' Support and Insurance Fund.

That 84% of worker-initiated cases are proven valid, given all the obstacles workers face including language, cultural and social barriers, suggests that the ongoing labour problems in Qatar are not just the result of individual employers acting badly but rather are systemic in nature.

Furthermore, in the post-World Cup period, many migrant workers who have helped build the facilities are still struggling to claim their unpaid wages from their respective companies. Field interview data suggests bureaucratic barriers regarding access to the Qatari government's social support and insurance fund. For instance, even though some migrant workers actively apply for and wait to collect welfare and insurance payments, they frequently struggle to receive their unpaid salaries due to the lengthy, confusing, and complex filing procedures. However, most migrant populations, mainly construction, domestic, and other service workers, are commonly discouraged from pursuing legal or administrative claims related to migrant welfare and insurance funds due to the lengthy bureaucratic procedures and requirements, which demoralize and prevent migrant workers from seeking redress. As one migrant worker highlights,

'Many construction workers, who built the 2022 FIFA World Cup, chose to stay in Qatar and did not take vacation so they could help finish the construction. Companies forced them to do so, and now they are being laid off without any payment. Most construction workers are even scared when their foreman goes to their accommodation because they fear that they will lose their jobs and their opportunities. They still did not get paid from the last six months, and many are stuck in Qatar right now.'¹⁶

While the migrant Workers' Support and Insurance Fund is a positive step in rectifying financial exploitation faced by migrant workers, the Qatari government's lack of enforcement on the domestic labour reform with private sector actors (i.e., construction companies, employers, etc.) will likely trigger more abuse in the long run.

Access to Justice

The Qatari government created an 'online complaints platform in 2011, which includes an anonymous whistle-blower channel' (ILO, 2022: 10). Because of the new labour administration system, the Qatari government has faced serious challenges, including high rates of complaints, a backlog of cases due to the COVID19 pandemic, and lack of standardized communication with workers/complainants.

¹⁶ Interview with a migrant worker (Doha, Qatar: March 2023).

Despite such labour administration reform, fieldwork data interviews reveal that filing MOL labour complaints has become systematically counterproductive. Migrant workers assert that this institutional reform to the labour complaint system results from the Qatari government's response to externalized pressures and public scrutiny during the 2022 FIFA World Cup campaign.¹⁷ Specifically, migrant workers in the construction, service, and domestic work sectors have reportedly pointed out that the Qatari government's provision of access to justice has become counterproductive given the lengthy bureaucratic timing and resource requirements (at least three months of no pay, accommodation, no certainty of receiving unpaid wages, etc.) needed to survive one labour case. Due to their lack of money and other material resources to support their claims, migrant workers who file complaints with MOL often feel powerless as their employment is terminated upon case filing. Subsequent interviews have shown that local sponsors have continued to remove migrant workers by supporting their rapid repatriation to lessen their unemployment pressure within the organization. Some migrant workers have resorted to engaging in part-time work in the informal labour market, which, if discovered by local police authorities, might result in their incarceration and deportation for engaging in 'illegal' work.

Fieldwork data analysis indicates that local sponsors and employers, post-World Cup, have remained non-compliant, effectively undermining the Qatari government's efforts to expand access to the justice system. In 2022, while the ILO acknowledged that '45 recruitment agencies were closed for not complying with the law,' these figures appeared to be very small given the large-scale violations. As one migrant worker reports, 'We never heard of a sponsor imprisoned because of their abusive behaviour towards their workers. Domestic workers have been jailed but not employers. Employers have never been deported, never been punished. There is no sanction for employers.'¹⁸

This absence of legal or administrative repercussions on employers has fostered a culture of impunity and reveals the power imbalance at the workplace and in society as was the case under the kafala sponsorship system. Embassies of sending states have limited influence over the Qatari state. One Kenyan migrant worker noted that the Kenyan embassy in Qatar could not offer shelters and housing to migrant workers promptly, even in an emergency. She adds, 'They even push their migrant workers, including females, to exit shelters, which force some of them into trafficking and prostitution, giving no hope and representation for the abused migrant.' Similarly, another migrant worker community representatives noted:

"Workers are afraid. They are afraid of talking. They cannot speak Arabic – Qatari. They do not use English. They force us to speak in Arabic when they do not talk to us in English. We do not know, that is why we want the migrant centre, and that's why we want to go to the migrant centre. There is no profit for us. It is profit for the people (to be able to understand), and they can get the benefit. This is good for Qatar as it will give the proper monitoring and, potentially, less cases if we have a migrant centre in Qatar."¹⁹

Beyond the digital labour complaint infrastructure, the Qatari government developed elected worker structures for workplace grievance handling in facilities under the authority of the

¹⁷ Interview with a migrant worker (Doha, Qatar: March 2023).

¹⁸ Interview with a migrant worker (Doha, Qatar: March 2023).

¹⁹ Interview with a migrant worker (Doha, Qatar: March 2023).

Supreme Committee, namely, the Workers' Welfare Forum. It is not freedom of association, but it allows a degree of worker expression and dialogue at the workplace.

In response to the issue of lack of recognition and protection of migrant community leaders and paralegals during the Community Leaders Forum in 2021, the Qatari government promised and then issued special IDs to migrant worker community leaders/paralegals, recognising and allowing them to freely access Qatar's MOL to assist their migrant worker compatriots' labour cases without fear of arrest or punishment. This approach has also enabled them to follow up on situations involving migrant workers and collaborate more closely with Qatari government officials across MOL and beyond. This Qatari government modest but effective effort to liberalize access to justice for migrant worker communities has boosted migrant workers' belief that "change is actually coming" in Qatar.²⁰

But, in the aftermath of the 2022 FIFA World Cup, the Qatari government swiftly reversed a few significant domestic labour advancements related to the country's access to justice program. In January 2023, for instance, the Qatari government ordered migrant worker community leaders to return the special ID that granted them access to Qatari MOL, severing their authority with and access to MOL. Migrant worker community leaders felt alienated by the Qatari government's retreat from a beneficial practice. In fact, field research demonstrates that migrant workers have consistently failed to get justice through labour tribunals in Qatar after the World Cup 2022. The lengthy, extremely bureaucratic, and silent procedures, along with their lack of direct MOL access to follow up on migrant worker claims, severely crippled their institutional capacities to assist migrant workers to access justice and get labour rights protection.

Harassment in the Workplace

During the 2022 FIFA World Cup, the Qatari government's domestic labour reforms and anti-harassment policies became a significant concern. Scholars have maintained for decades that the prevalence of physical, sexual, mental, and financial harassment has contributed to a detrimental mental toll on migrant worker populations during the previous several decades. The strong global media pressure and the Qatari government's cooperation with the ILO, trade unions, and civil society organizations have unquestionably helped increase the monitoring and disclosure of workplace harassment throughout Qatar's different industries. Yet, post-Qatar World Cup field research revealed that migrant employees continue to endure workplace harassment from local sponsors and employers, which is frequently worsened by the Qatari government's prolonged silence and inaction. As one migrant worker reports,

'There are definite improvements in Qatar. They fixed the 'easy ones', the minor labour cases, and the end of services or agencies to pay their migrant domestic workers. However, the deeper problems are like rape cases. Employers rape their domestic workers and then just deport them. Others would send them to jail and abuse them without salary. They facilitate their deportation. They do not allow the media to be reported. If they go to us, we are the only ones reporting them from what they really are: rape cases.'²¹

²⁰ Interview with a migrant worker (Doha, Qatar: March 2023).

²¹ Interview with a migrant worker (Doha, Qatar: March 2023).

Due to the private enclosed environment within villas and flats, the high occurrence of workplace harassment in the domestic employment sector necessitates a thorough investigation by the Qatari government.

Due to the lack of surveillance and inspection in the hospitality industry, our nationally recorded database also found a large number of harassment cases outside of the domestic work sector. Female hotel employees have reported an increase in sexual harassment complaints against their hotel administrators, who frequently exploit their female migrant workers by abusing their positions. While the Qatari government and FIFA have pledged to conduct labour inspection and monitoring, female migrant workers feel even more insecure, particularly in the post-World Cup 2022 context where monitoring and inspection have been scaled back.²² Our fieldwork observations and interactions with hospitality migrant workers and community representatives revealed an increase in unreported cases of harassment in the hospitality sector as complaining places workers in even more precarious positions. The dread of unemployment and employer retaliation, as well as the lack of worker representation, have hampered the ability of hotel migrant workers to fully exercise their legal rights. Overall, the lack of sustained enforcement and monitoring by the Qatari government in the most vulnerable (hospitality, domestic work, and other service sectors) or male-dominated industries (construction), exposes a large number of migrant workers, particularly women, to physical and sexual harassment.

Working Conditions

The Qatari government has also attempted to broadly address the overall working conditions of migrant workers across diverse sectors in the country. In the construction sector, the Qatari government created a 'new law extending the prohibition for outdoor work by an additional four weeks in summer and by an additional 2 hours a day' (ILO, 2022: 20). Additional labour inspections were carried out by the Qatari government, which led to 'shutting down work being ordered in 338 and 463 enterprises worksites for violating the new regulation on prohibited working hours' (Ibid). These domestic reforms, combined with external political pressure to focus on migrant exploitation in the construction industry, have directly impacted the working conditions of migrant construction workers.

However, our compiled database of cases highlights serious recorded issues, including nationality-based discrimination linked to wages, verbal, and financial abuses (i.e., non-payment or delayed payment of salary, non-payment of overtime and end of service gratuities, illegal deductions, scarcity, and low quality of food), forced resignations, and illegal recruitment fee collections. The fieldwork data in the post-World Cup 2022 period suggests that most migrant construction workers work even longer hours to stay employed. As one migrant worker stressed, 'Most construction companies have not paid their migrant workers for six months or one year, and that's why they are still stuck in the country. Sometimes, the government has not paid these construction companies, so workers' wages are the first to be sacrificed to keep the business going. As a result, many migrant workers will accept longer working hours to

²² www.theguardian.com/global-development/2022/nov/17/female-migrant-workers-speak-out-about-harassment-in-qatar-world-cup-hotels

maintain their jobs, while the rest either live in fear or are in the process of being terminated or deported.²³

In the context of domestic work, the Qatari government passed the Domestic Workers' Law of 2017, stipulating domestic workers' and employers' rights and responsibilities. In 2021, the Qatari government's MOL also adopted a revised standard employment contract for domestic workers to align their labour rights with other private sector workers, including the right to overtime payment, termination of employment, and sick leave entitlements. However, the Qatari government has still not enforced the legislation addressing the exploitative working conditions faced by migrant domestic workers. For example, field data research demonstrates that many domestic employees do not receive a day off, as international standards require. In some instances, local sponsors and employers purposefully punish migrant domestic workers for attempting to escape, penalizing them based on an economic cost-based rationale. As one migrant worker stated:

'There is no freedom. No day off. They fear that if they let us go, we will get a boyfriend and get pregnant. Other previous sponsors, for example, gave the day off and never run away. Others got pregnant and left the employer.'²⁴

The ILO reported that 'in Qatar, regulating working hours—and the worker's right to a weekly paid day off—are key challenges still faced by domestic workers. These will require rights awareness campaigns and 'fundamental unpacking of attitudes and practices' in the local sector' (ILO, 2022: 27). The privatized and personal nature of migrant domestic employment makes it difficult to police and regulate illicit abuses in the domestic work sector.

Occupational Safety and Health

The Qatari government has worked closely with the ILO to develop occupational safety and health (OSH) laws, policies, and systems and enhance inspectors' training, communication campaigns, and other related mechanisms to address migrant vulnerabilities. In 2019, the Qatari government, through the MOL and the Ministry of Public Health, adopted a national labour inspection policy. With the extension of summertime working hours during which outdoor labour is restricted, new legislation was introduced to better protect workers from heat stress during the summer months. Regardless of the time of day or year, there is a temperature at which outdoor labour must cease. While migrant health and safety practitioners acknowledge the growing OSH requirements imposed by the Qatari government on construction industries, the implementation gaps have remained a serious issue. **Also due to the lack of coordination and coherency associated with Qatar's OSH arrangements, regulations and enforcement among the different authorities. The complex sub-contracting arrangements on most sites further complicates and frustrates efforts to standardise the application of health and safety laws and enforcement.** The ILO reported that '9'976 violations

"Claiming compensation for injuries is a long and drawn-out process and many workers just give up in the end"

Migrant construction worker, interview, March 2023

²³ Interview with a migrant worker (Doha, Qatar: March 2023).

²⁴ Interview with a migrant worker (Doha, Qatar: March 2023).

were detected by labour inspectors in the field in 2019, 68% of which were OSH related' (ILO, 2022: 18). However, fieldwork data analysis reveals that in most sites, there are no/or very few visits by health and safety inspectors, and language is a key barrier to properly engage or understand the situation of workers onsite.

One migrant workers representative in Qatar observes,

'Qatar has made a significant change in the OSH sector. But most employers still focus on the bottom line: profits over safety. Most employers think that following the OSH standards will bring a lot of budgetary costs and issues, which will affect their company revenues. This is a real issue. In particular, smaller companies do not have the budget to follow a stronger OSH standard, and that's why many migrant construction workers died to deliver the Qatar 2022 FIFA World Cup.'

The often profligated business myth that OSH is a cost rather than an asset, is the direct result of a long legacy of unsafe work practices permitted because migrant workers can be deported when injured and the employer's social obligation avoided.²⁵ Even without legislation to hold employers accountable for unsafe work, proper OSH still saves money by identifying business practices that are not only unsafe but also inefficient.

While the Qatari government has made progress in developing the OSH national framework, the cost of OSH implementation will likely impact the Qatari government's capacity to enforce restrictive standards on private sector construction companies. As one health and safety representative reports: 'In Qatar, fear is one of the key drivers undermining health and safety. If I see an accident when traveling to work and take and upload or post a photograph of the incident – that could be reported, and we could be 'lifted' (deported from the country). When there are accidents on the work site, some might come under pressure to 'sanitize' the accident so employers can avoid blame'. -

Fieldwork data highlights that the limited number of labour inspectors within the Qatari government has contributed to the rise of non-compliant construction companies that extend 'low' priority to OSH standards in the construction industry. As one migrant health and safety practitioner stresses,

'I've been working in Qatar for 10 years and only ever seen and inspector visit a workplace once! There are not enough labour inspectors in Qatar to monitor the thousands of construction companies and their subcontracting companies. Qatar is not just focused on the World Cup. They also have other mega infrastructure projects, and their main goal here is to achieve infrastructural sustainability by 2030. In a way, Qatar

²⁵ The National Safety Council estimated that work-related deaths and injuries cost the nation, employers, and individuals \$171 billion in 2019. Employers that implement effective safety and health programs may expect to significantly reduce injuries and illnesses and reduce the costs associated with these injuries and illnesses, including workers' compensation payments, medical expenses, and lost productivity. In addition, employers often find that process and other changes made to improve workplace safety and health may result in significant improvements to their organization's productivity and profitability. <https://www.osha.gov/businesscase>

can further prevent these labour malpractices if they bring more labour inspectors who can implement these policies regardless of their connections with government officials.²⁶

Workers' Voice, Representation and Agency

The ILO develops and adopts universal labour standards, including the fundamental rights which Qatar has pledged to respect. The ILO Governing Body, when they decided to close the Commission of Inquiry on Qatar urged the Government to protect all ILO fundamental rights at work and received assurances to that effect. The most important and most conspicuously absent rights protections are for freedom of association, the right to organize, and the right to collective bargaining. Support for extending protection of those rights was part of the mandate of the ILO technical cooperation office in Qatar. However, information on those standards is no longer part of the documents or reporting of that office. Nevertheless, a small, but important step was taken by the Supreme Committee and some multinational companies (QDVC-VINCI and BESIX) with BWI to develop a system of elected worker representatives who were trained and supported by BWI.

In parallel, the Qatari government has worked with the ILO to pilot voluntary labour-management Joint Committees at the workplace in some sectors. Starting in 2019, companies can choose to hold elections for worker representatives on the committees. It is worth noting, however, that despite allowing for some form of cooperation at the enterprise level, joint committees do not meet ILO standards. Electing representatives on some sites is not freedom of association. Without autonomous and independent organizations that workers control, Joint Committees cannot be associated with ILO Fundamental Principles and Rights at Work. References to social dialogue in this context can also be misleading since social dialogue can only exist as a form of industrial relations with the existence of trade unions/autonomous organisations that workers control, and provisions for collective negotiations. Reforms fall far short of protecting trade union rights.

In addition, the Qatari government, in close collaboration with the BWI, recognised the Community Leaders' Forum (CLF) as a dialogue platform and maintained formal and informal contacts. According to field data, migrant worker leaders perceived a strong 'sense of concern' by Qatari government officials to eradicate the prevalent labour abuses infecting World Cup 2022 development,²⁷ also through participation of workers from below.

However, even the limited progress on "workers' voice" has eroded since the completion of the World Cup. The Qatari government appears to have retracted some of its internal community commitments. In particular, the Qatari government swiftly halted cooperation with the CLF, which existed briefly after its original implementation launch in March 2018 and until March 2022. After the World Cup 2022, migrant community leaders acknowledged that their overall role has decreased, according to field statistics. Despite earlier significant engagements and collaborations, they also said that the Qatari government has become 'silent' on its engagements. Several migrant community leaders felt "used" in Qatar's global public relations offensive because, after the Games, they can no longer "access" the same officials with whom they engaged extensively during preparations for the World Cup.²⁸ Migrant

²⁶ Interview with a migrant worker (Doha, Qatar: March 2023).

²⁷ Interview with migrant workers (Doha, Qatar: March 2023).

²⁸ Interview with a migrant worker (Doha, Qatar: March 2023).

workers have also perceived that the Qatari government's adamant refusal to accept a migrant centre is a sign that the Qatari government's domestic labour reforms may be temporary. If the attitude of the government does not change, elected leaders may become reluctant to defend workers out of fear of retaliation.

Migrant Workers' Dissent and Fears

As a result of the Qatari government's multiple labour reforms, migrant worker communities have increased their expectations of international organizations particularly regarding the durability and sustainability of labour reforms. The close collaboration and contacts established ahead of the 2022 FIFA World Cup have generated a genuine sense of community solidarity to elevate and promote the rights and obligations of migrant workers across the Qatari labour market.

But, in the aftermath of the Tournament, migrant workers felt cheated and believed that international agencies like the ILO did not do much to address their needs through adequate migrants' assistance. One migrant worker said, "We gave cases to the ILO, particularly runaway situations, but they did nothing. They failed to assist us. We doubt what their function is."²⁹ This highlights the misperception of the ILO office as being a service centre for migrant workers in the absence of organized trade unions or a migrant workers' centre dedicated to assist the workers and to offset some of the imbalance of power, resources, and information. The ILO is a tripartite organisation representing and governed by governments, employer, and worker organisations. Whilst within the ILO Project Office in Qatar both the government and the employers are represented, the workers' organisation representing migrant workers is still missing.

The ILO Qatar office is supposed to assist and build the capacity of the Ministry to uphold international labour standards. It is also to assist and build the capacity of migrants to exercise their rights in the given legal framework. However, it can neither speak on behalf of any one of the three constituents, nor be perceived by the migrant workers as a part of the government administration.

Now that the leverage of the 2022 FIFA World Cup has diminished, migrant worker groups fear for their security as they attempt to anticipate the Qatari government's possible retaliation for voicing their labour-related concerns and the remaining gaps in the implementation of reforms. Migrant workers have reported being followed and tracked on their phones, according to field interviews. Some often relocate to avoid surveillance and persecution by the Qatari government for helping their peers. The lack of post-World Cup 2022 security for labour advocates in Qatar has not only raised critical questions and expectations regarding the role of international organizations in supporting migrant workers, but it has also revealed the precarious and temporary leverage and protection that they experienced when the eyes of the world were on Qatar prior to the World Cup. In the aftermath, migrant community leaders have been left fearing for their safety, security, and futures.

²⁹ Interview with a migrant worker (Doha, Qatar: March 2023).

Conclusion: Post-Qatar **2022 FIFA** World Cup Era

Qatar's hosting of the 2022 FIFA World Cup has prompted a series of domestic labour reforms that are crucial for protecting migrant worker rights and moving in the direction of representation. Not only has the substantial, tight collaboration between the Qatari government and international organizations aided in the construction of domestic labour reforms and institutions, but it has also emphasized the fundamental importance of multisectoral collaboration and representation in Qatar. While these government-led reforms have the potential to make Qatar an excellent model for regional and global migration governance, they also necessitate vital, long-term commitment and responsibility. In the wake of the World Cup, there are no indications of short-term, much less long-term commitments or interest by the Qatari government in implementing and expanding reforms. Did national and international promises and obligations vanish at the end of the 2022 FIFA World Cup in Qatar or is there a chance that they might still be honoured?

The fieldwork data indicate that the Qatari government's behaviour following the World Cup is characterized by silence, passivity, and disengagement. In fact, the Qatari government's domestic labour reforms appear to have had only a temporary effect on the lives of migrant workers, given that the Qatari government seems to have difficulty controlling the conduct of employers.

The extent of labour abuse resulting primarily from the reliance of Qatar on migrant labour led to work standards and practices well below global standards, although Qatar's per capita income is well above global standards. This bifurcated economic structure creates massive differentiation between migrant workers who make up most of the labour force but have income levels at or below the poverty level.

A primary root cause of abuse is an employer and government network designed to restrict labour mobility by migrants. This is tantamount to forced labour according to international reports.³⁰ While Qatar did end the legal support for the kafala system the cultural and economic institutions that enable it to survive in an informal framework have not been challenged since the Games have ended.

It appears unlikely that the FIFA 2022 World Cup resulted in permanent changes to the Qatar labour situation in terms of occupational health and safety or the culture of subordination of workers to their employers. While the kafala legal framework has been abolished and a minimum wage established, until workers are guaranteed the rights in the ILO core labour standards, especially the right to form and join unions and the right to bargain free from interference by either the employer or the government, decent work as defined by the ILO, or the Sustainable Development Goals will not become a reality.

It is equally clear that those who perpetrate these abuses benefit greatly from them. It is critical to diminish or remove the economic incentive from those empowered to benefit from the injustice inflicted on those unable to protect themselves.

³⁰ See for example US Department of State 2021 Country Report on Qatar: [Qatar - United States Department of State](#)

In international events, the first institution to be held liable and to be reformed should be the body awarding the hosting of the event, in the case of football, FIFA. Its selection process did not require protection for and respect of human rights at the time the World Cup was awarded to Qatar. It has developed a more elaborated human rights policy which is to be applied to avoid another such experience. FIFA should require bidding countries to document a commitment to decent work for all workers. As a minimum, this would include adoption and a record of enforcement of the Conventions that make up the ILO Declaration on Fundamental Principles and Rights at Work. Lacking such a national legal framework prior to accepting a bid, FIFA, the host country, and the ILO (including representatives from all tripartite partners) should present a plan to the FIFA Board of Governors to create the social and labour protections necessary to be in compliance with core labour standards. In that way, the lack of protection of rights could be addressed prior to finalizing the decision on awarding the games.

To further reduce the economic incentive for below par social protections, FIFA should establish a recovery fund. The fund would make whole workers suffering losses during the construction of and the hosting of the games.

For those workers currently in Qatar it is clear that a migrant's worker centre could help facilitate resolution of cases where migrant workers do not know the language, their rights, or their options. In line with this recommendation, reinstating the MOL identify card to advocates and paralegals would expedite many cases and reduce discrimination.

Migrant workers in Qatar are no longer legally subject to the kafala system, No Objection Certificates (NOC) are no longer legally required. Employers must pay through the Wage Protection System (WPS) in order to end the various forms of wage theft. Yet the NOC system is alive and well. Wage theft continues. Given the initial costs and high interest rates charged by recruitment entities, wage theft rapidly turns into forced labour for many migrants. They are not paid enough to cover their debt so they cannot leave, yet they cannot earn enough to break this cycle as long as an employer-dominated system prevails in the country.

As long as migrants face hostility and no economic future in their countries of origin, an endless army of desperate workers exists to be enticed to move abroad for a better life. It is no surprise that employers routinely prey on this population.

As troubling as this situation already is, global warming will produce additional pressure on migrant workers and increase risks of abuse and exploitation as climate change refugees and displaced persons will be added to the stream of migrants leaving threatened areas seeking survival and a better life.

Regardless of the host country's position on migrant labour, be it efforts to prevent their entry or as in the case of Qatar, seeking to recruit them during times of need, the host country must extend to migrant workers at least the same protections as those provided to its national labour force. If migrants are prohibited from forming and joining unions, they have no rights to bargain. The inevitable result of such a power imbalance is bonded and forced labour be it from the legal structure or the employer informal structure. There can be no free labour without freedom of association and the right to bargain.

Annex: Recommendations

Qatar has been and will continue to be a significant destination for international migrants over the long term. Qatar's enormous infrastructural development projects and aspirations are anticipated to attract additional temporary migrant populations in light of its Vision 2030 plans. Qatar is well- positioned to develop its existing labour standards to address the precariousness of migrant workers. The following recommendations could significantly assist in successfully governing temporary migration, managing migrant precarity, and enhancing Qatar's reputation.

- Recognise and enable workers' fundamental freedom of association and right to collective bargaining through a roadmap for the ratification of C98 and 87, and enabling legislation to:
 - allow Workers Representatives in Joint Committees to associate themselves in their organisation and learn from each other.
 - allow freely elected Workers Representatives in each company to organize themselves, independently define their agendas and priorities, and provide for collective negotiation.
 - allow Global Union Federations (GUFs) to provide capacity building support to Worker Reps.
 - establish a Migrant Workers' Centre where workers can speak without fear, receive education and training and assistance.
 - recognise the GUFs as autonomous actors in the country and include under their responsibility assisting the network of Community Leaders.
- Expedite enforcement of wage claims, claims for unpaid gratuities, and other monetary claims. Non-payment of wages are claims that should be resolved at the first instance, rather than being subject to a tortuous and long process.
- MOL should provide workers the possibility to submit collective claims ("class actions") where the resulting decisions apply to all affected employees.
- Penalties against employers breaking the laws should be made more severe.
- MOL and the Higher Court should pursue corporations, parent and sister companies, and their owners in cases of bankruptcy, employer name change, abscondment, etc.
- Provide online updates and follow-ups, especially crucial for those who have already been dismissed from work or have had to leave the State of Qatar.
- Banning retaliation by employers against complaining workers - a serious matter that needs to be addressed.
- Expedite pending claims particularly of workers who are forced to return home. These cases can be continued through home country regulatory policies.
- Raise the minimum wage and enforcement efforts, including through more and unannounced inspections, and powers for inspectors to sanction companies.
- Correct the dysfunction in the Workers' Support and insurance Fund. Worker protests against wage theft were punished more harshly than the exploitation that provoked them. Workers' industrial actions should be regulated by labour law under the competence of the Ministry of Labour, rather than through penal and immigration laws under the Ministry of Interior.
- Regularize/legalize "free visas".
- Consult CLF on concrete policy proposals.
- Decriminalize absconding and run-away charges.