

«The ball should not get stained»

THE QATAR SOCCER WORLD CUP 2022
TARNISHED BY HUMAN RIGHTS VIOLATIONS

Gabriella Michele García



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BY **Gabriella Michele García**

FIFA gave the bid to Qatar to host the World Cup in 2022. Qatar gave the promise that they would hold a spectacular cup with the construction of a city, stadiums, and luxurious venues and hotels. To complete the construction process, they hired migrant domestic workers, and in the process they have violated human and workers rights, putting workers at risk of death, and betraying the terms and conditions under which the workers had been hired. Since the start of the construction project there has been a massive turn for the worst in migrant worker's rights, as they continue to be abused.



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Introduction

According to the Freedom House Global Freedom Status (2020), Qatar is not a free country¹. This was determined through the Freedom in the World annual global report which calculates political and civil liberties through a numerical rating. Qatar obtained 25/100 overall on the Global Freedom Status in 2020. The scores in Political Rights and Civil Liberties are particularly worrying, having obtained 7/40 and 18/100 respectively. And this is not an exception: Qatar has always obtained an aggregated score of less than 30/100, being categorized therefore as «not free». They do not have democratically elected positions with fair electoral laws and framework. The people's political choices are not free and various segments of the population do not have full political rights, with the country greatly lacking civil liberties: a free and independent media is not allowed to exist, the practice of expressing religious faith in public is seriously limited, and citizens are subjected to monitoring of their personal communications. Human Rights centered organizations also do not have freedom to operate as they need permission from the state, and activists are subject to state harassment.

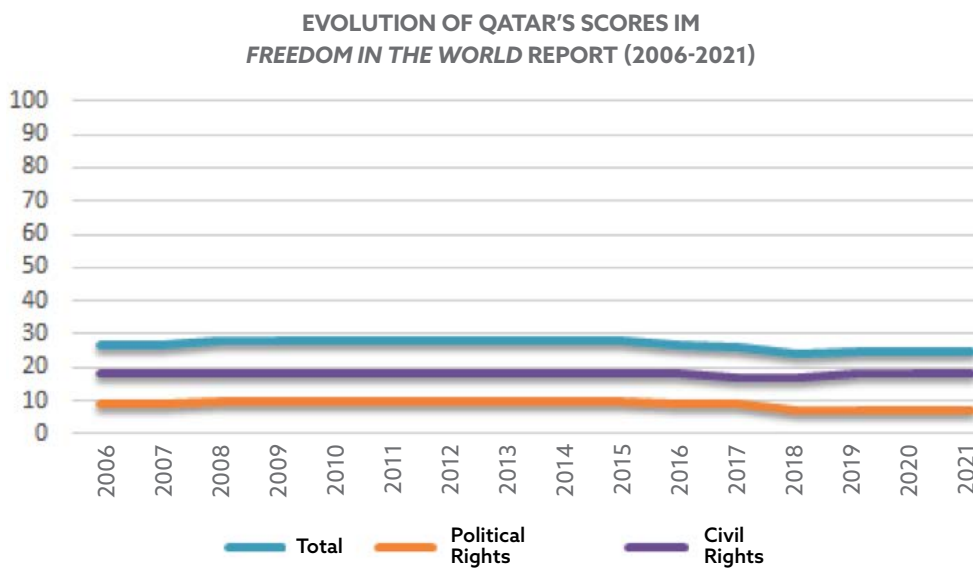
In addition, there is great inequality in the country, as they hold some of the world's wealthiest, most privileged population, yet they also have a majority of the population living under extreme poverty: 10% of the population concentrates more than 50% of the income, while the 50% most underprivileged concentrates less than 13% of the income, according to the World Inequality Database² (2019).

1 <https://freedomhouse.org/country/qatar/freedom-world/2020>

2 <https://wid.world/es/country/es-qatar/>



According to Amnesty International, migrant workers' rights are of the most pertinent violations. Employers have disproportionate power over workers that result in abuses³. The situation worsened with the Covid-19 pandemic, to which migrant workers are more vulnerable due to overcrowded and unsanitary working conditions. Despite government-backed packages to help businesses through the pandemic, cases of unpaid wages spiked starting in March of 2020. In addition, freedom of expression has been further restricted, due to a new vaguely worded law that criminalizes a broad range of speech and publishing; women still face severe discrimination in law and in practice; and the death penalty made a return after a 20 year hiatus.



Despite the serious human rights violations that have long been documented in its territory, Qatar won the bid and will be hosting the men's football world cup in 2022. In order for this to happen, a massive infrastructure project emerged. According to the FIFA official website, the investment budget for the World Cup Qatar 2022 has been USD 1,696 million⁴. From this eight stadiums are being built, as well as an entire new city: Lusail. The 98-kilometer square city will have 19 districts, 22 hotels, a lagoon, two marinas, and a theme park. To accomplish this task by the start of the cup, Qatar has been dependent on 2 million migrant workers, which makes up about 95% of the labor force⁵. Their rights are being greatly endangered in different ways, and this should not be overlooked in any way by the international community.

³ <https://www.amnesty.org/en/countries/middle-east-and-north-africa/qatar/report-qatar/>

⁴ <https://publications.fifa.com/en/annual-report-2020/2020-financials-and-2022-budget/2022-budget/>

⁵ <https://www.hrw.org/news/2020/08/24/qatar-little-progress-protecting-migrant-workers>



The false promises

«I had paid him to secure me a job as a security guard, but after the non-refundable payments were made, when he handed me my paperwork hours before my departure, I discovered my visa and employment contract were for a cleaning position.»
Kenyan Migrant Worker⁶.

According to Amnesty, in 2019 there were 173,000 domestic migrant workers in Qatar⁷. Many of whom arrived in Qatar were expecting a different reality than they are facing now. Workers arrived in Qatar through work agencies in their home countries that facilitated the visa and job application process. They left their home countries being misled and under false promises, making huge sacrifices.

First, they experienced expensive recruitment fees. Mostly coming from countries such as Nepal, Bangladesh, and India, workers are escaping poverty and unemployment. In order to be hired, they need to pay expensive fees to recruitment agents in their home country, ranging from USD 500 to USD 4,300⁸. Once in Qatar, many of them are in debt and therefore afraid to leave their jobs. Consequently they took out high interest loans and mortgaged family property which would take months or years of working in Qatar to pay back⁹. According to a past Human Rights Watch report in 2012, «these fees trap workers in jobs even when employers abuse their rights, leading to forced labor as defined by international law.»¹⁰

Secondly, they were lied to about the salary they would be earning, and even the type of jobs they would be doing. According to Amnesty International, one worker was promised a salary of USD 300 a month but when he started to work in Qatar, he only received USD 190¹¹, and at least 20% of workers reported to have this same issue in 2013¹².



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⁶ <https://www.hrw.org/news/2020/08/24/i-came-work-qatar-pursue-my-dreams-my-life-nightmare>

⁷ <https://www.amnesty.org/en/latest/campaigns/2019/02/reality-check-migrant-workers-rights-with-two-years-to-qatar-2022-world-cup/>

⁸ <https://www.amnesty.org/en/latest/campaigns/2016/03/qatar-world-cup-of-shame/>

⁹ <https://www.hrw.org/report/2012/06/12/building-better-world-cup/protecting-migrant-workers-qatar-ahead-fifa-2022>

¹⁰ <https://www.hrw.org/report/2012/06/12/building-better-world-cup/protecting-migrant-workers-qatar-ahead-fifa-2022>

¹¹ <https://www.amnesty.org/en/latest/campaigns/2016/03/qatar-world-cup-of-shame/>

¹² <https://www.amnesty.org/download/Documents/16000/mde220102013en.pdf>



After the COVID-19 pandemic, it became even harder for workers to come out of the debt that they pay to go to Qatar because wage abuses have been further exacerbated, according to Human Rights Watch¹³: «Some employers used the pandemic as a pretext to withhold wages or refuse to pay outstanding wages to workers who are detained and forcibly repatriated.» Workers go into further debt as they cannot afford to buy food.


Working conditions

Not only were workers given false promises about what awaited them, but they also faced horrid labor conditions upon arrival.

The workers live in bedrooms, where they sleep on bunk beds alongside 7 other people or more, when its capacity is for only 4 individuals, according to Amnesty International¹⁴. They are under overcrowded and unhygienic conditions, in unsafe accommodation. Interviews revealed that workers had also been sleeping on the roof of the accommodation because it was more comfortable¹⁵, seeing that their rooms had no air conditioning despite summer temperatures reaching between 35°C (95° Fahrenheit) and 45°C (113°F)¹⁶. Due to the high heat, Qatar will no longer be hosting the world cup in the summer, instead it will be in the winter. However, they do not have any consideration for the workers in this sense.

Additionally, the salaries of the workers are not only less than they had expected, but the payments are also delayed even for several months, according to Amnesty International. The consequences of this are disastrous because they are «unable to buy food, send money to their family back home or make payments on recruitment-related loans.»¹⁷

Workers are not able to leave the work or living camp sites because some of the employers fail to provide residence permits when they are supposed to. They can be deported for not having proper documentation. In addition, 90% of migrants said their employers possessed their passports¹⁸. When workers seek help, they

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13 <https://www.hrw.org/news/2020/08/24/qatar-little-progress-protecting-migrant-workers>

14 <https://www.amnesty.org/en/latest/campaigns/2016/03/qatar-world-cup-of-shame/>

15 <https://www.amnesty.org/download/Documents/16000/mde220102013en.pdf>

16 <https://www.aljazeera.com/sports/2014/1/8/fifa-rules-out-summer-world-cup-for-qatar>

17 <https://www.amnesty.org/en/latest/campaigns/2016/03/qatar-world-cup-of-shame/>

18 <https://www.amnesty.org/download/Documents/16000/mde220102013en.pdf>



are intimidated and threatened by their employers. The following are extracts from testimonials, recollected by Amnesty International, that show the abuses workers suffer:

«My family is now homeless and two of my younger children have been taken out of school... Every day I am in tension, I cannot sleep at night. This is a torture for me.» Prem, metal worker on Khalifa Stadium, whose salary is often delayed.¹⁹

«In 2017, when she had made the decision to leave behind her two toddlers to work in Qatar, she had agreed to work for a monthly salary of 1,800 Qatari riyals (USD 494). The contract stated that for each hour of work above 8 hours a day, she would be paid 25 percent more than her basic wage. In reality, Samantha worked for 12 hours a day and was paid 1,300 Qatari riyals (USD 357) a month with no compensation for the overtime work she performed... A week before her return to the Philippines, she said her employer informed her he would not be paying her what he owed her in end-of-service payments, and would use her first month's salary to buy her return flight ticket to the Philippines, instead of paying for the ticket himself as promised in her contract.» 32 year old Filipina.²⁰



RECENTLY, QATAR INTRODUCED MAJOR REFORMS TO TACKLE THIS SITUATION. THEY AMENDED LAWS TO GIVE WORKERS MOVEMENT FREEDOM AND GREATER JOB MOBILITY.

If workers wish to leave the country, they have to request an «exit permit» approved by the company who hired them. This permit is allowed under the former «Kafala» system - the oppressive system that controls the relationship between foreign workers and their local sponsor. This legal framework is used in all the Arab Gulf states except Iraq. This system results in workers being unprotected from poor working conditions where racial and gender discrimination is rampant. Recently, Qatar introduced major reforms to tackle this situation. They amended laws to give workers movement freedom and greater job mobility. They did so by abolishing the Kafala system laws that require migrant workers to seek permission from their employer to change jobs or leave the country. As a result, in addition, the employers are now forbidden to hold their workers' passports. However, although the system was abolished, employers could still request that up to 5% of their workforce require an exit permit²¹, due to the nature of their work, following approval

¹⁹ <https://www.amnesty.org/en/latest/campaigns/2016/03/qatar-world-cup-of-shame/>

²⁰ <https://www.hrw.org/report/2020/08/24/how-can-we-work-without-wages/salary-abuses-facing-migrant-workers-ahead-qatars>

²¹ <https://www.amnesty.org/download/Documents/MDE2232972020ENGLISH.PDF>



by the Ministry of Administrative Development, Labour and Social Affairs (MADLSA, Ministry of Labour).

Human Rights Watch released an article in 2020 with a statement from Michael Page, deputy Middle East and North Africa director at Human Rights Watch, that states that «Ten years since Qatar won the right to host the World Cup 2022, migrant workers are still facing delayed, unpaid, and deducted wages...We have heard of workers starving due to delayed wages, indebted workers toiling in Qatar only to get underpaid wages, and workers trapped in abusive working conditions due to fear of retaliation.»²² Human Rights Watch also released a report in 2020 which indicated that Qatar had failed to meet their commitment to protect workers²³. For the report they interviewed 93 workers of which 59 had wages that were delayed or withheld, 55 were not paid overtime, 13 had contracts rewritten to favor employers, 20 didn't receive mandatory end-of-service benefits, and 12 had arbitrary pay cuts.



**IFA SHOULD
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At the end of 2020 and since Qatar was designated as the host of the World Cup, 6,750 migrant workers had died, according to an investigation carried out by The Guardian that takes data from official sources of the Qatari government, the embassies of India, Nepal and Sri Lanka in Qatar, the Foreign Employment board of Nepal and the Wage Earners' Welfare Board of Bangladesh²⁴. Although these deaths correspond to all migrant workers in the country between those years, this number shows the vulnerability of these workers in Qatar and, in addition, many of them were there in the framework of the preparations for the World Cup.

Other barriers to solving the issue

FIFA should also be held accountable. They admitted that human rights concerns were not raised until four years after Qatar was selected as host of the World Cup, and until 2015 they did not consider the construction of the stadiums to be any of their responsibility²⁵.

²² <https://www.hrw.org/news/2020/08/24/qatar-little-progress-protecting-migrant-workers#>

²³ <https://www.hrw.org/report/2020/08/24/how-can-we-work-without-wages/salary-abuses-facing-migrant-workers-ahead-qatars>

²⁴ <https://www.theguardian.com/global-development/2021/feb/23/revealed-migrant-worker-deaths-qatar-fifa-world-cup-2022>

²⁵ <https://www.amnesty.org/en/latest/campaigns/2016/05/fifa-qatar-government-responding-to-pressure/>



Footballers have had issues with Qatar in the past. French player Zahir Belounis wrote in an emotional letter: «This system is slowly killing me and many other people risk suffering in the same way.»²⁶ He was trapped in Qatar because he was a victim to the Kafala system himself. He also tells of the salary dispute he was in with Al Jaish SC, the club owned partially by Qatari military. He told of how they failed to honor their contracts in terms of salary and how he experienced ill treatment. Due to his case, the Kafala system was abolished and this not only helped other players that fell victim, but also migrant workers²⁷.

FIFA knew that human rights issues would arise and still they selected Qatar as host. Recently, after years of investigations, the United States Department of Justice found representatives working for Qatar bribed FIFA officials to secure hosting rights for the World Cup²⁸. This could explain why human rights concerns were not raised until years later and why the terrible working and living conditions were overlooked. As a result, Qatar will be hosting the World Cup in 2022, while in the process of preparation it severely endangers the rights of the migrant workers.



AFTER YEARS OF INVESTIGATIONS, THE UNITED STATES DEPARTMENT OF JUSTICE FOUND REPRESENTATIVES WORKING FOR QATAR BRIBED FIFA OFFICIALS TO SECURE HOSTING RIGHTS FOR THE WORLD CUP.»

Qatar's responsibilities: advances and what remains to be done

Qatar is not complying with the international system of protection of rights. The country is a member of the UN Human Rights Council, which means they must be held to the highest standards of upholding human rights. These standards are also expected specifically for migrant workers as part of the International Labor Organization (ILO) where Qatar ratified five out of eight ILO Conventions. Due to representation in ILO, Qatar has made some advancements to protect workers' rights. In 2017, ILO and Qatar announced a partnership to bring its labour laws and practices in line with international standards²⁹.

²⁶ <https://www.theguardian.com/football/2013/nov/14/zahir-belounis-letter-zinedine-zidane-pep-guardiola-qatar>

²⁷ <https://fifpro.org/en/rights/legal-cases/the-zahir-belounis-case-trapped-in-qatar>

²⁸ <https://www.justice.gov/opa/pr/nine-fifa-officials-and-five-corporate-executives-indicted-racketeering-conspiracy-and>

²⁹ <https://www.amnesty.org/download/Documents/MDE2232972020ENGLISH.PDF>



Through this partnership, some advances have been made. The Supreme Committee for Delivery and Legacy released a 50-page document that sets out minimum working and living conditions that need to be met by any firm hiring personnel for the construction of stadiums and training facilities³⁰. They also ratified two international human rights treaties. These reforms take care of the most grave problems that the workers were facing. However, although these changes happened by law, that doesn't mean that they are being properly implemented. Abusive employers are not being held accountable and so the workers are still trapped in exploitation. Theo Zwanziger, a member of FIFA's executive committee, said his association won't «turn a blind eye to abuses»³¹. In 2016, FIFA announced the creation of a committee to monitor conditions of workers building Qatar World Cup stadium projects³². However, in practice there is still a long way to go.



IN 2016, FIFA ANNOUNCED THE CREATION OF A COMMITTEE TO MONITOR CONDITIONS OF WORKERS BUILDING QATAR WORLD CUP STADIUM PROJECTS. HOWEVER, IN PRACTICE THERE IS STILL A LONG WAY TO GO.

Qatar has made advances through legislation to benefit migrant workers. One advance was the creation of labor committees to facilitate worker's access to justice. Since the creation of these committees, more complaints denouncing abusive employers were channeled³³. Qatar would also fund and support payment of unpaid wages with a new non-discriminatory minimum wage, to be implemented in 2021. Most of the protections come from the Domestic Workers Law which stipulates limits on working hours, mandatory daily breaks, a weekly day off and paid holidays. They also passed a non-discriminatory minimum wage, which is to be implemented this year. These reforms take care of the most grave problems that the workers were facing. However, although these changes happened by law, that doesn't mean that they are being properly implemented. Abusive employers are not being held accountable and so the workers are still trapped in exploitation.

Qatar has also abolished laws requiring migrant workers to seek their employers' permission to change jobs or leave the country. One design consultant for the Al-Wakrah Stadium said that «Qatar has strict labour, health & safety laws, and the Qatar 2022 Supreme Committee is committed to ensuring these are met. Safety on our projects for our clients and staff is always our number one priority.»³⁴ If properly

³⁰ <https://www.dohanews.co/european-parliament-puts-qatars-kafala-system-in-crosshairs/>

³¹ <https://www.dohanews.co/european-parliament-puts-qatars-kafala-system-in-crosshairs/>

³² <https://www.fifa.com/tournaments/mens/worldcup/qatar2022/news/fifa-president-announces-oversight-body-for-workers-welfare-2782174>

³³ <https://www.amnesty.org/download/Documents/MDE2232972020ENGLISH.PDF>

³⁴ <https://www.building.co.uk/news/ch2m-hill-must-act-on-qatar-2022-worker-exploitation/5061559.article?on-qatar-2022-worker-exploitation/5061559.article>



and fully implemented, these reforms could help end some problematic aspects of the kafala sponsorship system and enable migrant workers to flee abusive working conditions and seek redress. In addition, another measure that has been taken is that offices have been placed in migrant countries to inform workers of their rights prior to arriving in Qatar. The worker then has the option to return to their country if what they were told in the office did not match the reality. However, thousands of workers continue to be subjected to labour abuses³⁵.

Hopes were raised after the Kafala System was abolished that key factors to improve workers' lives would be implemented. However, according to interviews carried out in 2021 by Al Jazeera³⁶, in practice a lot remains to improve:

«I thought the new laws were there to help us. All I did was try and seek a better job. I don't think I've committed a crime to be facing these problems.» Woman worker, from Philippines.

Her pay was less than the one agreed in the contract she signed in the Philippines. She sent in her resignation and that prompted the anger from her manager and sponsor, who threatened to deport her. She had a case filed against her with false accusations. This was only one of many stories with similar undertones proving that progress still remains to be achieved in Qatar in human rights matters.

Weak implementation, and lack of resources and backing from the government

Significant changes haven't been made. Qatari legislation needs to have an impact on the workers' lives. There are still urgent actions that need to be taken in order to alleviate the crisis in Qatar. While legislation has been passed, the implementation is greatly lacking. First and foremost, Qatar needs to have the resources to implement recent reforms. In addition, Qatar needs to have an inspection process to detect, report, and stop abuses. Employers need to be held accountable through worker access to justice. Additionally, they need to «promote migrant workers' voices and respect their right to form trade unions.»³⁷ These issues are key for promoting the protection for migrant domestic workers.

³⁵ <https://www.amnesty.org/en/latest/news/2020/11/qatar-must-not-drop-the-ball-on-workers-rights/>

³⁶ <https://www.aljazeera.com/features/2021/3/15/labour-law-changes-are-qatars-migrant-workers-better-off>

³⁷ <https://www.amnesty.org/download/Documents/MDE2232972020ENGLISH.PDF>



Conclusion

The abuses migrant workers face in Qatar are not new. Qatar does not want to have migrant workers integrated into Qatari society. While there have been major changes to protect the workers through the abolishment of the Kafala System, the increased presence of ILO and the new laws, there hasn't been a great change in the lives of migrant workers. The World Cup is still going to take place and countries will still participate. This event has put a spotlight on Qatar and has caused for a few of their laws to change, but this is not a victory. FIFA and Qatar are both responsible. This event cannot go on without proper recognition of the deaths and abuse that occurred to make the event happen.

FIFA decided to give the World Cup to Qatar despite there being a previous track record of human rights violations in the country. This was not a dealbreaker in granting them the World Cup, however, this is not the first time. The previous World Cup was held in Russia who has a worse Freedom House Global Freedom Status that is 5 points lower than Qatar³⁸. Worldwide events such as the World Cup and the Olympics, should not be hosted by countries who do not respect the rights of their own people. FIFA's reputation is tarnished by giving the stage once again to a country who continuously violates human rights. This only emboldens the government's actions. FIFA has a responsibility of upholding their core value of «the inherent dignity and equal rights of everyone affected by its activities.»³⁹ They cannot ignore that the World Cup has directly caused grave human rights violations and deaths.



FIFA'S REPUTATION IS TARNISHED BY GIVING THE STAGE ONCE AGAIN TO A COUNTRY WHO CONTINUOUSLY VIOLATES HUMAN RIGHTS. THIS ONLY EMBOLDENS THE GOVERNMENT'S ACTIONS.

³⁸ <https://freedomhouse.org/country/russia/freedom-world/2021>

³⁹ <https://www.fifa.com/social-impact/human-rights>





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