



# **Amid Ruins of World Cup: Rights of Migrant Workers 180 Days before the World Cup**

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## Preamble

180 days before the World Cup in Qatar, which Doha won the right to host 12 years ago and pumped huge funds and investments amounting to about \$220 billion, in order to gain the praise of the International Football Association “FIFA” and the praise of the international community, migrant workers in Qatar have gained nothing but a recurring pattern of arbitrary practices that contradict the basic conventions of the International Labor Organization to which the State of Qatar has acceded, which did not provide a safe environment for these workers. As the construction of buildings and facilities for the most important international championship in the world continues, violations against migrant workers, who make up 95 of the total workforce in the State of Qatar, including one million workers in the field of building and construction remain ongoing. Even if Qatar succeeds in hosting a cutting-edge FIFA World Cup, this will not absolve it from accountability regarding the grave violations that migrant workers have been subjected to in Qatar. According to estimates, about 6,700 workers have died since the beginning of work on these constructions. The International Labor Organization estimated the number of injured migrant workers in 2020 by 38,000, including 500 workers with severe injuries.<sup>1</sup>

In this report, Maat for Peace, Development and Human Rights adopts the issue of migrant workers in the State of Qatar, to draw the attention of the international community to the violations that they have been subjected to in law and in practice, in light of a justice system based on impunity, lack of fairness and accountability with regard to seeking migrant workers to effective and equitable remedies, which is inconsistent with Qatar’s Vision 2030 that considered non-nationals, including migrant workers, to be an essential component of the country’s economic growth.

The violations that migrant workers have been subjected to in the State of Qatar include: death on construction sites without any fair investigation; late payment of wages; abusive practices in light of the pandemic; arbitrary detention of migrant workers and confiscation of their documents; the arbitrary practices imposed by the sponsorship system, which continue in reality despite the technical cooperation agreement that Qatar concluded with the International Labor Organization, and finally, the impediment of migrant workers’ access to justice in Qatar.

## First: legal framework for the protection of migrant workers

International conventions and charters, especially the basic conventions of the International Labor Organization and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CRMW), prohibit any harm to migrant workers, or any abusive practices that would undermine the rights granted to this group of people who were forced to leave their home countries “country of origin”, mostly due to economic conditions and seek refuge in other countries “the country of destination” to improve their incomes and improve the standard of living in general, as many workers believe that migration is the only way to improve their social and economic situation, not only their situation but that of their families.

The aforementioned conventions provide protection for this group, especially with regard to the patterns of treatment of migrant workers, especially protection from dangerous and unsafe working conditions, and the protection against delays or withholding of wages or the practice of forced labor, which often

<sup>1</sup> إصابة ولحده تكفي، منظمة العمل الدولية، يناير ٢٠٢١، على الرابط التالي: <https://bit.ly/3GbefLW>

amounts to forced labour. This protection shall apply to all migrant workers without discrimination. These conventions require the state party to treat these workers as other groups and to guarantee them all the rights it grants to its citizens.

Qatar joined five of the eight conventions of the International Labor Organization. But it has not acceded to three basic ILO conventions, nor has it ratified the International Convention for the Protection of Migrant Workers and Members of Their Families, despite the countless recommendations made to Qatar during its submission to the mechanism of the last round of the universal periodic review in May 2019.<sup>2</sup>

Nevertheless, the five agreements ratified by Qatar set controls for decent work standards and provide protection for migrant workers, which is often not achieved at the level of actual practice. In reality.<sup>3</sup>

The five agreements aim to protect the right of migrant workers to receive their wages regularly and without delay or withholding, and also prohibit work that is imposed on migrant workers by force or under threat of any kind or what is classified as forced labor.

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which was adopted by the General Assembly on December 18, 1990 and entered into force on July 1, 2003, requires Article 7 of the Convention not to discriminate against migrant workers for any reason, such as discrimination on the basis of sex, race color, language, religion or belief, political or other opinion, national, ethnic or social origin, nationality, age, economic status, property, marital status, birth or other status. As long as these workers are present within the territory of the State and are subject to its jurisdiction.<sup>4</sup>

Article 11 of the same convention prohibits slavery, servitude and forced labor. Article 25 provides that migrant workers shall enjoy treatment no less favorable than that which applies to nationals of the State of employment in terms of remuneration and other conditions of work, including overtime pay, working hours, weekly rest, paid holidays, safety and health.<sup>5</sup>

In October 2019, the Emir of Qatar announced a draft law to determine the minimum wage for migrant workers, and formally signed it on August 30, 2020, as part of positive legislative changes toward migrant workers getting their wages.<sup>6</sup> However, the law, which entered into force on March 20, 2021, grants Employers a six-month transitional period in order to prepare for the implementation of the new minimum. This period was criticized by some migrant workers who saw it as an excuse to delay wages by companies and employers,<sup>7</sup> and despite these changes, they remain ineffective.

Article 9 of the International Labor Organization Convention No. 95 on the Protection of Wages of 1949 prohibits any deduction from wages as direct or indirect payments paid to the employer, his representative, or any intermediary in order to obtain or retain work, while paragraph No. 2 of Article

<sup>2</sup> تقرير الفريق العامل المعني بالاستعراض الدوري الشامل، ص ١٢، على الرابط التالي: <https://bit.ly/3sBle7v>

<sup>3</sup> الخمس اتفاقيات التي انضمت إليها قطر هم، اتفاقية منظمة العمل الدولية رقم ٢٩ بشأن العمل الجبري " اتفاقية السخرة، وانضمت إليها قطر في عام ١٢ مارس ١٩٩٨، وكذا اتفاقية منظمة العمل الدولية رقم ١٠٥ بشأن إلغاء العمل الجبري " اتفاقية العمل الجبري" وانضمت إليها قطر في ٢ فبراير ٢٠٠٧، بالإضافة إلى اتفاقية منظمة العمل الدولية رقم ١١١ بشأن التمييز في الاستخدام والمهنة انضمت إليها قطر في ١٨ أغسطس ١٩٧٦، اتفاقية منظمة العمل الدولية رقم ١٣٨ بشأن الحد الأدنى لسن الاستخدام " اتفاقية الحد الأدنى للسن" انضمت إليها قطر في ٣ يناير ٢٠٠٦، اتفاقية منظمة العمل الدولية رقم ١٨٢ بشأن حظر أسوأ أشكال عمل الأطفال والإجراءات الفورية للقضاء عليها انضمت إليها قطر في ٣٠ مايو ٢٠٠٠

<sup>4</sup> الاتفاقية الدولية لحماية العمال المهاجرين وأفراد أسرهم، المادة رقم ٧، على الرابط التالي: <https://bit.ly/3vc9b3z>

<sup>5</sup> المرجع السابق

<sup>6</sup> قطر: القوانين الجديدة الهادفة لحماية العمال الأجانب خطوة إيجابية، منظمة العفو الدولية، ٣٠ أغسطس ٢٠٢١، على الرابط التالي: <https://bit.ly/32DOCAJ>

<sup>7</sup> الحد الأدنى الجديد للأجور في قطر يدخل حيز التنفيذ، منظمة العمل الدولية، ١٩ مارس ٢٠٢١، على الرابط التالي: <https://bit.ly/3xe4BDs>

No. 10 of the same Convention on the protection of wages from seizure or assignment to the extent deemed necessary for the life of the worker and his family, and despite the recommendations made to Qatar for ratification of this convention, it is among the three basic conventions of the International Labor Organization that Qatar has not ratified.<sup>8</sup>

The foregoing relates to the legal framework for delaying the payment of wages to migrant workers. As for the deportation and arbitrary detention of migrant workers, the above-mentioned International Convention on Migrant Workers and Members of Their Families has sufficiently covered this issue, so Article 8 of the aforementioned convention provides for the freedom to leave country of destination at any time and without restrictions, which contradicts the sponsorship system in Qatar, where the sponsor will still place restrictions on the departure of migrant workers such as confiscation of their passports or the charge of escape if the worker changes his job without the permission of his sponsor.<sup>9</sup>

Article 22 of the Convention prohibits the collective expulsion of migrants even if they have entered the country of destination illegally, and this article contains many guarantees for the rights of migrant workers, for example, expulsion can only be in accordance with the law, and migrants shall have the right to appeal against the decision before a judicial body, in addition to the necessity of providing a reasonable period for migrant workers against whom a decision of deportation is issued to reach a settlement regarding their overdue wages, which contradicts the measures taken by Qatar towards a number of migrant workers, especially after the spread of the Coronavirus pandemic, when it deported them without receiving their overdue wages to their countries of origin.<sup>10</sup>

According to ILO statistics, 2.78 million people die every year as a result of exposure to risks to their safety and health in the workplace, that is, five people die every minute. International conventions give special importance to decent working conditions and safety and health standards at work sites, including construction sites and mega-structures. Article 24 of the Universal Declaration of Human Rights stipulates the right of every person to decent working conditions, including the right to rest and leisure, limited working hours, and periodic paid holidays.<sup>11</sup>

As for the International Covenant on Economic, Social and Cultural Rights, Article No. 7 (b) stipulates that satisfactory working conditions include guaranteeing the right to safety and health at work sites.<sup>12</sup> In the same article, the covenant guaranteed the right of the worker to determine the working hours and the periodic and regular vacations, and these materials apply to all workers, including migrant workers, according to the comment No. 23 of 2016 of the United Nations Committee on Economic, Social and Cultural Rights.<sup>13</sup>

Although Qatar has been a party to the International Covenant on Economic, Social and Cultural Rights since May 22, 2018, it did not pay attention to the implementation of the previous articles, and did not investigate cases of deaths resulting from increased working hours and unfair working conditions by companies sponsoring World Cup projects. Companies are not obligated to achieve occupational safety

<sup>8</sup> اتفاقية منظمة العمل الدولية رقم ٩٥ بشأن حماية الأجور لعام ١٩٤٩، المادتين (٩،١٠)، على الرابط التالي: <https://bit.ly/32BWbrG>  
<sup>9</sup> الاتفاقية الدولية لحماية حقوق جميع العمال المهاجرين وأفراد أسرهم، المادة رقم ٨، على الرابط التالي: <https://bit.ly/2QHZIY4>

<sup>10</sup> المرجع السابق

<sup>11</sup> الإعلان العالمي لحقوق الإنسان، المادة ٢٤، على الرابط التالي: <https://bit.ly/3gtBYMB>

<sup>12</sup> العهد الدولي للحقوق الاقتصادية والاجتماعية والثقافية، المادة رقم ٧، على الرابط التالي: <https://bit.ly/3ekg3Vv>

<sup>13</sup> التعليق العام رقم ٢٣ (٢٠١٦) بشأن الحق في التمتع بشروط عمل عادلة ومرضية (المادة ٧ من العهد الدولي الخاص بالحقوق الاقتصادية والاجتماعية والثقافية)، المجلس الاقتصادي والاجتماعي، ٢٧ أبريل ٢٠١٦، على الرابط التالي: <https://bit.ly/3xeX7QM>



and health standards at work sites, and the Ministry of Administrative Development, Labor and Social Affairs has not conducted any inspection campaigns for construction sites or investigated the complaints of workers or their families who died while working.

The abusive practices against migrant workers in Qatar did not stop at this point, but although Qatar has also ratified the International Covenant on Civil and Political Rights, it does not allow migrant workers to form or join unions or participate in protests, which has a legal basis, that is the Qatari Labor Law.

Article 116 of the Labor Law only permits Qatari workers to form labor associations and unions, in contravention of Paragraph No. 1 of Article 20 of the Universal Declaration of Human Rights, which stipulates the right of every person to freedom to participate in peaceful meetings and associations, as well as Paragraph No. 4 of Article 23, which It stipulates the right of every person to establish and join trade unions with others to protect his interests, and in violation of Recommendation No. 30 of the Committee on the Elimination of Racial Discrimination, which indicated once a working relationship of migrant workers begins and until this relationship ends, these workers have the right to freedom of assembly and association.

This shortcoming in the legal framework for the protection of migrant workers in Qatar creates the environment for broader violations against these workers. These violations amount to death and injury at building and construction sites, and make the legislative reforms recently approved by Qatar mere ink on paper. Legislative reforms alone are not sufficient without concrete measures to improve the situation of workers.

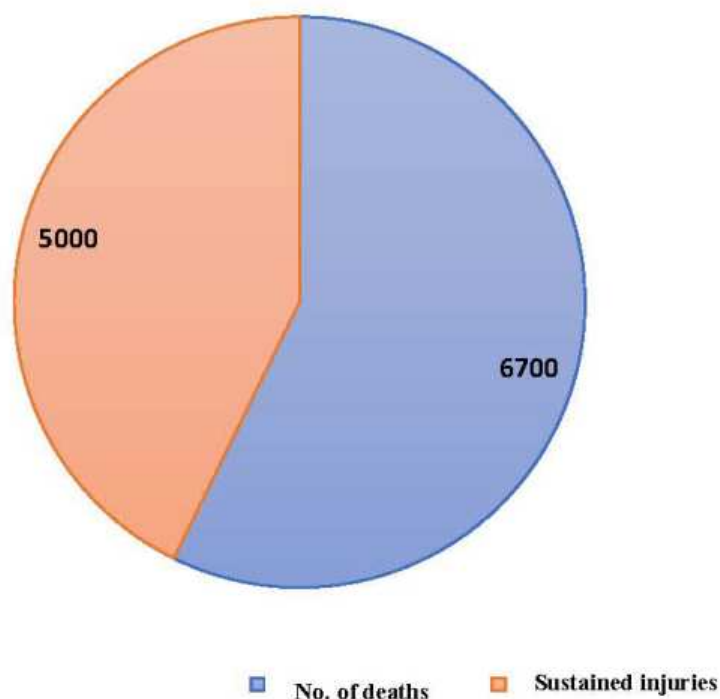
## **Second: Deaths of Migrant Workers**

Since the International Football Association (FIFA) assigned the right to organize the World Cup to the State of Qatar, migrant workers have flowed from all sides to the small country, which hardly covers an area of 11.6 km<sup>2</sup>, but a wide spectrum of these migrant workers came from South Asia and Africa. Because of the unsafe and harsh working conditions and the failure to investigate any inhumane practices against these migrant workers, the deaths of migrant workers continued in the State of Qatar, where the number of migrant workers who died at construction sites, since Qatar got the right to organize the World Cup, has reached more than 6,700 workers From different countries such as India, Pakistan, Nepal, Bangladesh, Sri Lanka<sup>14</sup>. While about 500 workers are still suffering from permanent injuries, out of more than 38,000 workers who were injured only in 2020, as will be clear in the first figure, these injuries have remained with them until the present time, due to the abuse they were subjected to at the construction sites of the World Cup construction projects.

### **Figure 1 Deaths and permanent injuries from migrant workers**

<sup>14</sup> Revealed: 6,500 migrant workers have died in Qatar since World Cup awarded, The Guardian, 23 February 2021, <https://bit.ly/32EFxaR>

## Sustained deaths and injuries of migrant workers

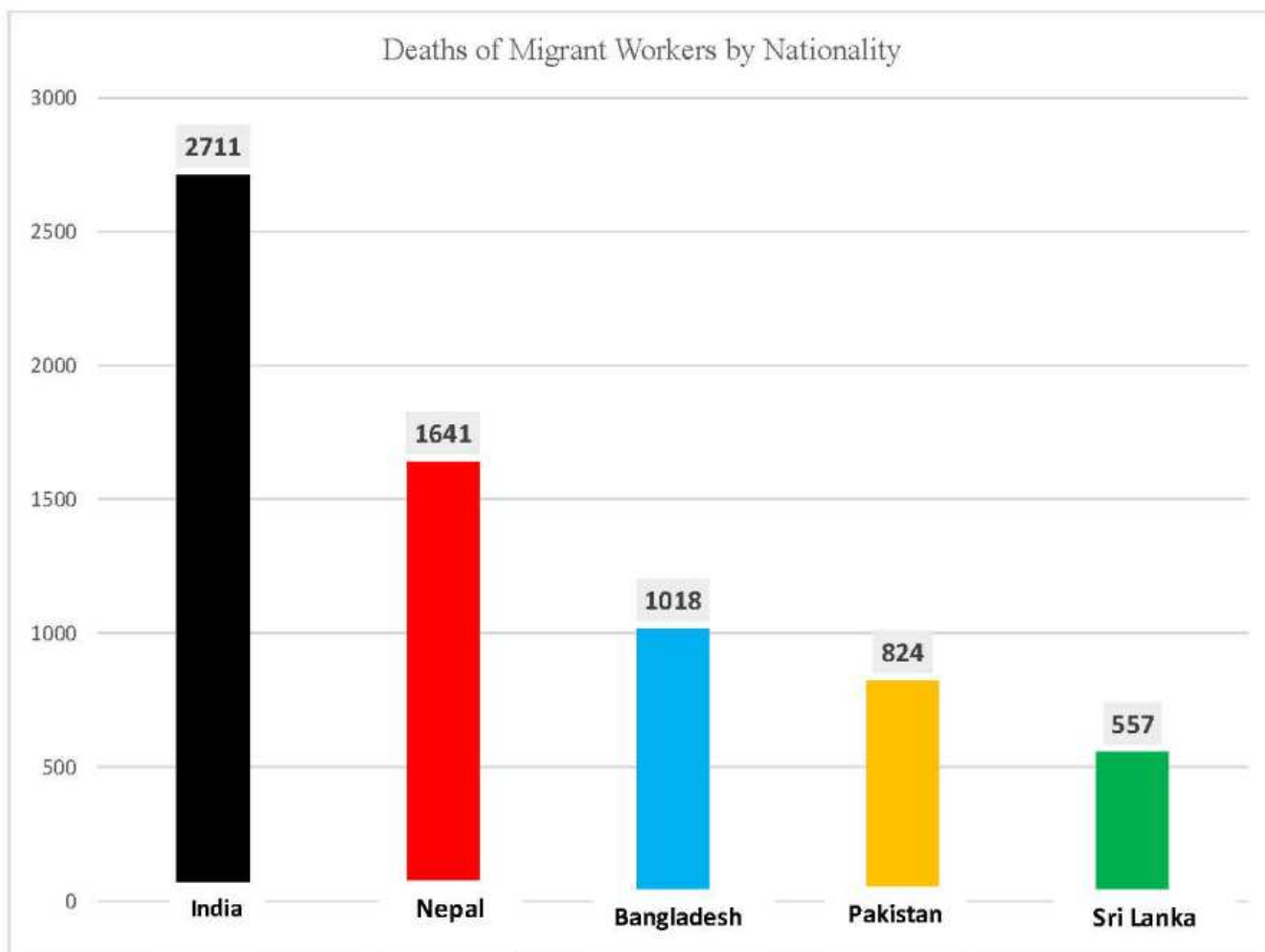


While Maat suggests that the number of deaths and injuries is much higher, because the statistics on deaths included only five Asian countries, while the State of Qatar or the countries of origin of these migrant workers, such as Uganda and Kenya, did not disclose the deaths of workers working in Qatar. This applies to what the International Trade Union Confederation said, which estimated that the number of deaths, related to migrant workers in Qatar, until the completion of all the facilities of the tournament, will reach nearly 7,000 workers<sup>15</sup>. The deaths of migrant workers in the State of Qatar are attributed to nationalities, including India, with 2,711 workers of Indian nationality, in addition to 1,641 from Nepal, 1,018 from Bangladesh, 824 from Pakistan, and 557 from Sri Lanka, who lost their lives due to unfair labor laws that did not provide any guarantees for these workers, harsh and degrading working conditions and an unsafe working environment. It is worth noting that these statistics, which will be shown in the second figure, were revealed by the data of five countries from which the workers migrated; which are India, Pakistan, Nepal, Bangladesh, and Sri Lanka<sup>16</sup>.

<sup>15</sup> Qatar hits back at reports of 7,000 workers dying by 2020, Gulf Business, 21 December 2015, Available at the following link: <https://bit.ly/3aBUKxH>

<sup>16</sup> Qatar World Cup 2022 & Human Rights: A Serious Discussion, the Sports Way, 15 Nov 2021. <https://cutt.us/q7Ndt>

**Figure 2 Deaths of Migrant Workers in the State of Qatar**



It would have been better for the Qatari government, instead of abusing the rights of migrant workers, to create a workable environment and deduct even 5% of the final cost of constructing the infrastructure for the World Cup, which amounted to \$220 billion to secure health and medical care for these migrant workers, but the reality revealed the contradiction of Qatar's claims to respect the rights of migrant workers. The World Cup, which will open on November 21, 2022 and end by December 18 of the same year, will be a shame on the international community and the International Football Association (FIFA). The lives of these migrant workers were lost on the ruins of seven stadiums built in an unsafe environment along with a range of facilities and infrastructure associated with them, like airports, railroads, highways, public transportation systems, hotels, and other accommodation facilities are all for nothing.

Among the 1641 dead Nepalese nationals, Maat has reviewed reports alleging the death of 171 workers from Nepal, which has about 400,000 workers in Qatar from July 16, 2019, to November 2020, employed in World Cup facilities, including 67 from July 16, 2020 to November 2020, some of them as a result of infection with the emerging corona virus pandemic<sup>17</sup>. It was reported that the main cause of death for these workers is the stress caused by working for long hours and in extremely hot locations,

<sup>17</sup> 67 Nepal migrant workers died in Qatar World Cup preparations, Middle East Monitor, 21 December 2020, Available at the following link: <https://bit.ly/3sxpaxS>



which resulted, according to reports, of damage to body tissues and defective cells of the nervous system of these workers<sup>18</sup>.

As a result of the numerous deaths among migrant workers on construction sites in Qatar, a research paper by a group of climate scientists and cardiologists, entitled “Effects of heat stress on heart mortality of Nepalese migrant workers in Qatar”, was discussed. This paper concluded that the extreme heat stress resulted in the death of hundreds of workers of Nepalese nationality, and that the largest number of them may have died due to subjection to scorching sunstrokes in these sites. The same paper concluded that 200 deaths, from cardiovascular diseases, could have been avoided in the event that the Qatari companies or government have taken effective measures, to mitigate the severity of the heat and other aspects of protection.

Qatar refuses to perform autopsies after the death of migrant workers to determine the main cause of death, which makes it difficult to accurately determine the cause of death and determine whether the cause of death was natural or related to working conditions in the World Cup construction. To avoid responsibility, the Qatari authorities claim that most deaths are due to natural causes and problems in the heart, the blood vessels, and the respiratory system<sup>19</sup>. As a clear evidence that unsafe working conditions in infrastructure facilities are directly related to deaths, an Indian worker named Jana Radan died in March 2018 at the age of 34, due to acute respiratory distress at one of the construction sites related to World Cup projects, while his wife explained that he died due to the long and irregular working hours and the consequent stress that caused his death.

In specific facts supporting previous statistics, Gal Singh Rai, a Nepali who had paid around £1,000 in recruitment fees for his job as a cleaner at a camp for workers building the World Cup stadium in Education City, had committed suicide a week after arriving in the State of Qatar due to the miserable conditions he was subjected to while working. In India, the family of “Madoh Bulabali” did not understand how their healthy young son, the son of forty-three years old, died in Qatar, his body was found lying on the floor in the bedroom of his residence, while the Qatari government attributed the cause of his death to “natural causes”<sup>20</sup>.

In another incident, “Muhammad Khan”, a 34-year-old worker at a construction site in Qatar, was found dead in his bed, married with a seven-year-old son. “Yam Bahadur Rana” was a security guard at the new airport, which was built by Qatar, a job that involves sitting in the sun for long periods of time, was found dead on February 22, 2020, he was married with two children. A construction worker named “Mohamed Samaan” died on April 29, 2020, in a long work shift under the high sunshine that may reach 50 degrees Celsius. Another worker called “Tel Bahadur Garti” died while sleeping on May 28, 2020, after completing a hard work of nearly 10 hours in temperatures that reached 39 degrees Celsius, “Omar Sajan Mia”, 32 years old, was found dead in his bed on September 24, 2020, he was working in pipe

<sup>18</sup> Qatar heat-deaths: Major study calls for long breaks, slowing down and more water, global construction review, 14 October 2019, Available at the following link: <https://bit.ly/3dv13Vx>

<sup>19</sup> Deathly Subsistence The invisible migrant workers dying of “natural causes” in the Arab Gulf, The Caravan, 31 March, Available at the following link: <https://bit.ly/3azC2qG>

<sup>20</sup> Ibid.





installation and maintenance, as a part of one of the World Cup projects, where temperatures exceeded 40 degrees Celsius.

In the previous incidents, the Qatari government attributed the death to natural causes, or acute respiratory failure due to natural causes, which are statements that do not explain in any way the true cause of death caused mostly by; rising temperatures and unfair working conditions, according to official Qatari statistics, that more than 15,021 non-Qatari people - of all ages and professions - died between 2010 and 2019. These statistics attributed most of the deaths to natural causes, which is considered obliterating the real causes behind death. According to the families of the deceased, their relatives were in good health, and that they were subjected to high temperatures and miserable conditions at work, which may have precipitated their death. The researchers at Maat are convinced with a high degree of confidence that the phrase “death due to natural causes” was written in the death certificate, so the Qatari government, represented the Supreme Committee for Delivery and Legacy, or the Ministry of Social Development and Labor, avoids any kind of compensation, whether for people who sustained permanent injuries or for the families of migrant workers who died<sup>21</sup>.

### **Third: Migrant workers in light of the pandemic**

Violations against migrant workers escalated in light of the Corona epidemic and the subsequent booms, these violations included passport confiscation, as well as the continued recruitment of workers with exorbitant fees, and the prevalence of deceptive recruitment practices with impunity and no guarantee of accountability. Migrant workers were not allowed to gather to protest the abusive practices they encountered, or to claim their rights verbally or in writing or in any way, and neither companies nor employers respected heat stress guidelines as they were not mandatory for employers. Accordingly, the very high temperatures caused the death of thousands of workers participating in the World Cup facilities, particularly during the outbreak of the coronavirus<sup>22</sup>.

The Qatari government did not address the unfavorable working conditions that migrant workers faced, represented by high temperatures, which often reached 41 degrees Celsius, as well as long and hard working hours, low wages and an unfair environment, which exacerbate mental and physical health diseases, these practices were exacerbated with the emergence of various mutations of the coronavirus. Although Qatar was one of the first countries to provide the vaccine to its citizens, this abundance did not include migrant workers, which resulted in the deaths of migrant workers. Some of these workers, with deprivation of wages in light of the epidemic, were forced to reside in very bad places, lacking sanitation and electricity, in addition to the severe overcrowding of camp workers, which made them more vulnerable to the spread of the coronavirus among them, which caused the death of hundreds of them<sup>23</sup>. On March 11, 2020, for example, 238 new confirmed cases of coronavirus were announced in the whole State of Qatar of migrant workers living in one residential complex. The Qatari government eventually confirmed that this residential complex is located in the industrial area, which closed it and turned it into a “virtual prison” following the complete closure that left thousands of migrant workers trapped in overcrowded and dirty camps, which represented a suitable environment for the spread of the

<sup>21</sup> Ibid.

<sup>22</sup> Qatar, HRW, 2020. [www.hrw.org](http://www.hrw.org)

<sup>23</sup> Qatar: Migrant workers in labour camps at grave risk amid COVID-19 crisis, AI, 20 Mar 2020. <https://cutt.us/F7eyd>

virus, in addition to that, the rest of the camps that included migrant workers contained between 8 to 10 people in one room, they had kitchens and toilets that were not suitable for human use.

It goes without saying that the Qatari government found the Corona epidemic an excuse to get rid of hundreds of workers, who constitute a burden on the government after persecuting them because of their miserable conditions. In April 2020, the Qatari authorities told some foreign workers that they would be taken somewhere for coronavirus tests, and then arrested and expelled dozens of foreign workers, and none of these workers received any explanation for the degrading treatment they were subjected to, and they were unable to challenge their detention or expulsion. On March 12 and 13, 2020, hundreds of migrant workers were arrested in the street, in which the Qatari authorities detained, for several days before being flown to Nepal. These workers left without receiving due wages or end-of-service benefits<sup>24</sup>.

Maat has already made urgent appeals to the United Nations special procedures; To put an end to the arbitrary practices carried out by the State of Qatar against migrant workers, the Qatari government has failed to disclose the true number of injuries among migrant workers, as well as the number of deaths resulting from negligence in providing the necessary health care to migrants and not interfering to prevent unsuitable conditions for migrants' work, as well. The Qatari government has not disclosed data related to migrant workers, nor has the Qatari government issued any official data regarding the actual number of deaths during the epidemic, or what the government intends to provide in terms of health care for migrant workers, or financial compensation for those who have been deprived of their work, or compensation for the families of workers who died as a result of negligence by the Qatari government or the Supreme Committee for Delivery & Legacy.

#### **Fourth: Arbitrary detention of workers and their documents**

In the past three years, Qatar has introduced successive reforms that the International Labor Organization described as "historic" to the abusive sponsorship system that regulates labor relations between migrant workers and their local sponsors<sup>25</sup>. Despite these reforms, which consisted in granting migrant workers the right to change their jobs whenever they wanted, by canceling the no-objection clause, which required the sponsor's approval to change the job of the migrant worker<sup>26</sup>, but the practical practice towards implementing these reforms witnessed restrictions and obstacles that acted as a stumbling block against their enforcement, which made migrant workers subject to detention for periods exceeding three years and forcible deportation under the pretext of what is called "escape or flee", which is an accusation that the sponsor makes against the migrant worker if he changed his job<sup>27</sup>.

Some migrant workers were arbitrary detention because of their opinions and criticism of the conditions of migrant workers, especially inappropriate housing, working in temperatures exceeding 50 degrees in the summer without rest, and lack of occupational and health safety means. In 2021, Malcolm Bidali, a Kenyan migrant worker in Qatar, was under arbitrary detention. Bidali, a 29-year-old migrant worker, works as a security guard at the Group Security System Certis (GSS Certis) in the Rawdat Al Nakhil

<sup>24</sup> Qatar: Migrant workers illegally expelled during COVID-19 pandemic, AI, 15 Apr 2020. <https://cutt.us/o8pDf>

<sup>25</sup> نظام الكفالة.. "رق وعبودية" أم "تنظيم للعمل"، بي بي سي عربية، ١٤ أكتوبر ٢٠١٩، على الرابط التالي: <https://www.bbc.com/arabic/business-50110444>

<sup>26</sup> Landmark labor reforms signal end of kafala system in Qatar, International Labor Organization, 16 October 2019, Available at the following link: <https://bit.ly/3GYG8qN>

<sup>27</sup> الهروب من الوظيفة للعمال المهاجرين بمثابة جريمة جنائية في قطر

area in Doha. He began writing about violations against migrant workers in Qatar on Twitter under the pseudonym Noah<sup>28</sup>. After that, he wrote a series of articles on a private blog on the Internet with the same pseudonym<sup>29</sup>. His posts describe the daily life of migrant workers in Qatar, especially in the industrial area in Doha, and the difficulties they faced, including the overcrowding in workers' housing, where six people stayed in a very narrow room. They worked in high temperatures and imposed poor food<sup>30</sup>.

On May 4, 2021, after Malcolm Bidali revealed his identity to a group of international organizations while presenting the situation of migrant workers in Qatar, the Qatari security forces forcibly arrested him. They took him from the workers' accommodation in the industrial area in Doha to an unknown location isolated from the outside world. He was not allowed to contact a lawyer or with the Kenyan consulate in Qatar and remained forcibly disappeared from 4 to 12 May 2021<sup>31</sup>.

On May 20, 2021, Malcolm was allowed to communicate with the Kenyan Consulate in Qatar and make a 10-minute phone call to his mother<sup>32</sup>. Malcolm was kept in solitary confinement for 28 full days, in contravention of Rules 44 and 45 of the United Nations Standard Minimum Rules for the Treatment of Prisoners "the Nelson Mandela Rules".<sup>33</sup> On May 29, 2021, the Government Communications Office in Qatar issued a brief statement that included referring Bidali to the Qatari Public Prosecution, based on an investigation by the Qatari authorities, on charges of receiving sums of money from a foreign party to spread misleading information in the state of Qatar. Qatari Public Prosecution interrogated Malcolm<sup>34</sup> for three days. During the interrogation, he was not allowed to see a lawyer for the second time. After three days, he was forced to sign the charges against him.

On July 14, 2021, the Court of First Instance in Qatar found that Bidali i was accused of committing the charges listed in Article 6 of Law No. 14 of 2014 on combating electronic crimes. It includes allegations of fabrication and dissemination of false news to endanger public order in Qatar, according to a statement by the diplomatic mission permanent country in Geneva. Despite his release in July 2021, Bidali i<sup>35</sup> was not able to leave Qatar until August 16, 2021, after paying 25,000 Qatari riyals (US\$6,900).<sup>36</sup>

Maat confirms that the Qatari authorities have violated these arbitrary practices by Article 9 of the International Covenant on Civil and Political Rights (ratified by the State of Qatar by Decree No. 40 of 2018), which states: "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in

<sup>28</sup> حساب باسم ممتعار اتخذه مالكوم بيدالي كوسيلة للكشف عن انتهاكات حقوق العمال المهاجرين، متاح على الرابط التالي: <https://twitter.com/NoahArticulates>

<sup>29</sup> المدون الشخصية للمدون والعمال مالكوم بيدالي، متاح على الرابط التالي: <https://noaharticulates.medium.com/msheireb-laid-bare-3b93594d4885>

<sup>30</sup> ما الذي يحدث في غلة من الجميع؟، Migrant-Rights.org، ٥ سبتمبر ٢٠٢١، على الرابط التالي: <https://bit.ly/3D0Tu3y>

<sup>31</sup> Mandates of the Special Rapporteur on the human rights of migrants; the Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 27 July 2021, Available at the following link: <https://bit.ly/3mPTzB9>

<sup>32</sup> Ibid

<sup>33</sup> قواعد الأمم المتحدة النموذجية الدنيا لمعاملة السجناء، مكتب الأمم المتحدة المعني بالمخدرات والجريمة، القاعدتين ٤٤ و٤٥، ص ٢٣، على الرابط التالي:

<https://bit.ly/3wmzgi7>

<https://www.gco.gov.qa/ar/gco-statement-bidali-case>

<sup>35</sup> Qatar: UN Concerned About Enforced Disappearance and Arbitrary Arrest of Advocate for Migrant Workers' Rights, committee For Justice, 27 September 2021, Available at the following link: <https://bit.ly/3o66oXB>

<sup>36</sup> مرجع سابق متاح على الرابط التالي: <https://bit.ly/3D0Tu3y>

accordance with such procedure as are established by law", and the third paragraph of Article Fourteen of the Arab Charter on Human Rights (ratified by the State of Qatar by Decree No. 66 of 2013).

In March 2020, after the spread of the Corona epidemic and the ensuing unrest, the Qatari authorities threw hundreds of migrant workers, including 20 Nabeul workers, some of them from the street and some were in the industrial area, Barwa city, and the workers' city, under the pretext of conducting Covid-19 tests. According to the testimony of one of the arrested employees, the Qatari authorities promised to return them to their places. But they took them to an overcrowded prison without regard to the measures related to the pandemic. Others explained that the police threatened to file criminal charges against them and keep them in the detention centre for a long time if they complained or tried to object to their detention<sup>37</sup>.

The Qatari government detained workers for days in detention centers in violation of international human rights law, which states that no one shall be subjected to arbitrary arrest, detention, or exile<sup>38</sup>. Days after their detention, it proceeded to deport these workers who were shipped by air to the country of origin without being able at least to collect their luggage or obtain their delayed salaries and wages<sup>39</sup>.

Extrajudicial detentions are practiced not only by the Qatari Government but also by the country's flawed sponsorship system. Despite improvements, it did not limit employers' authority to detain their sponsors and prevent them from traveling. According to the facts, Qatar's sponsor (as an individual and company) confiscates passports and identity documents to prevent the worker from traveling and leaving the country without his permission. Although these practices were criminalized, Ministry of Labour inspectors do not monitor such practices and do not monitor the confiscation of identity documents or passports.

The latest fact of the previous violation, a Qatari national shot an Indian worker on October 29, 2020. The worker Haider Amar Ali, 35 years old, his Qatari sponsor became angry and shot him in the left eye when he asked to visit his family in the eastern Indian state of Bihar. Ali stayed at Hamad International Hospital for about three weeks until he was discharged on November 23, 2020<sup>40</sup>. "Although the worker's wife has requested compensation from the Qatari Government, she has not yet responded to her claim. And there is no indication that the sponsor who shot the worker has been held accountable.

Another arbitrary detention of a migrant worker in Qatar; was in Krantz company that builds Al Bayt Stadium in Al Khor City. "Ajaya" is another assumed name of an Indian welder, aged 44, who was assigned to the aforementioned company with a salary of QAR 1,400 (USD 385). He sent 400 rials to his family in India to pay the rent for the house in which they reside. However, after three months of regular payment of his monthly salary, Krantz's company, which was engaged in the project, refused to pay him for more than seven months. The company threatened him and other workers with a deduction of daily wages and an additional fine of about 25 QAR in case of irregularity in the project's housing or any failure to work. The company's threats also included taking the passport, permits to leave Qatar, and the non-payment of salaries due for work. Having been heavily indebted, Ajaya requested the company

<sup>37</sup> مرجع سبق ذكره، على الرابط التالي: <https://bit.ly/32JtyIV>

<sup>38</sup> الفريق المعني بالاحتجاز التعسفي، ص ٥، على الرابط التالي: <https://bit.ly/3avovA2>

<sup>39</sup> تقرير قطر ٢٠٢٠، منظمة العفو الدولية، على الرابط التالي: <https://bit.ly/3v6vdEA>

<sup>40</sup> Family of Indian shot in Doha seeks compensation from Qatar, The Gulf World, 23 November 2020, <https://bit.ly/3sAGonz>



to leave Qatar. They refused this request and agreed to hand over his passport only after signing papers stating they had been paid and had not kept any entitlements.

Maat asserts that these practices were consistently widely practiced by Qatari authorities recently with anyone who opposes or expresses an opinion. Maat also considers the disappearance and arbitrary detention of Kenyan activist Malcolm Bidali by the Qatari authorities and his forcible deportation after the payment of a substantial fine are not the only examples of the Qatari authorities' strict action against migrant workers. Thus, Maat calls International Labour Organization (ILO) and the United Nations' special procedures to pressure Qatari authorities to stop such abusive practices. It also calls for an investigation into these facts and for the Qatari authorities to compensate these victims for these arbitrary practices before the World Cup begins.

## **Fifth: Delay in receiving wages**

Migrant workers represent 95% of Qatar's workforce, including about 1 million construction workers. Such workers subject to violations such as non-payment of wages, and employers deny workers' wages. The Qatari Government's efforts to detect violations and take measures against companies involved in violating workers' rights have failed.

Abusive practices of wage delays and non-payment have worsened during the coronavirus pandemic<sup>41</sup>. According to reliable reports, Qatari companies have not paid millions of salaries and incentives to low-wage workers, beginning with the outbreak of the coronavirus pandemic and following various surges in the pandemic. That has made these workers face obstacles in obtaining food and paying their rent, and they can no longer send money to their dependent families for basic livelihoods. According to a Bangladeshi cleaner, he worked for four months without receiving his salary. In addition, in 87% of cases of workers' abuse, which had affected nearly 12 thousand workers since 2016, they related to unpaid or late wages<sup>42</sup>.

Wage violations in Qatar also appear in unpaid overtime hours. A migrant may be forced to work about 18 hours a day, with arbitrary deductions or wage arrears, indefinite wage suspensions, or incomplete wages for migrant workers. And all of the above violations are contrary to the International Labour Organization's 1990 Convention on the Protection of Wages and other relevant international conventions<sup>43</sup>.

The most prominent example of a delayed payment of wages to migrant workers is the migrant workers at Al Gharafa Stadium, built by the "Imperial Qatari Trading and Contracting Company". Along with the outbreak of the coronavirus pandemic, workers' wages were not paid for more than 11 months, causing their families poverty. Thus, 550 employees of the company, many from India and Nepal, protested and worked for the company for 5 to 13 years. Unfortunately, those workers included those who were not paid for more than a year. The wages owed to these workers amounted to QAR 1.3 million (USD 357,000), while the final settlement for employees who resigned from the company reached QAR 900,000 (USD 250,000). It is not the first time this company arrears the migrant workers' salaries<sup>44</sup>

<sup>41</sup> Qatar, HRW, 2022. [www.hrw.org](http://www.hrw.org)

<sup>42</sup> قطر تسرق أجور العمال.. الانتهاكات تتواصل والجوع يتزايد بين الأجانب، صوت الأمة، ٢٧ نوفمبر ٢٠٢٠. <https://cutt.us/HB05F>

<sup>43</sup> أنظر، اتفاقية منظمة العمل الدولية بشأن حماية الأجور لعام ١٩٩٠، على الرابط التالي: <https://bit.ly/3tCph5Z>

<sup>44</sup> بعد ١٨ شهر من عدم النفع، شركة فطرية تترك عمالها في مأزق، مجرنت رايتس، ١٩ أكتوبر ٢٠٢٠. <https://cutt.us/MVDU6>



payment. In 2019, hundreds of migrant workers gathered in the same company to protest against the delayed payment of salaries to migrant workers. That caused a dire situation, causing one of these migrants to express his condition with a severe breakdown, and saying: "I didn't pay my children's school fees for five months, and the school wants to expel my children. My family can't believe that I didn't make a mistake. So when the police came in 40 vehicles and threatened to arrest us because of our protest, I told them to shoot me because I prefer to die; what choice did I have? Who will pay for my family's food?"<sup>45</sup>.

The minimum wage for migrant workers is up to QAR 750 (\$206) per month, which is barely sufficient to pay off part of the labour employment debt. There are still hundreds of stories of migrant workers who have suffered because of salary delays, including one alleged by Kevin ", a 35-year-old security guard from Kenya, whose family is harassed daily for the outstanding loan. The loan is 120 thousand Kenyan shillings, who had to apply for a job in Qatar. Another example is Yuvi, a 33-year-old security guard from Ghana, whose last monthly salary is QAR 1,000 since he started working in Qatar in June 2019. That forced him to borrow money from his friends to get food only to survive.

In a related context, violations reflect a pattern of practices driven and facilitated by three main factors. The sponsorship system, Qatar's migrant labor management system, deceptive employment practices in Qatar and in workers' countries of origin, and business practices, including the so-called "pay-as-you-go" clause, which prompts the sub-contractor to defer workers' wages and leaves expatriate workers vulnerable to delays in payment in the supply chain. We can note the usual confiscation of workers' passports by employers, the charging of recruitment fees by workers, which keeps them indebted for years, as well as the ban on labor gatherings, all practices that promote forced labor and modern slavery, and run counter to item 7 of SDG 8, which calls for the elimination of forced labor and contemporary slavery. "Modern slavery", human trafficking and child labor, particularly the worst forms of child labor.

Among other obvious examples of wage payment in Qatar include the violations suffered by workers in the Qatar Galvanized Steel Company who were deprived of receiving their wages for a period of up to seven months, and about 100 employees are still in Qatar Meta Coats (QMC), a sub-contracting design and construction company for facade work at the Euro770 million "Al-Bayt Stadium", which costs 770 million euros, is awaiting full payment of their dues, as well as the worsening situation of workers. Because most of them now have expired cards. As Qatar Galvanized Steel Company failed to renew it months ago, and they owe mainly loans they took to cover travel fees to the State of Qatar, they suffer on the one hand in the State of Qatar, and their families in their countries of origin suffer from repayment of loans that their children took with its high interest.<sup>46</sup>

Maat for Peace believes that the international community and the International Football Association should have pressured Qatar to mitigate these violations and pressured the Qatari government to pay compensation to these migrant workers, especially those who have lost their lives and who have sustained permanent injuries. Maat for Peace also sees that Qatar should pay about \$440 million to migrant workers who built the World Cup infrastructure, which will be spent by the countries participating in the World Cup.

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<sup>45</sup> نفس المصدر السابق.  
<sup>46</sup> Qatar: Migrant workers unpaid for months of work on FIFA World Cup stadium, Al, 11 June 2020. <https://cutt.us/CVYKj>

## Sixth: Arbitrary Practices within the Kafala System

Qatar's commitment under the technical and cooperation program with the International Labor Organization (ILO), by replacing the sponsorship system with a contractual recruitment system that would eliminate restrictions on workers' ability to change employers and the possibility of leaving the State without restrictions, in accordance with the Qatari kafala system Every migrant worker must have a sponsor is considered to be the employer and the worker is not entitled to leave the job he holds or travels to his State unless the employer's consent is granted, who often detains the passport or ID card and all the paperwork. However, based on the ILO's technical cooperation program with the State of Qatar, the latter committed itself to changing the sponsorship system with a contractual employment program that would enable migrant workers to change their employers and leave the State upon their wish.<sup>47</sup> On January 16, 2020, a ministerial decree to revoke the exit permit for all migrant workers came into force. In August of the same year, Qatar revoked its no-objection certificate to allow migrant workers to change their jobs if they wanted, which later turned out to be amendments to paper only.<sup>48</sup>

The decrees to revoke the exit permit and the no-objection certificate were supposed to pave the way for the abolition of the sponsorship system, but other laws in force in Qatari legislation limited the enforcement of such decisions. For example, "sponsor" employers remained able to claim that 5% of their workforce would still need an exit permit after approval by the Ministry of Administrative Development<sup>49</sup>. Furthermore, the ILO's Progress Report on the ILO-Qatar Partnership indicated that the Ministry of Administrative Development, Labor and Social Affairs had approved 42,000 requests by employers to retain leave authorization for foreign workers. This means that even with the entry into force of previous resolutions, 42,000 workers remained under their sponsorship.<sup>50</sup>

Regarding the abolition of the No Objection Certificate clause, which is a bold reform of Qatar's sponsorship system, However, it turned out to be on paper only, for example, in practice, the Ministry of Administrative Development, Labor and Social Affairs, when following the necessary procedures for changing the job, attaching a signed resignation letter from the owner Employment Contrary to what is required by law, according to the testimonies of some migrant workers, the employers "Sponsors" do not sign resignation letters but revoke the worker's visa and force him to return to his country. Workers face what is known as an escape charge that may cause them to be imprisoned or forcibly deported to their home country.

In a briefing immediately upon his return to Kenya, Qatar blogger and migrant worker Malcom Bedali said that until he left Qatar in August 2021, migrant workers were unable to change their jobs. He believed that the reforms initiated by Qatar were not only on paper<sup>51</sup>. Confirming the Kenyan blogger's statement that "Radisson Hotel Company" operating in Qatar also confirmed that the applications of some workers seeking to change their jobs in Qatar have not received acceptance from the Ministry of

<sup>47</sup> مآدونية الخروج أصبحت من الماضي لمعظم العمال المهاجرين في قطر، منظمة العمل الدولية، ١٦ يناير ٢٠٢٠، على الرابط التالي: [https://www.ilo.org/beirut/projects/qatar-office/WCMS\\_734413/lang-ar/index.htm](https://www.ilo.org/beirut/projects/qatar-office/WCMS_734413/lang-ar/index.htm)

<sup>48</sup> المرجع السابق

<sup>49</sup> <https://www.amnesty.org/en/wp-content/uploads/sites/9/2021/05/MDE2232972020ARABIC.pdf> الواقع عن كذب: العد العكسي لبطولة كأس العالم ٢٠٢٢، منظمة العفو الدولية، ص ١٠، على الرابط التالي:

<sup>50</sup> نفس المرجع السابق

<sup>51</sup> مدون كيني كشف ظروف العمل في قطر يصف تجربته في الحبس الانفرادي، بي بي سي عربية، ٣٠ سبتمبر ٢٠٢١، على الرابط التالي: <https://www.bbc.com/arabic/media-58628932>

Administrative Development, Social Affairs and Labor<sup>52</sup>. In related context, the Qatari authorities did not intervene to stop a decision by European security and security service companies in May 2021. The decision prohibited the change of workers' jobs for a period of not less than five years in contravention of the reforms introduced by Qatar, which revokes the certificate of no objection or no opposition<sup>53</sup>. Maat for Peace considers that these administrative obstacles eliminate any substantive changes in the kafala system and render Qatar's reforms to address migrant workers' rights both non-existent and demanding that the Government of Qatar ensure the implementation of these reforms.

In a related context, the sponsor can cancel the foreign worker's visa by applying through "matrash" application. It is the portal of the Ministry of Interior that enables users to access the Ministry's services and that shows the stark difference between one click in which the sponsor can terminate the presence of a person in the state, Dismissal from his work, and from workers' difficulties, problems and a labor system that amounts to forced labor. As well as the widespread practice of passports in practice, it is therefore recommended that Qatari authorities emphasize procedures for legal protection. The appointment of two role inspectors to follow up on their implementation on the ground, as well as the need to implement and fully and effectively enforce all the reforms promised by the State of Qatar, as well as to base itself on the revocation of the "exit permit" and the "no-objection certificate". To further reduce the dependence of foreign workers on their employers, including allowing foreign workers to renew their residence permits and health card when needed, as well as the need to decriminalize the charge of "escape", to enforce the ban on confiscation of passports and to punish employers and employers who engage in such inhumane practices.

## Seventh: Failure to access justice

Migrant workers' access to justice in destination States is often challenged structural obstacles to their access to effective remedies or to obtain adequate and prompt reparation for the damage done to them. As defined by the Special Rapporteur on the human rights of migrants and these include the failure to investigate complaints from migrant workers of human rights violations, including complaints of late payment of their wages and complaints concerning the reservation to passports and identity cards and the threat of forced deportation of States of origin. In addition to the length of proceedings and the intransigence to pay compensation even after obtaining judicial decisions.<sup>54</sup>

In 2018, Qatar established the Workers' Support and Insurance Fund pursuant to Act No. 17 of 2018, as a fund of the Ministry of Administrative Development, Labor and Social Affairs. Besides supporting and providing assistance to workers, the primary objective of the fund was to disburse workers' benefits determined by the Labor Dispute Resolution Committees. Thereby obtaining these funds from the employer.<sup>55</sup>

However, in order for workers to obtain financial adjustments from the Fund, they must first file a lawsuit with the Labor Court and then issue a judgement against the company that has refrained from

<sup>52</sup> [https://media.business-humanrights.org/media/documents/2021\\_Qatar\\_Hotels\\_v5\\_1.pdf](https://media.business-humanrights.org/media/documents/2021_Qatar_Hotels_v5_1.pdf)، ٢٠٢١، يوليو ٢٠، مرصد الأزمات وحقوق الإنسان، على الرابط التالي:

<sup>53</sup> مرجع السابق، ص ١٠

<sup>54</sup> <https://www.amnesty.org/en/wp-content/uploads/sites/9/2021/05/MDE2207932019ARABIC.pdf> عمل دائم بدون أجر: نضال العمال الأجانب في قطر من أجل العدالة، منظمة العفو الدولية، ص ١١، على الرابط التالي:

<sup>55</sup> <https://bit.ly/3dAEhMi> قاتون رقم (١٧) لسنة ٢٠١٨ بإنشاء صندوق دعم وتأمين العمال، المادة رقم ٥، على الرابط التالي:



paying workers' wages. The Labor Court shall issue a judgement in the cases pending before it against the companies involved within 6 weeks, after which the workers shall apply for execution to the "Department of Execution of Sentences". During this period, if the company is unable to pay its workers' wages, a settlement request is submitted to the Fund<sup>56</sup>. However, the workers faced difficulties in obtaining financial settlements, namely delays in adjudicating cases pending before the Court, or the failure to enforce judgements as soon as they were handed down.

For example, in the case of Imperial Contracting Company workers, more than 200 workers were not paid for long periods. After I filed a lawsuit with the Labor Court, the six-week period expired and the company was not sentenced, which delayed workers' obtaining back pay or any financial assistance from the Workers' Support and Insurance Fund.

The Empire Company Workers case highlights the slow achievement of fair justice for migrant workers in Qatar. On one hand, the court does not adhere to the six-week sentencing period. On the other hand, workers without ID cannot report or file complaints with the court, which prevents them from communicating with the court or the Ministry of Administrative Development, Labor and Social Affairs<sup>57</sup>. In another context, the long periods preceding the judgement in favor of migrant workers from the Qatari Labor Court in which workers suffer because of their lack of any surplus of funds and some are forced to advance their friends and leave for their home State without obtaining their arrears. In the previous year, about 2,000 workers had filed complaints for their wages. Due to unfair litigation procedures for migrant workers in Qatar, more than 1,600 workers returned to their country of origin without any compensation or remuneration for their work in Qatar.

The poor quality, and often the lack of, translation and interpretation services also represent a structural obstacle to a prompt and effective fairness for migrant workers. Migrant workers who are detained in destination countries find themselves at risk of arbitrary detention by immigration and citizenship services and often accusations are leveled against them in a language they do not understand, and therefore they will not be aware of the ways to appeal against their detention decisions.<sup>58</sup>

Weak knowledge of migrant workers' legal rights is also an obstacle to their access to justice systems in the States of destination. For example, when migrant workers are detained in the State of destination, they have the right to communicate with the authorities of their home State through consular and diplomatic authorities as stated in paragraph 7 (a). of article 16 of the International Convention on the Protection of All Migrant Workers and Members of Their Families, to which Qatar is not a party<sup>59</sup>. In conformity with paragraph 1 (b) of article 36 of the Vienna Convention on Consular Relations, which did not occur in a large number of migrant workers and arrivals in Qatar, including the case of blogger Malcolm Bedali.<sup>60</sup>

<sup>56</sup> <https://www.hrw.org/ar/news/2020/12/22/377183> قطر: الإجراءات بشأن انتهاكات الأجور تظلم العمال، هيومان رايتس ووتش، على الرابط التالي:

<sup>57</sup> المرجع السابق

<sup>58</sup> Report of the Special Rapporteur on the human rights of migrants, François Crépeau, Paragraph 15, Page 5, Available at the following link: <https://undocs.org/en/A/HRC/20/24>

<sup>59</sup> <https://bit.ly/3iZ4Ugl> الاتفاقية الدولية لحماية حقوق جميع العمال المهاجرين وأفراد أسرهم، الفقرة ٧ (أ) المادة ١٦، على الرابط التالي:

<sup>60</sup> Vienna Convention on Consular Relations, Article 36(b), Available at the following link: <https://bit.ly/3GPWvS4>

As mentioned above, when a migrant worker is detained, the reporting phase to the country of origin authorities of some migrant workers' detention is very slow, which delays the provision of support to these workers and their access to prompt justice.

## **Eighth: Key Challenges Facing Migrant Workers in Qatar**

- New amendments to the Sponsorship Act continue to give employers the power to maneuver in the power to revoke and renew migrant workers' work permits.
- Fraudulent practices by employers and intermediaries of companies and subcontractors, namely, confiscation of passports, withholding of wages, non-issuance of identification documents, levying an escape charge against workers who leave their jobs unauthorized.
- Migrant workers' ignorance of local culture and language, their labor rights and national labor and immigration laws in the country in which they work.
- Limited or lack of access to legal and administrative systems in the State of destination as a result of the denial of migrant workers' associations and trade unions.

## **Recommendations**

### **To the Qatari Government**

- To ratify without delay the International Convention on the Protection of Migrant Workers and Members of Their Families and other ILO conventions so as to fully protect migrant workers.
- Compensation for migrant workers who have sustained permanent injuries that have prevented them from staying in work and families of workers who have died because of work at construction sites.
- Amend article 120 of the Qatari Labor Code, allowing migrant workers' right to form associations and the right to form and join trade unions in line with article 22 of the International Covenant on Civil and Political Rights and article 40 of the International Convention on the Protection of Migrant Workers and Members of Their Families.
- Review the withdrawal of reservations to and accession to the articles of the International Covenant on Civil and Political Rights, in particular those articles granting the right of migrant workers to form associations and trade unions to protect their interests.
- The abolition of the "pay-as-you-go" policy, which is widespread in contracting between enterprises involved in the construction of enterprises and the Government of Qatar and, on the other hand, between such enterprises and subcontractors.
- Achieve fair justice for migrant workers and do not wait for a decision of the Labor Court to obtain financial settlements from the Workers' Support and Insurance Fund.

- Employers and companies that continue to delay or withhold migrant workers' wages in such a way as to ensure that they receive their full wages should be punished.
- To comply with United Nations General Assembly resolution 68/179, which demanded "effective enforcement of labor laws and improvement of working conditions relating to the remuneration, health and safety of migrant workers in the workplace and their right to freedom of association.
- Promote and protect effectively the human rights and fundamental freedoms of all migrants, regardless of their migrant status, as stated in the High-level Dialogue on International Migration and Development.

#### **To FIFA International Football Association**

- To pressure the Government of Qatar to open a transparent and independent investigation into deaths at the 2022 World Cup project sites.
- To provide protection mechanisms for migrant workers on World Cup construction sites and to dispatch an independent commission of inquiry to monitor all violations, hear migrant workers' complaints and address problems encountered expeditiously.
- To pressure the Government of Qatar to fulfil its commitments towards reforms relating to all migrant workers' access to their wages and compensation before the launch of the World Cup;

#### **To International Community**

- Pressure the State of Qatar to alleviate the suffering of migrant workers, implement legislative reforms on the ground and hold accountable those responsible for workers' violations at construction sites.

#### **To Football Sports Associations**

- To attach particular importance to the violations of migrant workers in the State of Qatar and to adopt a unified attitude towards such violations, as is Norwegian and German, and to make it clearly known in the qualifiers for the World Cup.