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'7,000 MAY DIE BY THE FIRST WORLD CUP KICKOFF'

## Qatar's abused workforce

Despite a promised change in the law, migrant workers in Qatar who are building venues for the 2022 football world cup are still being ruthlessly exploited.

BY DAVID GARCIA



Maya Alleruzzo/AP

**W**E were careful not to attract the attention of the police as we travelled: they track anyone who takes too close an interest in foreign workers' welfare. A row of shacks appeared out of the darkness at the end of a dusty track, a rubble-strewn workers' camp, like a shantytown.

An International Federation of Building and Wood Workers (IFBWW) delegation was visiting a dozen Indian and Nepalese employees on this construction site 25km northwest of the capital, Doha. Al-Rayyan will host several matches in the 2022 World Cup, in a new stadium being built on the site of the now-dismantled Ahmed Bin Ali stadium. Eight bunk

beds with soiled, worn mattresses were crammed into a dormitory measuring just nine square metres. 'We haven't been paid for four months,' the workers grumbled. The 80 workers in the camp were running out of basic necessities and racking up debt with local shopkeepers, who are as unscrupulous as the migrants' employers. The traders' high-interest loans have been added to those the workers took out to pay recruitment agencies in their home countries for putting them in touch with employers in the Gulf. What little they manage to save is sent home to their families.

Rajiv V (names have been changed to preserve anonymity) is a carpenter from West Bengal, India, and has been working in Qatar for 15 months. He sends half his monthly salary of \$335 to his wife, who is raising their son alone. According to the Qatari government, foreign workers remitted over \$12bn to their countries of origin in 2014. Leisure activities are unaffordable for workers, or even forbidden: according to a recent report from the International Trade Union Confederation (ITUC) (1), 'Many parts of Doha are off-limits to migrant workers, [and] are designated as family zones, further curtailing freedom of movement.' Housed in zones far from their workplace, they work 13 hours a day, including travel time. Their collective life is limited to occasional community events. 'Our comrades organise a big celebration for the Nepalese community on 18 December, International Migrants Day. It's a chance for workers to get together under the guise of a cultural celebration,' said Binda Pandey, deputy secretary general of Gefont (the General Federation of Nepalese Trade Unions) and a member of the governing body of the International Labour Organisation (ILO). Trade unions are banned in Qatar and throughout the Gulf region, except in Kuwait and Bahrain.

These workers, like the two million others based in Qatar, live under the *kafala* system, which gives their 'sponsor' control over them; 90% of Qatar's workforce is foreign, and is required to work six days a week throughout the year in temperatures that can exceed 50°C. The army of workers building the World Cup stadiums for 2022 have almost no rights. Wages are paid very late, if at all; accommodation is dilapidated and insanitary; workers are forbidden to change employer without the permission of their current boss; their passports are confiscated; they need their employer's permission to leave the country. Eighty-eight migrant workers on the Khalifa stadium site in Doha told Amnesty International that they did not have permission to leave Qatar. Seven Nepalis had even been prevented from visiting their families after the earthquakes in April and May 2015 (2).

## Promise of reform

After media exposure of the murky conditions in which FIFA awarded Qatar the World Cup, the ITUC, Human Rights Watch and Amnesty International have been trying to draw attention to the servitude-like system that operates throughout the Gulf region. Sharan Burrow, secretary general of the ITUC, said that 'between now and the first kickoff in the World Cup, over 7,000 immigrant workers may die.' The ITUC is an active member of the ILO, where it brings cases against states and multinationals suspected of violating workers' rights. It has 350 affiliated unions in 150 countries and represents 180 million workers. Its members are exclusively union confederations, and it works closely with international union confederations in each industry.

Qatar's government rejects these reports: 'After almost five million work-hours on World Cup construction sites, not a single worker's life has been lost. Not one' (3). The World Cup organisation committee did concede that two Indian workers had recently died 'natural' deaths after heart attacks. Yet the Indian, Bangladeshi and Nepalese embassies have counted 900 deaths

over the past two years, half of them sudden, after heart attacks or from unknown causes.

Ramachandra Khuntia, secretary general of the All India Congress Committee, vice-president of the IFBWW and a former Congress MP in India, believes that these 'natural deaths' are in fact related to the exceptionally harsh working conditions: 'Many workers are employed in private houses, where they are not allowed to use the toilet. So they go the whole day without drinking, and in the often extreme heat, some of them die of dehydration. The doctor then records a natural death, which deprives the family of compensation.'

The Qatari government became concerned about the way that images of squalid workers' camps were damaging its reputation, and in May 2014 promised to relax *kafala* for the first time. Emir Tamim Bin Hamad Al-Thani eventually announced a new law in October 2015, but it will not come into effect until January 2017. The idea of 'sponsor', which has become synonymous with mistreatment, is to be replaced by that of 'employer', and workers will no longer require permission to leave the country. This restriction has become emblematic of *kafala* and is by far the most discussed in the media. Under the new law, a visa request will be deemed to have an employer's approval unless there is an objection within three days. A European corporate lawyer based in Doha said: 'With employment rights so skewed in favour of employers, even with enhanced means of redress, abuses aren't going to cease overnight.'

The reform, which is similar to measures taken by the United Arab Emirates (UAE), also introduces a system to ensure workers receive their wages. The full sum stated in the employment contract must be paid into a bank account. The government's press office claims that 'under this measure, employees of private companies registered in Qatar will receive their salaries by electronic transfer within seven days.' But according to NGOs and unions, only around 20% of workers have a bank account. Qatar's central bank has instructed retail banks to open accounts for the workers, but they do not appear eager for clients with such small earnings.

There is another small advance: the reform of the No Objection Certificate for 'greater freedom of movement for workers', which the government boasts about. If a sponsor refuses to sign this document attesting to a foreign worker's 'exemplary' conduct, the worker is obliged to leave Qatar at the end of his contract and cannot apply to work there again for two years. The new law means that workers at the end of their contracts no longer need this certificate to remain in Qatar. The same applies to workers without fixed-term contracts who want to change employer, as long as they have worked for their current one for at least five years.

## 'Labour City'

In November 2015, Qatar's prime minister Abdullah Bin Nasser Al-Thani and labour minister Abdullah Al-Khulaifi officially opened the first 'Labour City', created to house 70,000 migrant workers in good conditions, in contrast to the squalor suffered by hundreds of thousands of their peers. A week after the initial fanfares, Jassim Al-Thani, the head of the government's press bureau and a member of the royal family, gave me a private tour. We met our designated guide Zohar D, a Lebanese engineer, at the city's entry checkpoint. Zohar helped to build the residential zone, as yet 75% empty.

The camp is divided into residential and commercial/leisure zones. The whole development is surrounded by high walls. The police, who have two posts on the perimeter, make regular, meticulous checks throughout the site. In each residential block, a warden monitors four screens

showing the spotlessly clean communal areas. Rooms are 24 sq m, and intended to accommodate four; 200 shops are scheduled to open shortly. Six further residential complexes on the same model, but smaller, are planned by the end of 2017, giving a total capacity of 379,000 (4). The ITUC calculates that between now and the World Cup, 500,000 more migrants are likely to go to Qatar.

Ambet Yuson, a union activist from the Philippines who heads the IFBWW, concedes there have been improvements in workers' living conditions, but he is sceptical about the overall impact of the new labour law: 'This is the third year we have led a delegation to Qatar, and immigrant workers' fundamental situation has scarcely changed.'

This impression was confirmed by 30 Indian workers at an IFBWW seminar in a room above a restaurant in Doha. Indians are the largest expatriate community in Qatar (650,000 workers), followed by the Nepalese (500,000) and Filipinos (250,000) (5). There was scepticism when the government's promise to end the abuses of the *kafala* system was mentioned. Only eight of the attendees still had their passports; the others said their employers had confiscated them. One man brandished his engineer's diploma: 'The agency that recruited me in India got me to sign an electrician's contract. But when I got here, they told me: "You're going to work as a plumber" for 900 riyals [\$250], half what I signed up for.' The average monthly wage for these workers was \$300, including housing allowance, far below the \$12,000 the average Qatari earns (6).

This means minimum wages and maximum danger. A Sri Lankan worker described how 'yesterday a colleague had his arm cut off on the building site behind the Mercure hotel'. Another showed an injury to his calf, which had happened six months before. According to an official Qatari report in 2012, 22.8% of deaths among the non-Qatari population are due to 'external causes', mostly 'transport accidents' (7).

Workers criticise the system because they are its victims, and they emphasise their employers' responsibility. Many of those employers are western multinationals, which are often even more ruthless than Qatari law. One worker said that Qatari Diar Vinci Construction (QDVC, a subsidiary of France's Vinci group) had taken away its employees' passports and only returned them six months later after activists pressured it. (Removal of passports was already illegal at the time.) In March 2015 the French NGO Sherpa brought a case against the company for 'forced labour' and 'reduction to servitude'. Sherpa lawyer Marie-Laure Guislain said: '*Kafala* is potentially restrictive, particularly in terms of freedom of movement, but some companies don't respect the legal minimum standards. Vinci should ensure that all employees, including subcontractors, enjoy the same rights, in accordance with Qatari law.'

Since the case was lodged, Vinci has agreed to improve the accommodation of some of its subsidiary's employees. At least 2,000 of QDVC's 3,200 workers are now housed in accommodation with no more than four people in a room, as Qatari law stipulates. However, according to Sherpa, 4,500 people employed by QDVC's subcontractors have enjoyed no improvements. It is also claimed that none of QDVC's combined workforce of 7,700 will have to do more than 60 hours a week, the limit set by local legislation; this measure has been accompanied by a 10% wage cut.

## All right for some

*Kafala* is not a problem for all foreign workers in Qatar. There is a small elite of multinational

employees, company directors, lawyers and civil servants from other countries who have little to worry about from their sponsors. Andrew M, from the UK, who works in the financial sector, has been in Qatar for seven years. He wouldn't swap his life here for any other. He lives in a house in West Bay Lagoon, part of a gated community of western expatriates, with a few Qataris. His house is right by the beach and has a stunning view of Doha bay: 'It's the best compound in the whole of Doha. There are about 20 of them. The rent on this villa is about \$8,500 a month. It's 500 sq m, not including the garden and pool. It's a bit small for Qataris, who prefer something bigger, 1,000 or 2,000 sq m.' Andrew earns around \$33,000 a month. 'I'm lucky enough to have a multiple exit visa. That lets me leave the country whenever I want without having to get authorisation from my employer.'

Only a few thousand expatriates, most of them westerners, enjoy this exemption. Their No Objection Certificates are just a formality. Michel Daillet, a French corporate lawyer in Doha, said: 'The *kafala* reform doesn't affect the top tier of westerners, who have no problem negotiating the most favourable contract terms.' Everyone else has to hope for a benevolent sponsor. Said F, a Lebanese engineer, works for Qatari construction group Midmac and makes \$8,250 a month. Even so, he called the *kafala* system inhuman: 'I'm not expecting much change. Reform or no reform, my freedom of movement will remain compromised.' Though the new law will end his need to get a certificate as he has over 10 years' service, he believes his bosses will refuse to let him leave. Even well-off expatriates are not immune from the arbitrariness of a system designed to suit employers.

Ahmed Al-Rayes is a staunch defender of *kafala*. He is head of a family-owned group of 37 companies employing 1,900 people in laundry services, transport and logistics, and one of the few Qatari bosses willing to speak publicly. He refuses to countenance ending *kafala* and even disapproves of introducing more flexibility: 'Repealing *kafala* would be dangerous. Some foreign workers might want to kill me. Murders of Qataris and thefts would go up spectacularly; 90% of Qataris don't want *kafala* abolished or even reformed. Not because they support slavery, but because they are cautious.'

It is hard to know what ordinary Qataris think since any criticism of the emir, who holds most executive and legislative powers, is grounds for imprisonment. Even the reporting of fact without any negative interpretation, and in an official context, can lead to a jail sentence. In March 2016 a Qatari civil servant was imprisoned for having spoken too freely to an ILO delegation.

## 'Relic of the past'

The government's press office claims: 'Our legislative process was conceived to take account of different points of view in a balanced way. The reform of *kafala* was presented to the council of ministers, then submitted to the Majlis al-Shura [consultative council] on 28 June 2015, before being adopted.' The emir had the final say, but he had to take account of the unambiguous hostility of employers to any progressive measure. The Majlis al-Shura, which is an important supporter of the employers, even suggested toughening *kafala*. According to the council's view, migrants who cause trouble for their sponsor, or who try to leave a company before the end of their contract, should be forced to work for 10 years for their employers, twice the original period, before they can leave. According to anthropologist Anie Montigny, a Qatar specialist, 'this council, which is made up mainly of notables from the main tribes and important merchants, was created in 1972 and looks like a relic of the past, even if its members, who are appointed by the emir, are

replaced from time to time' (8).

In November 2015 the ILO board voted in favour of sending a high-level delegation to increase pressure on the Qatari government, the first time since 2001 it had taken such action against a country suspected of flouting its regulations. This decision followed a charge of forced labour brought by the ILO. Bernard Thibault, former CGT secretary general and ILO board member, said: 'The ILO wasn't taken in by the Qatari government's tactic of opportunistically passing minimal reform a few days before the [ILO] vote that was designed to provide assurances of good conduct, but all the while preserved the most retrograde principles of *kafala*.'

A delegation representing states, employers and employees visited Qatar in May 2016 and met its highest authorities, though not the emir. Shortly before their visit, Juanito Pardillo, a Filipino workman for Qatar Rail, died on the Doha underground construction site (9). Thibault said: 'The mission's report shows, if proof were needed, that the so-called reform has not improved conditions for workers. Migrants still pay recruitment fees and the contract they sign in their country of origin is still completely different from the one forced on them in Qatar. The ability to carry out inspections is certainly increasing, but 365 inspectors for a working population of two million have to rely on just 10 interpreters. And the vast majority of expatriates don't speak Arabic.'

The ILO's powers are limited. Its recommendations and declarations on workers' rights have no binding force. But though this UN agency cannot compel governments to apply its rules, few are prepared to ignore it completely. This explains why Qatar sent some 20 government representatives to the ILO board on 17 March to try to persuade members to drop the case. In the end, they got a one-year extension to give them time to put in place proper protective legislation for migrants.

This April, FIFA's new president, Gianni Infantino, announced the creation of an oversight body 'to ensure the protection of the workers' rights in the construction of the FIFA World Cup sites.' It's hard to say if this measure and the threat of a commission of inquiry will be enough to effect change in this tiny, wealthy country whose western allies are so keen on its hydrocarbons and contracts.

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*Translated by George Miller*

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- (1) 'Qatar: Profit and Loss – Counting the cost of modern day slavery in Qatar: What price is freedom? [[http://www.ituc-csi.org/IMG/pdf/qatar\\_en\\_web.pdf](http://www.ituc-csi.org/IMG/pdf/qatar_en_web.pdf)]' (PDF), Frontlines Report 2015, International Trade Union Confederation, Brussels, 18 December 2015.
- (2) 'The Ugly Side of the Beautiful Game: Exploitation of migrant workers on a Qatar 2022 World Cup site [<https://www.amnesty.org/download/Documents/MDE2237412016ENGLISH.PDF>]' (PDF), Amnesty International, London, 30 March 2016.
- (3) Qatari government press release in response to *The Washington Post* ('The toll of human casualties in Qatar [<https://www.washingtonpost.com/news/wonk/wp/2015/05/27/a-body-count-in-qatar-illustrates-the-consequences-of-fifa-corruption/>]', 27 May 2015), Doha, 2 June 2015.
- (4) International Labour Organisation report, Geneva, March 2016.
- (5) Sources: Qatari development planning and statistics ministry, French economy ministry, Philippines embassy in Qatar.

(6) Sources: Central Intelligence Agency, International Monetary Fund, French government.

(7) 'Qatar Health Report 2012', Supreme Council of Health, Doha, 2014.

(8) Anie Montigny, 'Les représentations du changement dans la société qatarie, d'un émir à l'autre (1972-2013)' (Representations of change in Qatari society), *Arabian Humanities*, no 3, Sanaa, 2014.

(9) *Doha News*, 5 March 2016.

TRANSLATIONS >>

FRANÇAIS Esclaves du XXI<sup>e</sup> siècle au Qatar