

Qatar: Little progress on protecting migrant workers

As World Cup draws closer, government yet to meet key reform promises.

HRW (24.08.2020) – <https://bit.ly/2QHkpdT> – Qatari authorities' efforts to protect migrant workers' right to accurate and timely wages have largely proven unsuccessful, Human Rights Watch said in a report and an accompanying video released today. Despite a handful of reforms in recent years, withheld and unpaid salaries, as well as other wage abuses, are persistent and widespread across at least 60 employers and companies in Qatar.

The 78-page report, “‘How Can We Work Without Wages?’: Salary Abuses Facing Migrant Workers Ahead of Qatar’s FIFA World Cup 2022” shows that employers across Qatar frequently violate workers’ right to wages and that Qatar has failed to meet its 2017 commitment to the International Labour Organization (ILO) to protect migrant workers from wage abuses and to abolish the kafala system, which ties migrant workers’ visas to their employers. Human Rights Watch found case after case of wage abuse across various occupations including security guards, servers, baristas, bouncers, cleaners, management staff, and construction workers.

“Ten years since Qatar won the right to host the Fédération Internationale de Football Association (FIFA) World Cup 2022, migrant workers are still facing delayed, unpaid, and deducted wages,” said Michael Page, deputy Middle East and North Africa

director at Human Rights Watch. “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.”

Human Rights Watch interviewed more than 93 migrant workers working for more than 60 companies or employers and reviewed legal documents and reports for this report.

Qatar has been dependent on 2 million migrant workers, making up about 95 percent of its total labor force. Many are building or servicing the stadiums, transportation, hotels, and infrastructure for the upcoming FIFA World Cup 2022. While they come to Qatar in hope of stable jobs and incomes, many are instead met with wage abuses that drive them further into debt and trap them in these jobs with ineffective mechanisms of redress.

Fifty-nine workers said their wages had been delayed, withheld, or not paid; 9 workers said they had not been paid because employers said they didn't have enough clients; 55 said they weren't paid for overtime even though they worked more than 10 hours a day; and 13 said their employers had replaced their original employment contract with one favoring employers. Twenty said they didn't receive mandatory end-of-service benefits; and 12 said employers made arbitrary deductions from their salaries.

Wage abuses have been further exacerbated since Covid-19. Some employers used the pandemic as pretext to withhold wages or refuse to pay outstanding wages to workers who are detained

and forcibly repatriated. Some workers said they could not even afford to buy food. Others said they went into debt to survive.

A 38-year-old human resources manager at a construction company in Qatar, which has a contract to work on the external part of a stadium for the World Cup, said that his monthly salary has been delayed for up to 4 months at least 5 times in 2018 and 2019. "I am affected because due to the delayed salary, I am late in my credit card payments, rent, and children's school fees," he said. "Even right now my salary is two months delayed.... It is the same story for all the staff on my level and even the laborers. I can't imagine how the laborers manage – they can't take loans from the bank the way I can."

Human Rights Watch found that the kafala system was one of the factors facilitating abuse. In 2017, Qatar promised to abolish the kafala system, and while the introduction of some measures has chipped away at it, the system still grants employers unchecked power and control over migrant workers.

Wage abuses are also driven by deceptive recruitment practices both in Qatar and in the workers' home countries that require them to pay between about US\$700 and \$2,600 to secure jobs in Qatar. By the time workers arrive in Qatar, they are already indebted and trapped in jobs that often pay less than promised. Human Rights Watch found that 72 of the workers interviewed had taken loans to pay recruitment fees. Business practices, including the so-called "pay when paid" clause, worsen the wage abuse. These practices allow subcontractors that have not been paid to delay payments to workers.

“Since August 2019, I have been waiting for money,” said a 34-year-old engineer who went to labor court over 7 months of unpaid wages and who has been borrowing money from friends in Qatar to send to his family in Nepal. He first went to court a year ago and is still waiting for his payments: “I am starving since I don’t even have money for food. How will I pay back my loans if I don’t get my salary [through the legal process]? Sometimes I think suicide is my only option.”

Wage abuses are among the most common and most devastating violations of migrant workers’ rights in Qatar and the Gulf region, where various iterations of the kafala system exist. To tackle wage abuse, the Qatari government created the Wage Protection System (WPS) in 2015, Labour Dispute Resolution Committees in 2017, and the Workers’ Support and Insurance Fund in 2018.

But Human Rights Watch found that the WPS can be better described as a wage monitoring system with significant gaps in its oversight capacity. Employers frequently take away workers’ ATM cards, which are supposed to be used by workers to draw their wages. Similarly, taking wage abuse cases to the committees can be difficult, costly, time-consuming, and ineffective, and workers fear retaliation by employers. And the Workers’ Support and Insurance Fund, meant to ensure that workers are paid when companies cannot pay, only became operational earlier this year.

In October 2019, the government announced significant reforms that would establish a nondiscriminatory minimum wage for all migrant workers in Qatar and allow them to change or leave

their jobs without employer consent. However, other elements of the system that can leave employers with some control over their workers appear slated to remain. The reforms were expected to be rolled out in January 2020.

Human Rights Watch sent the findings of this report along with queries to Qatar's Labor Ministry and Interior Ministry, as well as FIFA and Qatar's Supreme Committee for Delivery & Legacy. We received responses from the Supreme Committee, Qatar's Government Communications Office (GCO), and FIFA.

In response to a request for comment, FIFA wrote: "FIFA and its trusted partner, the Supreme Committee for Delivery and Legacy, have a zero-tolerance policy to any form of discrimination and to wage abuse. Through our work to protect the rights of FIFA World Cup workers in Qatar, FIFA and the SC, are aware of the importance of wage protection measures in the country and this is why we have put in place robust systems to prevent and mitigate wage abuse on FIFA World Cup sites, as well as mechanisms for workers to raise potential grievances and practices to provide for remediation where companies fail to live up to our standards. FIFA strongly encourages workers and NGOs who want to raise concerns with respect to FIFA World Cup sites through the SC's Workers' Welfare hotline (see here). This will enable the teams on the ground to verify such information and to take appropriate action wherever it is needed, as always in the best interest of respective workers."

FIFA encouraged workers and nongovernmental organizations who want to raise concerns with respect to FIFA World Cup sites through the Supreme Committee's Workers' Welfare hotline.

“Qatar has two years left before players kick the first ball at the FIFA World Cup,” Page said. “The clock is running out and Qatar needs to show that it will live up to its promise to abolish the kafala system, improve its salary monitoring systems, speed up its redress mechanisms, and adopt additional measures to tackle wage abuse.”