BUILDING A NEW FUTURE: THE 2022 FIFA WORLD CUP AS A POTENTIAL CATALYST FOR LABOR REFORM IN QATAR

I. INTRODUCTION

On December 2, 2010, the Fédération Internationale de Football Association (FIFA) awarded the 2022 FIFA World Cup (World Cup) to Qatar, a bold selection that shocked the international sporting community and brought scenes of jubilation to the streets of Doha.\(^1\) Now, Qatar, the first Middle Eastern country to host the tournament, is eager to leverage the event to spur extensive economic development and redefine itself as a modern center for business and tourism.\(^2\) Unfortunately, in its pursuit of this vision, Qatar routinely fails to adhere to International Labour Organization (ILO) conventions, which mandate the abolition of forced labor.\(^3\) Qatar allows employers to abuse

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1. 2022 FIFA World Cup Awarded to Qatar, FIFA NEWS CENTRE (Dec. 2, 2010), http://www.fifa.com/newscentre/news/newsid=1344500/index.html (stating FIFA Executive Committee selected Qatar as host). FIFA is soccer’s governing body and is responsible for overseeing the World Cup. 2022 FIFA World Cup Awarded to Qatar, supra; Decision Brings Delight in Qatar, FIFA NEWS CENTRE (Dec. 2, 2010), http://www.fifa.com/worldcup/qatar2022/news/newsid=1345390/index.html (revealing reactions to FIFA’s decision to select Qatar as host). Doha is the capital of Qatar. Decision Brings Delight in Qatar, supra.

2. See Human Rights Watch, Building a Better World Cup: Protecting Migrant Workers in Qatar Ahead of FIFA 2022 (June 2012), available at http://www.hrw.org/sites/default/files/reports/qatar0612webcover_0.pdf (detailing Qatar’s extensive preparations to host World Cup); Union View #21: Hidden Faces of the Gulf Miracle, INT’L TRADE UNION CONFEDERATION, at 2-5 (May 2011), available at http://www.ituc-csi.org/hidden-faces-of-the-gulf-miracle,9144.html (detailing several major World Cup construction projects). The Qatari government has committed to undertaking an ambitious agenda of large-scale infrastructure projects exceeding USD100 billion in new investments. Union View #21: Hidden Faces of the Gulf Miracle, supra at 5. Some of these projects include building or renovating 12 air-conditioned stadia, 70,000 new hotel rooms, and even an entire new city with 200,000 residents. Id. at 4-5. See also Qatar Promises Labour Reform Before 2022, AL JAZEERA (Jan. 18, 2012), http://www.aljazeera.com/news/middleeast/2012/01/201211182959566572.html (outlining Qatar’s building plans for World Cup). Qatar is also building several large transportation projects including spending USD11 billion on a new international airport, USD5.5 billion on a new seaport, USD1 billion on Doha’s expanding transportation corridor, and USD20 billion on new roads, respectively. Qatar Promises Labour Reform Before 2022, supra; Decision Brings Delight in Qatar, supra note 1 (noting Qatar is first Middle Eastern country to host World Cup).


- Threats of serious physical or financial harm; withholding of pay; charging workers for benefits for which the employer is responsible;
- Restrictions on freedom of movement, including the confiscation of passports, travel documents, and the withholding of exit permits; arbitrary detention; threats of legal action and deportation; threats of filing false charges against the worker; and physical, mental, and sexual abuse.

Id. The most common countries that migrant workers come from are Nepal, India, Pakistan, Bangladesh, the Philippines, Indonesia, Vietnam, Sri Lanka, Ethiopia, Sudan, Thailand, Egypt, Syria, Jordan, and China. Id. Yet, despite widespread abuse, which ranges from withholding pay and confiscating passports to housing workers in crowded and unsanitary living conditions, migrant workers continue to arrive in Qatar and currently constitute an overwhelming majority of the national labor force. Id.; Human Rights Watch, supra note 2, at 37-44 (detailing Qatar’s labor laws and poor government oversight); No World Cup without Workers’ Rights, EQUAL TIMES (2012), http://act.equaltimes.org/en/fillastadium (stating there are 1.2 million migrant workers in Qatar who constitute 94% of workforce); Rights Group Urges Qatar Labour Reforms, ARABIAN BUSINESS (June 12, 2012), available at http://www.arabianbusiness.com/rights-group-urges-qatar-labour-law-reforms-461837.html (noting migrant workers comprise 94% of Qatar’s workforce); Union View #21: Hidden Faces of the Gulf Miracle, supra note 2 (emphasizing problems with labor laws).
there will be more migrant worker deaths from building World Cup stadia than there will be athletes competing in the entire tournament.  

This Note will explore how Qatar’s failed international commitments, weak domestic laws, and poor government oversight facilitate the abuse and exploitation of millions of migrant workers during the construction boom leading up to the World Cup. Part II of this Note will focus on the problems that migrant workers encounter in light of the respective international and domestic legal frameworks. Part III of this Note will discuss the pertinent ILO conventions, as well as Qatar’s current labor laws. Next, Part IV of this Note will provide prescriptive ideas to end forced labor in Qatar, recommending that it adhere to ILO conventions, dramatically increase the size and authority of oversight agencies, and reform domestic labor laws. Finally, Part V of this Note will conclude by underscoring that the World Cup can be a potential catalyst for labor reform and that this is an historic opportunity to help empower millions of migrant workers.

II. FACTS

A. Recent Development in Qatar

During the past decade, Qatar rapidly developed into a modern, thriving, and increasingly influential Middle Eastern nation. Emir Sheikh Hammad bin Khalifa Al-Thani (the

5. See No World Cup without Workers’ Rights, supra note 4 (comparing number of estimated worker deaths to athletes competing in World Cup).
6. See infra Parts II-V (analyzing problems facing migrant workers and recommending solutions).
7. See infra Part II (discussing abuse and exploitation of migrant workers).
8. See infra Part III (outlining applicable international conventions and domestic laws).
9. See infra Part IV (describing ideas about how laws should be reformed and government oversight increased).
10. See infra Part V (concluding Qatar should use hosting World Cup as opportunity to reform labor laws).
Emir), the powerful head of Qatar’s constitutional monarchy, is primarily responsible for guiding the emirate’s growth and bringing about this transformation.\textsuperscript{12} Under the Emir’s leadership, Qatar aggressively invested its abundant oil and gas revenues into major economic development initiatives.\textsuperscript{13} The resulting economic prosperity disproportionately benefits Qatar’s 300,000 citizens, who only account for 15\% of the population.\textsuperscript{14} Today, Qatari citizens enjoy near-universal employment in lucrative public sector positions and significant state

\textsuperscript{12} See Mayne-Nicholls, \textit{supra} note 11, at 7 (discussing how Qatar’s governance structure). Qatar is a constitutional monarchy guided by \textit{sharia} law principles. \textit{Id.} See also Michael Stephens, \textit{Qatar: Regional Backwater to Global Player}, BBC NEWS MIDDLE EAST (Jan. 6, 2013), http://www.bbc.co.uk/news/world-middle-east-20890765 (describing Qatar’s transformation into a global player). In 1995, Emir Hamad bin Khalifa Al Thani deposed his father, Sheikh Khalifa bin Hamad Al Thani, in a peaceful coup. \textit{Id.} The Emir’s mission to transform Qatar began when he saw Saddam Hussein easily invade Kuwait, and the Emir recognized that in order to defend itself, Qatar needed to become a more powerful country. \textit{Id.} Therefore, following the Gulf War, Qatar allowed the United States to build a military base, which later became the headquarters for U.S. Central Command, the United States’ military region that includes the Middle East. \textit{Id.} From this point on, the Emir embarked on an aggressive investment agenda. \textit{Id.}

\textsuperscript{13} Stephens, \textit{supra} note 12 (discussing Qatar’s rapid development). Qatar is using its vast oil and gas wealth to drive economic development. \textit{Id.} See also Burhan Wazir, \textit{Qatar Direct: Old Doha}, BBC NEWS MIDDLE EAST (Jan. 9, 2013), http://www.bbc.co.uk/news/world-middle-east-20875740 (stating size of Qatar’s oil reserves). Qatar has the third largest known oil reserves of natural gas in the world (behind Russia and Iran). \textit{Id.}

\textsuperscript{14} \textit{See Economic Status, Ministry of Foreign Affairs} (2007), http://english.mofa.gov.qa/details.cfm?id=14 (emphasizing importance of oil and gas to Qatar’s economy); Michael Stephens, \textit{supra} note 12 (detailing size of Qatar’s population, citizenry, and wealth distribution); Jane Kinninmont, \textit{Qatar’s Delicate Balancing Act}, BBC NEWS MIDDLE EAST (Jan. 16, 2013), http://www.bbc.co.uk/news/world-middle-east-21029018 (discussing Qatar’s economic prosperity). In 2011, Qataris, who constitute 15\% of the emirate’s population, were the richest people per capita in the world. Kinninmont, \textit{supra}. Meanwhile, the other 85\% of the population are predominately migrant workers who live in poverty and toil for low wages in the construction sector. \textit{Id.} See also \textit{Qatar Profile}, BBC NEWS MIDDLE EAST (June 14, 2012), http://www.bbc.co.uk/news/world-middle-east-14702226 (highlighting Qatar’s energy development). Qatar possesses more than 15\% of the world’s gas reserves and has ambitions to become a global energy power. \textit{Id.}
benefits. Consequently, for many Qatari citizens, the privilege of hosting the World Cup is the culmination of a decade of progress and transition.

B. The Winning World Cup Bid

The FIFA Executive Committee voted to award Qatar the World Cup after a lengthy and competitive bidding process. As part of the vetting process, the FIFA Executive Committee compiled an in-depth report of the benefits and challenges facing Qatar’s bid; however, the report largely overlooked the presence and treatment of migrant workers. FIFA has yet to signal how it will address the migrant worker abuse in Qatar, but it has launched a serious ethical investigation into Qatar’s World Cup bid following accusations of bribery and corruption related to Qatar’s bid. While the recent claims do not directly relate to

15. See Qatar Population Status 2012, supra note 11 (analyzing Qatar’s population and demographics). In 2011, 86% of public sector employees were Qatari citizens. Qatar Population Status 2012, supra; Kinnimont, supra note 14 (remarking on Qatari citizens’ public sector employment opportunities). By 2013, migrant workers accounted for 94% of the private sector workforce, which largely consists of construction related jobs. Kinnimont, supra note 14. In contrast, Qatari citizens are entitled to state jobs, subsidies, land grants, and free university education. Id. In 2011, Qatar increased public sector salaries by 60%. Id. The Qatari citizens that do work in the private sector largely work for oil companies and banking institutions. Id.

16. See Mayne-Nicholls, supra note 11, at 8 (commenting on how hosting the World Cup will involve building nine new stadia renovating at least three stadia). In addition, Qatar is planning significant infrastructure developments to accompany and facilitate the World Cup. Id. See also Kinnimont, supra note 14 (discussing population growth over last decade). Qatar’s population has increased from about 600,000 people in 2001 to over 1.9 million people in 2011. Id.

17. 2022 FIFA World Cup Awarded to Qatar, supra note 1 (reporting on FIFA awarding World Cup to Qatar). The other countries that bid for the World Cup are Australia, South Korea, Japan, and the United States. Id.

18. See Mayne-Nicholls, supra note 11, at 7 (highlighting strengths and weaknesses of Qatar’s bid). The Qatari bid’s strengths include its commitment to hosting a carbon-neutral World Cup, its compact staging area (85% of the population live within 20km of the Doha metro area), and its ability to inspire new fans in the Middle East. Id. The Qatari bid’s weaknesses are potential health risks to players and fans due to high summer temperatures, and operational risks that arise from the bid’s considerable number of infrastructure and human resources requirements. Id. The FIFA Evaluation Group decided that, as a result of these factors, Qatar had the highest overall operational risk of any bidding country. Id. FIFA also emphasized integration and facilities for non-nationals living in Qatar. Id.

19. See Matt Scott, Millions Paid in Bribes for Qatar’s 2022 World Cup Votes, Report Claims, THE GUARDIAN, May 10, 2011 (revealing allegations regarding bribes paid for World Cup selection votes). Undercover reporters claim that Qatar used Amadou Diallo, a senior member of the Confederation of African Football’s presi-
the problems affecting migrant workers, they could lend credence to ongoing allegations that members of the FIFA Executive Committee were willing to overlook these problems—as well as other logistical issues—in exchange for bribes. Qatar continues to deny any wrongdoing.

In response to growing international criticism concerning Qatar’s labor practices, FIFA defended its selection of Qatar and emphasized that FIFA strives to uphold respect for human rights and international norms of behavior. Notably, the international community’s criticism of Qatar’s labor practices echoes some of the complaints made prior to the 2010 FIFA World Cup in South Africa, where FIFA successfully pushed the South African government to address some similar concerns. Likewise, to arrange for transfers between USD250,000 to USD500,000 with the African members of the Executive Committee in exchange for World Cup votes. Another newspaper reported payments of USD1 million to USD1.2 million for projects by Qatar in exchange for their vote. The Qatar Football Association categorically denied all of the allegations. See also Owen Gibson, FIFA to Investigate New Allegations Over Qatar 2022 World Cup Bid, THE GUARDIAN, Nov. 18, 2012 (stating FIFA launched another formal investigation into allegations of bribery by Qatar). This award was not only controversial due to ongoing problems with migrant workers, but also because of persistent allegations that Qatar bribed Executive Committee members for their votes. Gibson, supra; Martyn Zeigler, New FIFA Bribe Allegations over Qatar World Cup Bid, THE INDEPENDENT, May 10, 2011 (discussing more allegations of bribery). Various whistleblowers and officials have accused eight (out of 24 members) of the Executive Committee members of taking bribes and related offenses during the 2018/2022 bidding process. Zeigler, supra.

20. See FIFA to Investigate New Allegations over Qatar 2022 World Cup Bid, supra note 19 (commenting on FIFA’s new ethics investigation into Qatar’s bid). FIFA appointed Michael Garcia as the new Ethics Committee Chief and directed him to examine new corruption allegations involving Qatar’s winning bid. Qatar’s World Cup campaign significantly outspent all of the rival bidders. Qatar’s bidding committee attempted to sponsor a gala dinner prior to the 2010 FIFA World Cup in South Africa, but Qatar claims it ultimately did not fund the dinner. Id.

21. Id. (noting Qatar strongly denies all allegations of bribery). The Qatar 2022 Organizing Committee claims that it upheld FIFA’s rules, regulations, and standards of integrity. Id.

22. Human Rights Watch, supra note 2, at 10 (quoting FIFA’s stance migrant workers’ labor rights).

23. See id., at 34 (detailing how South Africa’s labor practices changed prior to 2010 FIFA World Cup). In South Africa, construction trade unions were able to negotiate new agreements, receive wage increases, help elect health and safety representatives, and were promised that the minimum wage would be enforced. Id. This effort ultimately required a joint commitment from FIFA, the Local Organizing Committee, and the South African government. Id. See, e.g., Samuel Jaberg, Workers’ Rights “Progress” Thanks to World Cup, SWISS BROADCASTING CORP. INT’L SERV. (June 21, 2010), available at http://www.swissinfo.ch/eng/sport/Workers_rights_progress_thanks_to_World_Cup.html?cid=9138882 (discussing how workers’ rights have
in Qatar, FIFA has stated publicly that it is committed to working with the government to address labor issues. Moreover, FIFA is considering including labor-related criteria as a part of the bidding process for the selection of future World Cup locations.

C. Migrant Workers and Forced Labor in Qatar

1. Living Conditions

On the outskirts of Doha, the epicenter of Qatar’s growth and ambition, there is a segregated, sprawling worker camp called the Industrial Area, which houses hundreds of thousands of male migrant workers. Despite the Industrial Area’s im-

improved in South Africa due to World Cup). Before the 2010 FIFA World Cup in South Africa, striking workers and international pressure helped force FIFA to push the South African government to accede to workers’ demands for better wages and working conditions. Jaberg, supra. In turn, workers were able to negotiate new labor agreements, receive significant wage increases, and elect health and safety representatives. Id. The South African government’s signature investments for the World Cup included approximately USD5.2 billion in stadia and a new high speed rail to connect two of its largest cities, Pretoria and Johannesburg. Id. Construction workers were able to strike and received 30% raises, and there were worksite health and safety improvements. Id.; Samuel Jaberg, The World Cup, Removing Traces of Apartheid, SWISS BROADCASTING CORP. INT’L SERV. (May 15, 2010), available at http://www.swissinfo.ch/eng/Specials/World_Cup_2010/Background/The_World_Cup_-_removing_traces_of_apartheid.html?cid=8831864 (noting how South Africa used World Cup to remedy social problems as well). The World Cup provided South Africa with a unique opportunity to help resolve its own social problems stemming from apartheid, through increasing public transport and wages among poorer workers. Jaberg, supra. This past success demonstrates the impact that hosting a major international sporting event can have on strengthening workers’ rights, and shows that FIFA can be an integral part of that process. Id.; South Africa: Scoring an Own Goal? The Construction Workers’ 2010 World Cup Strike, BUILDING & WOOD WORKER’S INT’L (Oct. 4, 2011), http://www.bwint.org/default.asp?Index=3758&Language=EN (discussing success of striking construction workers). The efforts to improve workers’ rights and conditions culminated in a nationwide strike by 70,000 construction workers in July 2009 that drove reforms. South Africa: Scoring an Own Goal? The Construction Workers’ 2010 World Cup Strike, supra.

24. Human Rights Watch, supra note 2, at 9-10 (reporting FIFA’s comments about migrant workers’ labor rights).

25. Id. at 10 (detailing FIFA’s commitment to labor reform at future World Cups).

26. Union View #21: Hidden Faces of the Gulf Miracle, supra note 2, at 2, 8-9 (describing Industrial Area’s living conditions and noting how it is hidden from Qatariis). Over 200,000 migrant workers live in the crowded and unsanitary worker camp in the segregated all-male Industrial Area just 10km outside the center of Doha. Id. at 9. The area is the size of roughly 1,500 soccer fields and Qatar keeps it hidden from Doha’s wealthy residents. Id. See also Kinninmont, supra note 14 (discussing gender imbalance in Qatar). Migrant workers typically arrive in Qatar as “bachelors”
mense population of over 200,000 workers, Qatar ensures it remains hidden from Qataris and foreign visitors. Within its walls, employers regularly house nearly two dozen men into cramped bedrooms, many of which lack fundamental necessities, such as running water and electricity. In the summer months, where temperatures skyrocket up to 50°C, air conditioners are scarce and proper ventilation is non-existent. To make matters worse, employers frequently dock migrant workers’ salaries to cover basic living expenses such as bedding, food, and healthcare.

Yet, the Industrial Area is only one of many similar worker camps scattered throughout Qatar. Qatar’s Labour Department employs only five health inspectors to monitor the conditions of these camps, which collectively house over 1.2 million migrant workers. Due to the limited number of health inspectors, employers maintain inhuman living conditions at worker camps and operate largely unhindered by the government.

Because, despite having wives and children in their home country because migrant workers must make over USD1922 per month to bring their families to Qatar. Kinnimont, supra. As a result, women only constitute 25% of the population in Qatar. Id.; Qatar Population Status 2012, supra note 11, at 20 (explaining Qatar’s growing gender imbalance). As of 2011, there were 308 males for every 100 females. Qatar Population Status 2012, supra.

27. Union View #21: Hidden Faces of the Gulf Miracle, supra note 2, at 9 (describing Industrial Area’s living conditions). The report suggests that many Qataris do not even know that such conditions exist because the Industrial Area is so hidden from the rest of Doha. Id.

28. Human Rights Watch, supra note 2, at 65-66 (telling of business practices disregarding Labour Law). A Human Rights Watch investigation also noted that some workers slept on wooden planks because their employers would not provide mattresses. Id. at 66. Furthermore, some units had mold and air conditioning units that were broken for a full year. Id. Often twenty to thirty people have to share a bathroom, six to twenty people live in a room, and there are frequently problems with water and air conditioning. Id.

29. Id. (discussing business’ practices disregarding Labour Law).

30. Id. at 66 (noting illegal salary deductions workers face for basic goods).

31. Human Rights Watch, supra note 2, at 28 (describing conditions in which migrant workers live on the fringes of Doha). For example, the city of al-Khor, north of Doha, is another common area for worker camps. Id.

32. Union View #21: Hidden Faces of the Gulf Miracle, supra note 2, at 11 (examining Qatari housing laws and inspection schedules).

33. See ITUC Confronts Qatari Labour Minister with New Evidence of Abuse of Migrant Workers, INT’L TRADE UNION CONFEDERATION (June 12, 2012), http://www.ituc-csi.org/ituc-confronts-qatari-labour (highlighting troubling living conditions at worker camps); Qatar Promises Labor Reform Before 2022, supra note 2 (describing building sites in Qatar as inhuman).
its part, the Qatari government allows employers to develop these large worker camps to accommodate the ongoing surge of migrant workers. To complete its World Cup projects and commitments, Qatar must admit an additional one million migrant workers over the next few years, due to its low population and lack of an indigenous working class. Migrant workers, in turn, are eager to secure employment opportunities in Qatar’s burgeoning construction sector. Employers, eager to maximize profits, frequently take advantage of the abundance of migrant workers and the lack of a minimum wage in Qatar to exploit these workers.

34. Human Rights Watch, supra note 2, at 65-66 (discussing how worker camps have developed to house surge of migrant workers).

35. Union View #21: Hidden Faces of the Gulf Miracle, supra note 2, at 3-5 (projecting Qatar will need one million additional migrant workers). This number needs to grow by an estimated additional one million workers in order to complete all the World Cup projects on schedule. Id. at 34. This discrimination is particularly problematic because there are only 335 Qatari citizens who are construction workers, while there are approximately 500,000 migrant workers in the construction industry. Id. at 18; BWI and ITUC Files Joint CFA Complaint Against Qatar, supra note 3 (stating migrant workers constitute 99% of construction sector).

36. See BWI and ITUC Files Joint CFA Complaint Against Qatar, supra note 3 (noting migrant workers constitute 99% of construction sector); No World Cup without Workers’ Rights, supra note 4 (stating there are 1.2 million migrant workers in Qatar which constitute 94% of private sector workforce).

37. See Human Rights Watch, supra note 2, at 35 (revealing Qatar does not have a minimum wage). Typical daily wages range from USD8 to USD11 for doing construction work in extreme heat for 9 to 11 hours. Id. at 62. Daily wages are sometimes as low as USD6.75. Id. at 62; Union View #21: Hidden Faces of the Gulf Miracle, supra note 2 (detailing average daily wages of migrant workers); Wazir, supra note 13 (remarking on average migrant worker salaries). The average monthly salary for laborers, drivers, and cleaners is between QAR1000 to QAR2000 (USD266 to USD533). Wazir, supra note 13; but see Prabhakar Ghimire, Wage Hike Awaits Nepalis Working in Qatar, REPUBLICA, Jan. 14, 2013, available at http://www.myrepublica.com/portal/index.php?action=news_details&news_id=48230 (detailing raise in minimum remuneration standards). While several states do have minimum remuneration standards for workers who immigrate to Qatar, the required wages are typically very low. Id. The monthly salary of QAR1000 includes QAR800 for a worker’s salary and QAR200 for food and accommodation. Id. For example, Nepal recently raised its minimum remuneration requirements for Nepali citizens working in Qatar from QAR800 to QAR1000 per month (approximately USD250), which is similar to Nepal’s minimum standards in other Gulf Coast countries. Id. In turn, when Nepal increases the wage, it means that the Department of Foreign Employment will only allow agencies to send Nepalis to Qatar if the sponsoring employers agree to provide the minimum salary. Id. Similarly, Malaysia recently increased the salary of migrant workers to MYR900 (approximately USD295). Id.
Importantly, Qatar allows employers to use recruitment agencies in order to find workers willing to fill these positions.\textsuperscript{38} These agencies, which act as intermediaries between employers and workers, primarily find migrant workers for employers and trade work visas.\textsuperscript{39} Most of these recruitment agencies operate in Southeastern Asia and attract an international workforce of young men, who are often anxious to find employment to support their families.\textsuperscript{40} Migrant workers do have to sign an employer’s sponsorship contract, but these must be in Arabic; because few migrant workers are able to read Arabic, they must rely on the good faith of the agent.\textsuperscript{41} In spite of the high volume of jobs available, recruitment agencies often successfully extract exorbitant recruitment fees from migrant workers, who are des-

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\item \textsuperscript{38} Michelle Chen, \textit{Qatar Launches into 2022 World Cup on Backs of Abused Migrants}, \textit{In These Times} (Jan. 24, 2013), \textit{available at} http://www.inthesetimes.com/working/entry/14473/qatar_launches_into_2022_world_cup_on_backs_of_abused_migrants/ (discussing how recruitment agencies take advantage of migrant workers); \textit{Rights Group Urges Qatar Labour Reforms}, supra note 4 (discussing commonplace recruitment fees and high interest rates); \textit{but see} Hala Al Ali, \textit{Workers’ Rights Book}, at 13 (June 2009), \textit{available at} http://www.nhrc-qa.org/resources/userfiles/NHRCWorkersRightsBook%20E.pdf (explaining employers also hire migrant workers directly).
\item \textsuperscript{39} Chen, \textit{supra} note 38 (explaining function of recruitment agencies); Human Rights Watch, \textit{supra} note 2, at 52-57 (discussing recruitment fees migrant workers pay). Migrant workers reported paying fees up to USD3651 to get jobs in Qatar. Human Rights Watch, \textit{supra}. In some countries, such as Bangladesh, brokers with work permits frequently act as intermediaries between sponsoring companies and workers. \textit{Id.} As a result, the brokers control the prices of the permits, which can be sold to workers for anywhere from USD700 to USD3600. \textit{Id.}
\item \textsuperscript{40} See Ghimire, \textit{supra} note 37 (reporting additional 26,416 Nepalis arrived in first five months of FY2013). The majority of these workers come from Southeastern Asia, in particular, Nepal, which currently supplies over 250,000 migrant workers. \textit{Id.}
\item \textsuperscript{41} Human Rights Watch, \textit{supra} note 2, at 58-59 (discussing how recruitment agencies use language barriers to fool and take advantage of migrant workers). Most migrant workers only speak Hindu, Nepali, Urdu, or Tamil, consequently, recruitment agents may deceive migrant workers with contracts that promise one wage in one language and another in the official Arabic version. \textit{Id.} \textit{See also} Al Ali, \textit{supra} note 38, at 15 (pointing out non-binding nature of verbal employment agreements). Employers can easily violate verbal agreements after migrant workers arrive in Qatar. Al Ali, \textit{supra}. The Booklet recommends that migrant workers make a work contract directly with the employer to avoid exploitation, salary disputes, and accommodation issues. \textit{Id.}; Mayne-Nicholls, \textit{supra} note 11, at 28 (noting migrant workers’ difficulties in understanding contracts due to language barrier). In addition, Qatari laws are in Arabic, with no official translations in any other language, which makes understanding the law more difficult for migrant workers, many of whom do not know Arabic. Mayne-Nicholls, \textit{supra}. Moreover, \textit{sharia} principles may override Qatari law under certain circumstances. \textit{Id.}
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perate to find work. In many cases, migrant workers even feel forced to take out high-interest loans to pay for recruitment fees.

2. Working Conditions

On arrival in Qatar, migrant workers also have to obtain a written contract and apply for a residency permit, which involves yielding their passports to their employers. Employers routinely keep workers’ passports for the duration of the contract in order to prevent migrant workers from leaving the state without their permission. Migrant workers often find the conditions of their employment are substantially different from what they contracted for at home. In addition, when they be-

42. See Human Rights Watch, supra note 2, at 52 (discussing average recruitment fee prices). Brokers control the prices of work permits, which range from USD700 to USD3600. Id. See also Al Ali, supra note 38, at 14 (warning migrant workers of dangers posed by recruitment agencies). The Workers’ Rights Booklet advises workers to be wary of false promises regarding high salaries, good living conditions, and beneficial transfers for family members because brokers are only interested in making quick profits by exacting payment for work visas. Al Ali, supra. The Booklet also explains that buying a work visa does not ensure getting the job or accommodations promised by the recruitment agent or visa trader. Id.

43. See Human Rights Watch, supra note 2, at 52 (revealing how businesses circumvent ban on recruitment fees). Migrant workers reported paying fees up to USD3651 to get jobs in Qatar. Id. In some countries, such as Bangladesh, brokers of work permits frequently act as intermediaries between sponsoring companies and workers. Id. Moreover, a World Bank study reported that some of these fees are often sent to Qatari recruiting agents through secret money transfers in order to circumvent Qatari laws. Id. See also Chen, supra note 38 (demonstrating how recruitment agents take advantage of migrant workers’ desperation); Rights Group Urges Qatar Labour Reforms, supra note 4 (discussing commonplace recruitment fees and high interest rates). Yet, many migrant workers in Qatar paid recruitment fees to agencies averaging USD2000 and took out loans with exorbitant interest rates up to 100% per year. Rights Group Urges Qatar Labour Reforms, supra.

44. Al Ali, supra note 38, at 17 (describing procedure for receiving residency permit and contents of work contract). In order to get a residency permit in Qatar, a migrant worker must provide a Good Conduct Certificate from his country of origin endorsed by the worker’s embassy in Qatar and the Qatar Foreign Ministry. Id. The worker must also pass a medical exam (failure to do so results in deportation). Id. A work contract should state the employer’s name and the place of work; the worker’s name, qualifications, nationality, occupation, address, and identification; the date of contract; the type and location of work; the employment start date; the duration of the contract; and the salary, as well as the time and method of payment. Id. A contract may also include conditions concerning accommodation and transportation. Id.

45. Id. at 9 (discussing how long employer may keep workers’ passports). Employers should return passports after the government issues a residency permit. Id.

gin to work, they face lengthy, unpaid commutes up to four hours roundtrip between their camps and the worksites and have to endure long workdays, even during the sweltering summer months. In addition, nearly one-third of employers do not pay migrant workers on time, or at all, and these workers have few viable options for recourse with the government or their employer.

Employers also place migrant workers in dangerous conditions, without any safety precautions or prior training. These factors combine to result in the deaths of hundreds of migrant workers each year, many of which employers fail to report. Employers, management, and subcontractors encourage workers to keep quiet about workplace injuries and fatalities, which further suppresses reporting of accurate data. While the Qatari government maintains that there were no more than six construction related deaths over the last three years, indepen-

[M]igrant workers find conditions different from those they agreed to in their home countries; businesses and individuals in Qatar reportedly promised migrants employment opportunities that never materialized, and many migrant workers arriving for work in Qatar have paid exorbitant fees to recruiters in their home countries – a practice that makes workers highly vulnerable to forced labor once in Qatar.

Id. See also Al Ali, supra note 38, at 25 (stating employers may make migrant workers perform jobs different from those they agreed to in contract). Employers may change migrant workers’ tasks at will, as long as the work is temporary, to prevent accidents or repair damage. Id.

47. Human Rights Watch, supra note 2, at 62 (describing workers’ lengthy commutes to worksites).

48. See id. (observing inconsistent pay for migrant labor and lack of legal recourse).

49. See id. at 97 (highlighting firsthand stories of dangers migrant workers face). Workers reported doing construction work on roofs and scaffolding without safety ropes, as well as working in deep trenches and enclosed pipes. Id.; Chen, supra note 38 (relaying complaints of abused worker). There is a disturbing recent human rights study where reporters interviewed a Nepalese migrant worker who said that the manager at his construction job told him the workers were responsible for their own safety and would have to bear the cost if they were injured on the job or worksite. Chen, supra.


51. See Qatar under ITUC Scanner, supra note 50 (reiterating comments made by employer’s manager).
dent reports suggest that in the summer of 2013 one Nepalese worker died every day in Qatar. Cardiac arrest is an alarmingly common cause of worker deaths due to strenuous work in hot temperatures. In the near future, the number of injuries and deaths at worksites will likely escalate as construction increases.

In addition to employing the five health inspectors, as discussed earlier, Qatar also employs 150 work inspectors, who oversee working conditions for Qataris and the more than 1.2 million migrant workers. The Labour Ministry concedes that

52. Pete Pattisson, Revealed: Qatar’s World Cup ‘Slaves,’ THE GUARDIAN, Sept. 25, 2013 (reporting one Nepalese worker died every day in Qatar during summer 2013). See generally Chen, supra note 38 (revealing more migrant workers will die than athletes will compete in World Cup).

53. Human Rights Watch, supra note 2, at 68-69 (explaining how extreme summer temperatures increase health risks of migrant workers). In 2010, the Nepali embassy reported that 191 workers died in Qatar—19 in work-site related accidents and an additional 103 of cardiac arrest, despite their young age. Human Rights Watch, supra; Chen, supra note 38 (mentioning number of deaths due to cardiac arrest was unusually high and not officially reported). In 2012, the Indian embassy reported 98 deaths, 45 of which were deaths of young, low-income workers due to cardiac arrest. Chen, supra note 38.

54. See Chen, supra note 38 (expressing concerns about loose reporting standards for worker injuries and deaths). There are also concerns that, due to lack of labor regulation in Qatar, companies may have any liability for workers’ injuries and deaths as major World Cup construction firms tend to use subcontractors to insulate themselves from blame for unscrupulous practices on the ground. Id.

55. Human Rights Watch, supra note 2, at 79 (noting there are only 150 work inspectors in Qatar). In Qatar, the title “work inspector” is equivalent to that of “labor inspector.” Id. The International Labour Office called for establishing benchmarks for labor inspector to worker ratios. See Press Release, Int’l Labour Off., ILO Calls for Strengthening Labour Inspection Worldwide (Nov. 16, 2006), http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_077633/lang—en/index.htm (discussing International Labour Office benchmarks for labor inspector to worker ratios). The benchmarks are “one inspector per 10,000 workers in industrial market economies; one inspector per 20,000 workers in transition economies; and one inspector per 40,000 workers in less developed countries.” Id. In actuality, these numbers range widely—from one inspector per 5500 workers in Malaysia to one inspector per 3,200,000 workers in Bangladesh. Id. In 2011, Qatar had one inspector per 86 workers, which was within the International Labour Office benchmarks. Id. Still, Qatar will need to hire more inspectors as its population continues to grow rapidly. Id. But see generally Int’l Labour Off., Governing Body, Strategies and Practice for Labour Inspection (Nov. 2006), available at http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf (noting international problems with labor inspections). Furthermore, the Governing Body reported that many labor inspection entities are unable to effectively carry out their functions because they are understaffed, underequipped, undertrained, and underpaid. Id. at 4. The International Labour Office emphasized that labor inspectors play an important role in ensuring that migrant workers have the right to a safe and healthy work environment and other labor and human
work inspections do not include worker interviews, and that most work inspectors do not speak any of the common languages spoken by migrant workers.\footnote{See Human Rights Watch, supra note 2, at 5 (stating inspections do not consist of worker interviews). Most migrant workers only speak Hindi, Nepali, Urdu, or Tamil. Id at 28. See also James M. Dorsey, Trade Unions Accuse Qatar of Forced Labor in ILO Process – Analysis, EURASIA REVIEW (Jan. 19, 2013), available at http://www.eurasiareview.com/19012013-trade-unions-accuse-qatar-of-forced-labor-in-iloproces-analys/ (mentioning work inspectors do not speak migrant workers’ common languages).} Qatar’s labor complaints hotline, which only receives worker complaints in Arabic and English, also reflects this inability to communicate between work inspectors and migrant workers.\footnote{See Human Rights Watch, supra note 2, at 5 (describing language barriers for migrant workers in reporting complaints to labor hotline).} As a last resort, migrant workers can go to the Labour Complaints Department and request dispute resolution, but in doing so they risk deprivation of salaries, food, and housing from employers.\footnote{Id. (discussing negative consequences of migrant workers filing formal complaints). The Labor Complaints Department does not release data on individual cases or the outcomes of complaints. Id.} There are also far-reaching consequences for people who attempt to aid migrant workers who leave their jobs; anyone who shelters or employs absconding migrant workers faces harsh penalties including fines and imprisonment.\footnote{Human Rights Watch, supra note 2, at 76 (explaining penalties for assisting workers who abscond).} Furthermore, some employers effectively trap migrant workers in Qatar, without the ability to find work or housing, by illegally holding onto migrant workers’ passports and refusing to provide exit visas until the end of their construction job.\footnote{See Union View #21: Hidden Faces of the Gulf Miracle, supra note 2, at 3 (stating employers frequently hold migrant workers’ passports to stop them from leaving). This places many migrant workers in difficult situations where they can abscond from their job in Qatar but cannot find other employment or leave the country. Union View #21: Hidden Faces of the Gulf Miracle, supra; Al Ali, supra note 38, at 64 (describing what migrant workers must do to obtain exit permits). Migrant workers need exit permits to temporarily or permanently leave the country. Id. This exit permit must be signed by the Sponsor. Id. If the sponsor will not sign the permit, migrant workers must go to a specialized court and refrain for fifteen days from publishing a declaration in at least two daily newspapers that the worker is attempting to leave Qatar. Id.}
Each year, the Labour Department receives approximately 6000 complaints regarding employers who refuse or delay payment of workers’ wages.\textsuperscript{61} In reality, the number of complaints may be much higher because many workers fear that complaining will result in their punishment or deportation.\textsuperscript{62} Yet, from 2009 to 2011, there have only been eighty-nine cases where the courts transferred employer sponsorship due to a labor dispute, thereby allowing workers to change jobs without leaving the country.\textsuperscript{63} Qatar requires courts to address migrant workers’ complaints expediently and exempt them from judicial fees; independent reports, however, reveal that many courts force migrant workers to pay fees up to QAR500 (USD137) to advance their case.\textsuperscript{64}

Finally, migrant workers simply do not have the same rights as their Qatari counterparts.\textsuperscript{65} Migrant workers cannot join trade unions legally, and therefore, cannot strike and collec-
tively bargain like their Qatari citizen counterparts. In 2012, the Qatari government began considering the formation of an official workers committee to address these inequalities, but it stated that all of the committee members would have to be Qatari citizens. After criticism of this proposal, Qatar’s Labour Minister, Sultan bin Hassad, announced that Qatar would not penalize migrant workers who form or join an independent union. Still, Qatar has not changed its laws, and the Labour Minister’s promise has yet to be tested.

III. HISTORY

A. International Labor Organization Conventions

The ILO is the world’s foremost international labor group, consisting of 185 signatory states. The ILO originated in 1919 as part of the Treaty of Versailles, with the mission to promote social justice, secure peace, and solve problems involving the exploitation of workers in industrializing nations. Today, the ILO is an agency of the United Nations that facilitates cooperation between governments, employers, and workers’ organizations. The ILO’s Constitution focuses on the importance of

66. See Union View #21: Hidden Faces of the Gulf Miracle, supra, note 2, at 3-5 (discussing union ban for migrant workers and projecting Qatar will need one million additional migrant workers). The number of migrant workers needs to grow by an additional one million workers in order to complete all the World Cup projects on schedule. Id. See also BWI and ITUC Files Joint CFA Complaint against Qatar, supra note 3 (stating migrant workers constitute 99% of construction sector).

67. Union View #21: Hidden Faces of the Gulf Miracle, supra, note 2, at 3-5 (detailing Qatar’s plan for a workers’ committee, which excludes migrant workers). Qatar is trying to avoid bad publicity about migrant worker abuse. Id. There are also additional proposals to improve housing conditions and prevent late salary payments, but as of yet they have not been acted on. Id.


69. See id. (noting proposal has not been tested).


protecting the health, safety, and rights of all workers.\textsuperscript{73} The ILO also adopts numerous conventions, which, upon ratification by a member state, have the binding power of a treaty under international law.\textsuperscript{74} The ILO has eight fundamental conventions governing workers’ rights and four governance conventions.\textsuperscript{75}

Qatar became a member of the International Labor Organization in 1972.\textsuperscript{76} Since then, Qatar has ratified six Conventions, two of which directly involve abolishing forced labor, and one of which concerns labor inspections.\textsuperscript{77} Qatar ratified the Forced

ILO’s aims and how it accomplishes its goals). The ILO stresses the importance of governments’ cooperation with each another and the need to promote social dialogue between trade unions and employees to help foster social and economic progress. \textit{Id.}

\textsuperscript{73} See INT’L LABOUR ORG. CONST., pmbl. (1919), available at http://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62_LIST_ENTRY_ID:2453907: NO (explaining reasons for the ILO’s founding). The preamble explains that the ILO’s purpose is to end conditions of injustice, hardship, and privation to large numbers of people, and to improve working and living conditions. \textit{Id.} The ILO seeks to support states’ efforts to regulate the hours of work, to provide an adequate living wage, to protect workers against sickness, disease and injury arising out of his employment, to protect the interests of workers when employed in countries other than their own, and to recognize the principle of freedom of association. \textit{Id.}


\textsuperscript{75} Int’l Labour Org., Conventions (last visited Dec. 20, 2013), http://www.ilo.org/dyn/normlex/en/f?p=1000:12000:0::NO::: (listing all ILO conventions). The eight fundamental conventions are: C029 – Forced Labour Convention, 1930 (No. 29); C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98); C100 - Equal Remuneration Convention, 19 (No. 100); C105 - Abolition of Forced Labour Convention, 1957 (No. 105); C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111); C138 - Minimum Age Convention, 1973 (No. 138); C182 - Worst Forms of Child Labour Convention, 1999 (No. 182). \textit{Id.} The four governance conventions are: C081 - Labour Inspection Convention, 1947 (No. 81); C122 - Employment Policy Convention, 1964 (No. 122); C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129); C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144). \textit{Id.}

\textsuperscript{76} Human Rights Watch, supra note 2, at 45 (discussing Qatar’s ratification of five out of eight ILO conventions since becoming a member state).

\textsuperscript{77} See Int’l Labour Org., Ratifications for Qatar (last visited Dec. 20, 2013), http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ ID:103429 (listing conventions ratified by Qatar). Qatar has ratified the following “Fundamental” Conventions: C029 – Forced Labor Convention, 1930 (No. 29); C105 – Abolition of Forced Labour Convention, 1957 (No. 105); C111 – Discrimination (Employment and Occupation) Convention, 1958 (No. 111); C138 – Minimum Age Convention, 1973 (No. 138); C182 – Worst Forms of Child Labor Convention, 1999 (No. 182). \textit{Id.} Qatar has also ratified the following “Governance” Convention: C081 – Labour Inspection Convention, 1947 (No. 81). \textit{Id.} In total Qatar has ratified five of
Labour Convention in 1998, which required each signatory to undertake to suppress forced and compulsory labor in all its forms as soon as possible.\textsuperscript{78} The Forced Labour Convention defines forced labor as involuntary work or service exacted from a person under penalty.\textsuperscript{79} The Convention also prohibits governments from imposing or permitting forced or compulsory labor for the benefit of private individuals, companies, and associations.\textsuperscript{80}

In 2007, Qatar ratified the ILO’s Abolition of Forced Labour Convention (Abolition Convention).\textsuperscript{81} While the Abolition Convention evokes the language of the Forced Labour Convention, it also requires that each ratifying member take effective measures to secure the immediate and complete abolition of forced labor within its borders.\textsuperscript{82} Moreover, the Abolition Convention incorporates the idea of forced labor as mobilizing and using labor for purposes of economic development.\textsuperscript{83}

Qatar has also ratified the Labour Inspection Convention, a governance convention, which concerns labor inspectors.\textsuperscript{84} In relevant part, the Labour Inspection Convention includes requirements that there be a sufficient number of inspectors to perform their duties effectively, proportional to the number, na-

\textsuperscript{78} Convention Concerning Forced or Compulsory Labour art. 1(1), 39 U.N.T.S. 55 (entered into force May 1, 1932) (requiring signatories to end forced and compulsory labor). See also Ratifications for Qatar, supra note 77 (listing Qatar’s ratified treaties). Qatar ratified the Forced Labour Convention on March 12, 1998. \textit{Id.}

\textsuperscript{79} Convention Concerning Forced or Compulsory Labour, supra note 78, at art. 2(1) (defining forced or compulsory labor).

\textsuperscript{80} \textit{Id.} at art. 4(1) (stating forced labor includes forced labor for private companies and individuals).

\textsuperscript{81} See Ratifications for Qatar, supra note 77 (listing conventions ratified by Qatar). See also Convention Concerning the Abolition of Forced Labour, supra note 75 (promoting the abolition of forced labor through broader methods).

\textsuperscript{82} Convention Concerning the Abolition of Forced Labour, supra note 75, at art. 2(1) (ordering each member of Abolition Convention to secure complete abolition of forced or compulsory labor).

\textsuperscript{83} \textit{Id.} at art. 1(b) (stating forced labor includes using labor for purposes of economic development).

ture, and size of the workplaces. In addition, governments should allow and require that the inspectors interview workers. The ILO has two supervisory mechanisms to ensure that ratifying states adhere to its conventions. Articles 24 and 25 of the ILO Constitution govern the representation procedure. This procedure vests industrial associations of workers with the right to present a representation against any member state to the ILO Governing Body if it believes that state has failed to observe any convention. Next, the ILO convenes a three-member tripartite committee of the Governing Body to examine the representation and the government’s response. The tripartite committee, in turn, submits a report to the Governing Body stating the legal and practical aspects of the case, examining the information submitted, and concluding with recommendations. Where the government’s response is not satisfactory, the Governing Body is entitled to publish the representation and the response.

On January 18, 2013, the International Trade Union Confederation (ITUC) and the Building and Wood Workers’ International (BWI) filed a new joint complaint with the ILO, accusing Qatar of allowing forced labor. The complaint fea-

85. Id. at art. 10 (discussing how to determine proper number of labor inspectors).
86. Id. at art. 12 (empowering labor inspectors to carry out certain responsibilities).
87. Int’l Labour Org., Applying and Promoting International Labour Standards, http://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/lang—en/index.htm (last visited Dec. 20, 2013) (outlining ILO supervisory mechanisms). First, the regular system of supervision involves the examination of periodic reports from Member states on how they are implementing ratified Conventions pursuant to Article 22 of the ILO Constitution. Id. Second, there are special procedures: a representations and complaints procedure of general application, and a special procedure for freedom of association. Id.
89. Id. (explaining how associations of workers can make representations against member states).
90. Id. (stating ILO’s response to representations made against member states).
91. Id. (outlining scope of tripartite committee’s report to Governing Body).
92. Id. (detailing repercussions of a government’s unsatisfactory response to representation).
93. Qatar under ITUC Scanner, supra note 50 (detailing ITUC’s complaint to ILO). ITUC asked the United Nations to investigate Qatar’s treatment of migrant workers in construction projects, and submitted a formal complaint to the International Labor Organization. Qatar under ITUC Scanner, supra; Qatar Visa Rules Al-
tures seven specific cases of abuse from migrant workers. ITUC and BWI also highlight six specific labor practices that violate workers’ rights. Coincidentally, shortly after ITUC and BWI’s complaint, on February 8, 2013, the ILO revealed that international and domestic efforts to prevent, identify, and prosecute forced labor are falling short. In particular, the report emphasized the problems facing migrant workers and forced labor victims hidden from public view, such as on construction sites.

Notably, Qatar has not ratified the ILO’s fundamental conventions on the Right to Organise and Collective Bargaining Convention, or the Freedom of Association and Protection of the Right to Organise Convention, which entitle workers to form unions and subsequently protect them from anti-union dis-

94. International Unions Warn Qatar’s Work Visa System Allows Employers to Use Forced Labour, INT’L TRADE UNION CONFEDERATION (Jan. 2013), http://www.ituc-csi.org/international-unions-warn-qatar’s (expounding on cases included in ITUC and BWI complaint). ITUC Secretary Burrow explained, “under Qatari law, employers have near total control over workers.” Id. Burrow continued, “[t]hey alone choose if a worker can change jobs, leave the country or stay in Qatar.” Id.

95. Id. (listing practices violating migrant workers’ rights). The alleged violations include the following:

[F]alse promises on the nature and type of work by recruiters and sponsors; employer obligations on wages and working conditions not met; contracts entered into prior to departure not respected in Qatar; workers indebted to recruiters or moneylenders who exact high fees; passports withheld by employers; workers forced to live in squalid overcrowded labour camps.

Id.


97. Id. (describing problems facing migrant workers).
crrimination.\textsuperscript{98} Nor has Qatar signed major human rights conventions including the International Covenant on Civil and Political Rights (ICCPR) or the International Covenant on Economic, Social, and Cultural Rights (ICESCR).\textsuperscript{99} Yet, Qatar is currently serving on the United Nations Human Rights Council (UNHRC) for its second term.\textsuperscript{100}

\begin{block}{B. Qatari Labor Laws}

Over the past decade, Qatar’s labor laws have significantly evolved from its seminal Labor Law No. 3 of 1962.\textsuperscript{101} The impetus for a recent overhaul of the Labor Law was due in large part to Qatar’s dramatic transformation into a growing emirate attracting millions of new migrant workers.\textsuperscript{102} This new Qatar owes much of its prosperity to the influx of migrant workers who are literally building the country’s future, and consequently, drawing greater international attention to the need to change labor laws.\textsuperscript{103} As a result, the Qatari government has passed two major rules within the last decade to address labor

\footnotesize


\textsuperscript{100.} Human Rights Watch, \textit{supra} note 2, at 46 (focusing on Qatar’s role as member of UNHRC). As an elected member of the UNHRC, Qatar should “uphold the highest standards in the promotion and protection of human rights.” \textit{Id.}


\textsuperscript{102.} See Human Rights Watch, \textit{supra} note 2, at 30 (explaining how Qatar has undergone major change over past decade).

\textsuperscript{103.} See generally \textit{id.}, at 51-77 (detailing abuse of migrant workers); \textit{Union View #21: Hidden Faces of the Gulf Miracle, supra} note 2 (reporting on exploitation of migrant workers in Qatar).
issues and migrant workers. While some of these laws are positive steps for migrant workers, they do have serious shortcomings stemming from poor oversight and implementation.

1. The Labour Law

The most far-reaching rule is Law No. 14 of 2004, The Labour Law (the Labour Law), which attempts to extend numerous fundamental labor rights to migrant workers. This law is comprehensive and regulates workers from the time they sign their employment contract until they receive their exit visas to leave Qatar. More specifically, the Labour Law governs the conditions that workers and employers must meet to obtain work permits, regulate working and living conditions, and improve basic health and safety requirements.

From the very beginning, the Labour Law expressly creates a dichotomy between Qatari citizens and migrant workers. The Labour Law dictates that employers must give hiring priority to Qatari citizens over foreign workers. This effectively means that businesses may only employ migrant workers in instances where Qatari workers are either unavailable or unwilling to work. In order to find the necessary volume of low paid migrant workers, it is common practice for these companies to use recruitment agents or agencies. All of the migrant

104. See Human Rights Watch, supra note 2, at 37-44 (introducing Labour Law and Sponsorship Law).
107. See supra notes 26-67 (detailing issues Labour Law governs).
108. See infra notes 109-139 (detailing issues Labour Law governs).
109. See THE LABOUR LAW, supra note 101, at §§ 18, 116 (noting how laws apply differently to Qatars and migrant workers).
110. THE LABOUR LAW, supra note 101, at § 18 (citing law giving Qatari citizens priority in hiring). See also THE LABOUR LAW, supra note 101, at § 23 (forbidding employment of non-Qatariabsent Labour Department approval). The Labour Department may issue migrant workers work permits based on the non-availability of a qualified and interested Qatari worker, possession of a residency permit, and medical fitness. Id.
111. See id. (stating practical effect of the Labour Law on hiring).
112. See Human Rights Watch, supra note 2, at 51-61 (revealing how employers use recruiting agencies to hire migrant workers).
workers’ employment documents, including sponsorship agreements, contracts, documents, and other written instruments, must be in Arabic. These recruitment agencies cannot legally charge recruitment fees, expense, or costs.

When migrant workers arrive in Qatar, the Labour Law mandates that they must have a work permit issued by the Department of Labour, receive a residency permit, and pass a government medical exam. Throughout the duration of the work permit, which cannot exceed five years, the Department of Labour may cancel migrant workers’ permits at will if they attempt to change employers or resign for a reason not specified by the law. Once the migrant workers begin their employment, there is an extensive part of the Labour Law governing living and working conditions. There are also housing requirements that regulate the number of people and sanitary conditions in enormous detail. Similarly, the Labour Law prescribes clear workplace health and safety requirements in Articles 103 and

113. The Labour Law, supra note 101, at § 9 (requiring official contract and all documents to be in Arabic). Although it is permissible for the recruiter to accompany the contract with a translation, the translation is unofficial and the Arabic version is binding. The Labour Law, supra; Mayne-Nicholls, supra note 11, at 28 (discussing migrant workers’ difficulties with understanding laws). All of the laws of Qatar are written in Arabic with no official translations in any other language, which makes understanding the law more difficult for migrant workers, many of whom do not know Arabic. Id. Also, sharia principles can override Qatari law under certain circumstances. Id.

114. The Labour Law, supra note 101, at § 33 (prohibiting recruitment agencies and persons from charging workers fees, expenses, and costs). In addition, § 33(2) prohibits licensed recruiters from conducting any other business than the hiring of workers in their office. Id.

115. See The Labour Law, supra note 101, at § 23 (mandating migrant workers receive medical clearance).

116. See id. (limiting work period to residency period, except where permitted by the Labour Department). The Labour Department can renew work permits for additional lengths of time, if necessary. Id. See also The Labour Law, supra note 101, at § 25 (listing reasons for which the Minister may cancel work permits).

117. See The Labour Law, supra note 101, at § 73 (outlining maximum hours migrant workers may work per week without overtime pay). Workers may still work more hours if they receive overtime pay. Id. In addition, due to soaring summer temperatures that average 41°C, Qatar bans midday work from mid-July to the end of August. Id. Section 73 of the Labor Law limits the maximum number of weekly hours worked to 48. Id. But see Al Ali, supra note 38, at 29 (explaining how employers may make migrant workers work 10 extra hours per week).

118. See Human Rights Watch, supra note 2 (discussing in general terms Qatar’s housing laws). However, some employers do not follow these laws because there are not enough inspectors to enforce these rules. Human Rights Watch, supra; Al Ali, supra note 38, at 43 (discussing regulations on housing camps for migrant workers).
104, which provide that the employer must provide adequate hygiene, potable water, good ventilation, suitable lighting, and drainage on the worksites.119 Employers must also maintain a complete register of work injuries at worksites.120

The Labour Law’s prohibitions on migrant workers forming unions and enjoying any of the consequential privileges, such as deciding to strike or collectively bargain, are among its most controversial regulations.121 The Labour Law only sets forth the rights of Qatari citizens to join unions, strike, and collectively bargain.122 It allows for trade unions, which it styles as General Committees, and permits them to operate under the guise of representing all workers in a given field.123 If there is approval of three fourths of the General Committee of a trade or industry, and settlement of the dispute between them and the employer is impossible, with approval from the Ministry of Labour, employees in specified industries may go on strike.124

In accordance with Article 138, the Labour Law vests work inspectors with the authority to enforce the Labour Law’s provisions.125 Work inspectors have the power to enter places of work during the working hours during the day or at night without prior notification for the purpose of conducting an inspec-

119. THE LABOR LAW, supra note 101, at §§ 103-104 (detailing hygiene requirements for worksites).
120. THE LABOR LAW, supra note 101, at § 48(4) (describing registry of injuries employers must keep).
121. See Human Rights Watch, supra note 2, at 95 (discussing controversial laws involving trade unions, strikes, and collective bargaining).
122. THE LABOR LAW, supra note 101, at §§ 116-134 (setting forth laws regarding trade unions, strikes, and collective bargaining).
123. THE LABOR LAW, supra note 101, at § 116 (stating trade union membership is confined to Qatari workers). See also Al Ali, supra note 38, at 39 (detailing conditions for establishing a Workers Committee and General Committee). Any establishment with 100 or more Qatari workers can organize a Workers Committee. Id. Workers of the same profession can establish a General Committee for the workers of a given industry. Id. Membership in Workers Committees and General Committees are confined to Qatari citizens. Id. The Minister of Labour decides all the rules for membership. Id. These committees are both prohibited from practicing any political or religious activities, including distributing leaflets harmful to the status quo or accepting financial contributions (without permission from the Ministry of Labour). Id.
124. THE LABOR LAW, supra note 101, at § 120 (permitting strikes under prescribed conditions). See also Al Ali, supra note 38, at 40 (prohibiting strikes under certain circumstances). Workers in the following industries may never strike: “Gas, Petroleum and industries related to them, Power, Water, Ports, Airports, Hospitals, and Transportation Services.” Id.
125. THE LABOR LAW, supra note 101, at § 138 (discussing authority of work inspectors).
Finally, in the event of a direct dispute between a worker and an employer, Qatar exempts migrant workers from paying judicial fees and entitles them to have their matter dealt with efficiently.127

2. The Sponsorship Law

The second important rule is Law No. 4 of 2009, Regulating the Entry and Exit of Expatriates, their Residence and Sponsorship (the Sponsorship Law), which is based on the kafala system.128 This law requires that businesses in Qatar or Qatari...
nationals sponsor every migrant worker who wants to live and work in Qatar. This allows migrant workers to work in Qatar as long as they remain employed with their sponsors, who in turn, are legally liable for the workers while they remain in the country. It is also the employer’s duty to notify the Ministry of the Interior if a worker leaves his job without the express consent of the sponsor. In the event that a worker leaves the employer, the law bars other people from helping him, and if caught, Qatar will deport the worker. Qatar recently announced that it was considering revamping its sponsorship program into a contract signed by the employer and the worker, but this would not replace or address any of the other existing rules regarding changing employers, resigning, or deportation.

C. Supreme Committee for Qatar 2022 and Qatar’s National Human Rights Committee

There is also a local organizing committee for the World Cup called the Supreme Committee for Qatar 2022 (Committee). The Committee is responsible for the coordination and oversight of all World Cup construction. Decree No. 27 of 2011 lays out the Committee’s responsibility to develop “an enabling environment to organize and accomplish the World Cup world-cup-human-rights-watch/index.html (reporting on Qatari government’s plan to reform sponsorship laws).

129. See Al Ali, supra note 38, at 57 (explaining conditions for migrant workers changing jobs). The sponsor must ensure that the migrant worker works for his company. *Id.* The employee is not allowed to work for any other employer unless the employer grants permission. *Id.*

130. Human Rights Watch, supra note 2, at 43-44 (noting sponsors are responsible for migrant workers).

131. See Al Ali, supra note 38, at 59-60 (describing the Interior Minister’s power to deport migrant workers).

132. Human Rights Watch, supra note 2 at 65 (discussing the consequences of workers trying to change jobs without employer’s permission).

133. See Qatar to Scrap “Sponsorship” Labour Laws, Introduce Contract, supra note 128 (discussing potential changes to sponsorship law). Qatar’s Labour Ministry Undersecretary, Hussain Al Mulla, explained that a potential replacement could be a contract signed between the employer and worker. *Id.* Part of the motivation for the change stems from people equating the word “sponsor” with slavery. *Id.* Any changes to the law would not affect the provisions barring workers from changing jobs. *Id.* The Labour Ministry is carrying out a study to set up a labor committee where migrant workers could elect Qatari citizens to represent them. *Id.*

134. Human Rights Watch, supra note 2 at 8 (introducing the Supreme Committee for Qatar 2022).

135. *Id.* (outlining Committee’s responsibilities).
2022 in all legal, regulatory, physical, social, and economic developmental aspects.”

The Committee’s General Secretary has publicly stated that he is interested in using the power of the World Cup to reform labor practices.

Notably, Qatar also has a National Human Rights Committee (NHRC), which is an official independent commission charged with protecting the human rights of all people in Qatar through education and raising awareness. The NHRC compiled a *Workers’ Rights Book* in June 2009 to aid foreign workers who choose to work in Qatar. In addition, the NHRC also addresses some of the societal problems that stem from the surge of migrant workers, such as increases in crime, and attempts to advocate for migrant workers’ rights.

### IV. Analysis

FIFA’s timely, yet controversial, award of the 2022 FIFA World Cup to Qatar provides the international community with a unique opportunity to pressure Qatar to address fundamental problems facing migrant workers. Qatar knows that it must act, if for no other reason, then because it wants hosting the World Cup to be a success story, and not an ongoing controversy.
about migrant worker abuse. There are three steps that Qatar should take in order to ensure the welfare of migrant workers: (A) adhere to the ILO conventions it has ratified and adopt the remaining fundamental ILO conventions; (B) expand its regulatory and enforcement operations; and (C) create new laws to expand protections for migrant workers.

A. Adhere to Ratified ILO Conventions and Adopt Remaining Fundamental ILO Conventions

First, Qatar should adhere to its commitments to eliminate forced labor as set forth in the Forced Labour and Abolition Conventions. At present, Qatar routinely violates all three of the pertinent ILO conventions that it ratified by allowing employers to subject migrant workers to forced labor. Under the Forced Labour Convention, Qatar’s current labor practices constitute forced labor because the government permits forced or compulsory labor for benefit of private companies. Moreover, Qatar’s actions also violate the more detailed criteria of the Abolition Convention by mobilizing and using this labor for purposes of economic development. Similarly, Qatar skirts its obligation to conduct labor inspections in accordance with the Labour Inspection Convention by employing an insufficient number of work inspectors, failing to train them adequately, and not permitting worker interviews as part of the process.

The ITUC and BWI’s representation to the ILO is a positive step to pressure the emirate because the ILO’s possible official publication of the complaint could severely undermine

142. See No World Cup without Workers’ Rights, supra note 4 (projecting more Nepali workers will die than athletes will compete in World Cup).
143. See supra notes 28-31, 46-51 (noting Qatar’s failure to enforce laws); supra note 37 (commenting on Qatar’s lack of worker protections such as a minimum wage); supra notes 77-83 (detailing ILO conventions and commitments).
144. See supra notes 77-83 (discussing the Forced Labour and Abolition of Forced Labour Conventions).
145. See supra notes 80-81 and accompanying text (discussing goals of two fundamental forced labor conventions).
146. See supra note 79 and accompanying text (defining forced labor under Forced Labour Convention).
147. See supra note 83 and accompanying text (noting abolition convention prohibits mobilizing labor for economic development).
148. See supra note 56 and accompanying text (discussing work inspectors’ roles).
Qatar’s efforts to promote a more modern progressive image.\textsuperscript{149} Qatar signed and ratified all three of the aforementioned ILO conventions, and should uphold its international commitments, because otherwise it is effectively denying 85\% of its population (migrant workers) the basic rights to live and work.\textsuperscript{150}

\section*{B. Enforce Appropriate Laws and Punish Employers Who Break the Law}

Qatar should expand its regulatory and enforcement agencies beyond the current inadequate and insufficiently trained health and work inspectors in order to ensure that Qatar can fully implement and enforce its existing laws.\textsuperscript{151} Although certain aspects of the Labour Law governing living conditions and providing worker protections are positive for migrant workers, Qatar lacks the infrastructure and staff to enforce them.\textsuperscript{152} For example, five housing inspectors cannot conceivably oversee more than 1.2 million migrant workers dispersed across Qatar, which allows employers to ignore the Labour Law’s housing standards.\textsuperscript{153}

To enforce the Labour Law’s housing regulations, the Ministry of Labour should use a portion of Qatar’s increasing oil revenues to hire and train hundreds of more health inspectors to resolve staffing inadequacies.\textsuperscript{154} These health inspectors should conduct both scheduled and random visits to worker camps to ensure that employers are providing suitable living conditions.\textsuperscript{155} Furthermore, the health inspectors should also be fluent, or receive training, in at least one of the common migrant worker languages to address the communication gap and receive more

\textsuperscript{149}. See \textit{supra} note 2 and accompanying text (observing type of image Qatar wants to present to international community).

\textsuperscript{150}. See Human Rights Watch, \textit{supra} note 2, at 44-47 (discussing Qatar’s ratification of five out of eight ILO conventions, UN Human Trafficking Protocol).

\textsuperscript{151}. See \textit{supra} notes 28-31, 44-51 and accompanying text (citing Qatar’s failure to enforce existing laws).

\textsuperscript{152}. See Human Rights Watch, \textit{supra} note 2 (indicating widespread abuse of laws in absence of adequate enforcement).

\textsuperscript{153}. See \textit{supra} note 36 (detailing number of housing inspectors for migrant worker housing); \textit{supra} note 35 (revealing need for one million additional migrant workers).

\textsuperscript{154}. See \textit{supra} notes 32-33 and accompanying text (addressing low number of health inspectors).

\textsuperscript{155}. See \textit{id.} and accompanying text (discussing need to hire more health inspectors and increase inspections).
accurate firsthand information. Similarly, Qatar should hire more than the existing 150 work inspectors to keep pace with the rapidly growing population, and train them to speak common migrant worker languages because it is important for inspectors to interact with migrant workers to gain a better understanding of the problems that they face. Qatar should also steadily increase the number of health and work inspectors as the number of migrant workers rises and construction activity continues to accelerate. Better training of the health and work inspectors will help Qatar to hold employers accountable for living and working conditions, which, in turn, would reduce forced labor and bring Qatar closer to compliance with ILO conventions.

C. Use New Legislation and the World Cup to Empower Migrant Workers

1. Enact New Legislation and Repeal Discriminatory Laws

Qatar should also stop applying basic labor laws differently to Qatari citizens and migrant workers. The Labour Law explicitly forbids non-Qataris from forming trade unions and enjoying the resulting benefits, such as striking or collective bargaining. This is one of the first substantive changes that Qatar should adopt because under the current law, migrant workers, who account for more than 99% of the construction sector, are unable to advocate for their own rights. If Qatar

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156. See supra notes 56-57 (discussing importance of communication between inspectors and migrant workers).
157. See supra notes 55-56 (detailing number of work inspectors and their inability to communicate with most migrant workers).
158. See supra notes 32-33 and accompanying text (addressing low number of health inspectors); supra note 35 (projecting increasing number of migrant workers).
159. See supra notes 77-86 and accompanying text (detailing content of ILO conventions).
160. See Qatar Under ITUC Scanner, supra note 93 (discussing criticism of Qatar’s labor laws). ITUC asked the United Nations to investigate Qatar’s treatment of migrant workers in construction projects and submitted a formal complaint to the International Labor Organization. Qatar Under ITUC Scanner, supra. Part of the problem is that it fails to establish a minimum wage. Id.; Qatar Warned Over World Cup Labor Laws, supra note 128 (reporting FIFA is continuing to raise workers’ rights issues with Qatari government).
161. See supra notes 121-127 and accompanying text (describing prohibition on migrant workers joining unions).
162. See The Labour Law, supra note 101, at § 12 (detailing general restrictions on migrant workers’ labor organizations).
legally allowed migrant workers to join trade unions, they would finally have an opportunity to demonstrate their profound importance to the economy and Qatar’s economic future.163

Instead, an extreme minority of Qatari construction workers numbering only 335 people, who do not share or comprehend the migrant workers’ problems, represent more than 1.2 million migrant workers.164 Meanwhile, many Qataris are not even aware that the large-scale labor camps holding hundreds of thousands of workers exist on the edge of Doha and other Qatari cities.165 The extreme income gap between citizens and migrant workers also contributes to this inequality, as Qatari citizens earn one of the highest annual salaries worldwide at USD88,000, while migrant workers earn one of the lowest annual salaries at just USD2500.166 Qatar stated that it is considering changing this law, but there is still substantial uncertainty and there is not any indication when this will officially happen or what constraints Qatar may continue to place on migrant workers who attempt to join unions.167 If Qatar continues to promulgate discriminatory laws, and economic discrepancies between Qataris and migrant workers worsen, domestic tension will surely increase and exacerbate crime and unrest.168 Therefore, the government should also repeal laws that effectively bar migrant workers from holding or attaining higher income jobs and skilled labor in Qatar, which limits their career prospects to low-paying manual labor.169

Another part of the Labour Law that needs urgent attention is the judicial system.170 According to the Labour Law, when workers lodge judicial complaints, the courts are supposed

163. See supra notes 65-66 and accompanying text (discussing how migrant workers cannot join trade unions and assert their rights).
164. See Union View #21: Hidden Faces of the Gulf Miracle, supra note 2, at 3-5, 9 (stating migrant workers in construction industry greatly outnumber Qatari workers).
165. See id., at 9 (revealing many people do not know Industrial Area exists).
166. See id., at 4 (showing extreme discrepancy between Qatari and migrant workers’ salaries).
167. See Khawaja, supra note 128 (discussing possible change in law governing union membership).
168. See supra notes 2, 14 and accompanying text (discussing Qatar’s growing number of migrant workers); see supra notes 109-112, 121-127 and accompanying text (addressing financial and legal inequalities).
169. See id. (stating practical effect of Labour Law on hiring migrant workers).
170. See Human Rights Watch, supra note 64 and accompanying text (describing how Qatar’s judicial system handles labor complaints).
to address the complaints expeditiously and gratuitously.\textsuperscript{171} Independent reports suggest that courts often ignore this provision, and frequently demand fees or bribes to advance workers' complaints.\textsuperscript{172} This necessitates an independent judicial oversight division and public information campaign to ensure that the courts do not curtail migrant workers' legal rights and remedies.\textsuperscript{173}

Qatar should also repeal other laws that severely undermine migrant workers, such as the Sponsorship Law, which some Qatari officials even concede has become synonymous with slavery.\textsuperscript{174} Under the Sponsorship Law, migrant workers are not able to transfer jobs unless they have their employers' permission and another job offer.\textsuperscript{175} Moreover, Qatar does not allow migrant workers to leave the emirate without an exit visa from their employer.\textsuperscript{176} This leaves many abused or exploited migrant workers trapped in Qatar, without the ability or financial means to change jobs or leave the country.\textsuperscript{177} In turn, many workers leave their jobs, but the absence of an exit visa forces many workers to stay in Qatar illegally.\textsuperscript{178}

The solution to this problem should not be merely to rebrand Sponsorship, make semantic changes, and maintain the existing framework of laws as Qatar has proposed; instead, the government should allow migrant workers to change employers freely within their five year work period, which would help workers to get out of dangerous and abusive working conditions safely.\textsuperscript{179} By freeing migrant workers to seek new employment, Qatar could simultaneously reduce crime caused by workers

\textsuperscript{171}. See \textit{The Labour Law}, supra note 127, at § 10 (noting how Qatar's judicial system is supposed to handle labor complaints in accordance with Labour Law).

\textsuperscript{172}. See supra note 64 and accompanying text (revealing how many migrant workers must bribe court officials to advance their case).

\textsuperscript{173}. See \textit{id.} (addressing corruption in Qatar's courts and inadequacy of current system).

\textsuperscript{174}. See \textit{supra} notes 128, 133 (noting how Sponsorship Law has become synonymous with slavery).

\textsuperscript{175}. See \textit{The Labour Law}, supra note 101 (stating migrant workers must have another job to transfer).

\textsuperscript{176}. See \textit{id.} (explaining exit visa requirements).

\textsuperscript{177}. See Human Rights Watch, \textit{supra} note 2 (describing migrant workers left in limbo by labor laws).

\textsuperscript{178}. See \textit{id.} (discussing migrant workers who are forced to leave their jobs and remain in Qatar illegally).

\textsuperscript{179}. See \textit{supra} notes 58-60 (discussing dangerous conditions migrant workers face when they try to change employers).
trapped in the country and remove employers’ ability to threaten workers with firing, loss of housing, and deportation.\textsuperscript{180}

2. \textit{Use the World Cup to Empower and Integrate Migrant Workers into Qatari Society}

FIFA also has a role to play in solving this problem, and should work with Qatar to concentrate on workers’ rights and related social problems, much the same way South Africa did in 2010.\textsuperscript{181} FIFA should urge Qatar to adapt its World Cup infrastructure improvements to also improve migrant workers’ access to transportation and housing in an effort to help integrate migrant workers into Qatari society, instead of segregating them in remote worker camps.\textsuperscript{182} If Qatar does this, it will also help to confront the growing social problems arising from two decades of drastic demographic shifts, in which the millions of poor male migrant workers from Southeastern Asia now constitute an overwhelming majority of the population.\textsuperscript{183} Moreover, if Qatar is concerned about the long-term effects of its increasingly skewed gender balance, it should consider easing the financial burdens in the Labour Law that effectively restrict bringing immediate family members into the country.\textsuperscript{184}

Lastly, there should be a new widespread information campaign to distribute information to all current and new workers, in their native languages, as to what their rights are, who to call if they have a complaint, and what they can do if their employer threatens to fire or deport them.\textsuperscript{185} While the National Human Rights Committee has made some progress on this front, there is clearly much more to accomplish.\textsuperscript{186} In short, Qatar needs to stop trying to exploit the World Cup’s financial potential, but

\begin{footnotes}
\footnotetext[180]{See supra note 58 (noting after migrant workers lodged complaints, employers often terminate their jobs and deprive them of housing).}
\footnotetext[181]{See supra note 23 (discussing how South Africa addressed workers’ rights).}
\footnotetext[182]{See id. (observing how South Africa used World Cup to help ameliorate longstanding social issues).}
\footnotetext[183]{See supra note 16 (discussing shifting demographics over last decade).}
\footnotetext[184]{See supra notes 26, 42 (discussing Qatar’s gender imbalance and restrictions on bringing family members into country).}
\footnotetext[185]{See supra notes 138-139 (noting NHRC’s efforts to help migrant workers).}
\footnotetext[186]{See id. (commenting on NHRC’s work to aid migrant workers).}
\end{footnotes}
rather refocus energy on unlocking the tournament’s human potential to benefit everyone in Qatar.\textsuperscript{187}

\section*{V. Conclusion}

In order for there to be progress for migrant workers in Qatar, the government has to understand that it matters not only how it hosts the World Cup, but also how it builds it.\textsuperscript{188} Permitting employers to use migrant workers as forced labor is a shortsighted approach that abuses 85\% of the emirate’s population for the benefit of accelerating its ongoing transformation into a global player.\textsuperscript{189} As the migrant worker population continues to grow, construction activity ramps up, and the global focus ultimately shifts to the World Cup, Qatar will be unable to conceal the rotten foundations underlying its new gleaming stadia and infrastructure.\textsuperscript{190} Yet, at the same time, hosting the World Cup provides Qatar with a unique opportunity to reform its labor laws, protect migrant workers, and achieve success on the international stage.\textsuperscript{191} If Qatar begins to make changes now, as construction is still in its early stages, Qatar’s World Cup legacy could be greater than countless large buildings and a series of soccer matches: it could be a truly transformative event in Qatar’s history.\textsuperscript{192}

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\textsuperscript{187} See supra notes 2, 14 (discussing Qatar’s shifting demographics and sustained need for migrant workers); supra notes 26-31, 46-50 (noting problems leading to oppression and forced labor of migrant workers).

\textsuperscript{188} See supra note 22 and accompanying text (indicating international community’s concerns regarding exploitation during construction); supra note 93 (analyzing allegations in ITUC and BWI’s ILO complaint against Qatar).

\textsuperscript{189} See Kinninmont supra note 14 (remarking on poor living and working conditions of migrant workers).

\textsuperscript{190} See supra note 5 and accompanying text (predicting more migrant workers will die building stadia than athletes will compete).

\textsuperscript{191} See supra Part IV (emphasizing World Cup’s potential to change Qatar’s labor policies and practices).

\textsuperscript{192} See id.