



## KAFALA SYSTEM AND PRECARIAT EXPLOITATION AT QATAR WORLD CUP TITLE

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### ABSTRACT

Football, as a sport that holds human spirit, passion, and pride, has transformed into a global phenomenon that includes political, cultural, and business aspects. This study is based on qualitative research methods. According to Bakry (2019), qualitative research is intended to expand understanding related to social phenomena, activities, and processes. The World Cup has the official name FIFA™ World Cup is an international football competition that is held once in four years and involves as many as 32 participating countries competing with each other for the title of world champion in the field of football (FIFA, 2023). The study concluded that the kafala work system in Qatar creates exploitative relations with migrant workers.

**Keywords:** Kafala System, Exploitation, Qatar World Cup

### INTRODUCTION

#### Background

Football, as a sport that holds human spirit, passion, and pride, has transformed into a global phenomenon that includes political, cultural, and business aspects. According to Poer (2016), modern football is not only a match between teams, but also creates identities, identifies political choices, and even forms new religious variants in organizing football events loaded with happiness.

Football, as a capital-intensive industry, promises great value and benefits. By adopting the face of the industry, football occupies an equal position with other industrial sectors such as mining, transportation, and trade. More than just a game, modern football is a reflection of a country's strength and influences global relations. It is also a tool to show existence and sovereignty in the international world, as well as a cultural forum that brings together various forces and interests (Vadi, 2024).

Success in football is measured by winning titles in club leagues or country-level tournaments. The peak of a country's achievements in football is when it wins the World Cup title. The World Cup, governed by FIFA, is not only the biggest and most popular soccer tournament in the world, but also an event that gives economic benefits and prestige to the host country. Qatar, as the host of the 2022 World Cup, is investing USD 200 billion to host this tournament (Bakhtiarian, 2020).

However, behind the splendor of the 2022 World Cup lies irony and controversy over the treatment of migrant workers who helped build infrastructure for the tournament. More than 1.2 million migrant workers experience exploitation and violation of their rights (Cheda, 2024). Although Qatar has a dominating migrant worker population, their working conditions are appalling, including living in low-quality dormitories, no health coverage, a ban on joining unions,

and long working hours under temperatures reaching 50°C (Amnesty International, 2019).

Qatar's work system, such as the kafala system, leaves migrant workers vulnerable to exploitation and lack of protection. Along with international demands and condemnation of the kafala system, Qatar is faced with pressure to make changes and ensure migrant workers' rights are protected. FIFA, as the governing body of international football, along with other international organizations, encourages Qatar to adopt international work standards regulated by the International Labour Organization (ILO) (Tempo et al., 2022).

Although FIFA has had a Code of Labour Practice since 1966, its application in the context of the 2022 World Cup in Qatar still raises questions regarding its effectiveness. Qatar, as a member of the Gulf Cooperation Council with a migrant population of 79% in 2019, is in an unequal power relationship between employers and migrant workers. The precariate, formed by the kafala system of work, became a group vulnerable to exploitation and domination.

This study seeks to further investigate the state of power relations, the exploitation of the precariat, and the motives behind Qatar's diplomatic strategy in the 2022 World Cup. Through a deep understanding of these issues, it is expected to provide insight into the changes needed in the work system to improve the welfare of migrant workers in Qatar and create a positive impact in social transformation at the international level.

### **Problem Statement**

1. What is the power relations model created by the *kafala* work system in Qatar at the 2022 World Cup?
2. What is the exploitation model experienced by the precariat at the Qatar 2022 World Cup?
3. Why did Qatar then use different diplomatic strategies for the four Middle Eastern countries in addressing the issue of exploitation of the precariat at the 2022 Qatar Diunia Cup?

### **Research Objectives**

This research is formulated based on the formulation of the problem above and aims as follows:

1. Shows the model of power relations created by the *kafala work system* in Qatar.
2. Presenting a model of exploitation experienced by the precariat at the Qatar 2022 World Cup.
3. Showing the motive behind Qatar's use of diplomatic strategies to four Middle Eastern countries in addressing the issue of precariat exploitation at the Qatar 2022 World Cup.

### **Research Benefits**

#### **Academic Benefits**

This study is intended to further deepen insight / knowledge in the academic realm and become a source of information and increase scientific understanding to be applied by students and academics related to the development of the precariat class in Qatar, as well as the dimensions of diplomacy strategies used in the world of football.

#### **Practical Benefits**

Through research on the precariat in Qatar, it is intended to contribute positively to the development of studies related to the current analysis of international relations, especially for the Government of Indonesia and observers of vulnerable migration workers.

## **METHOD**

### **Research Methods**

This study is based on qualitative research methods. According Bakry (2019) to , qualitative research is intended to expand understanding related to phenomena, activities, and social processes.

This study uses interpretive analysis which is a research approach that involves in-depth examination and exploration of data to uncover and interpret meaning while seeking to clarify how those practices configure to obtain results that can be observed by researchers. (Bakry, 2019)

### **Data and Resources**

Data collection carried out for the benefit of this research involves literature techniques that collect and analyze data systematically from various library sources, both from physical books and *online*. In this context, the author carries out data collection using literature techniques by searching and obtaining various sources of information that can be used. These sources of information are carefully selected, both physically and *online*, in order to form a solid research base.

Literature study is a method of data collection where in the process a series of systematic examinations and analyses are carried out on various data sources. These data sources include various literature such as books, notes, as well as reports that are directly relevant to the topics discussed in this study. In this case, the author utilizes various literature such as magazines, books, newspapers, and various other literature / references to find and compile the theoretical foundation / basis used in this study (Tiwari et al., 2024).

### **Data Collection and Management**

Information and information that has been obtained or collected in the form of documentation will be explained textually through a process of careful analysis of the contents of the document. Through a qualitative approach, a thorough analysis of the data is carried out through determining, deciphering, and documenting the flow of causes and context in the research carried out as well as other details to provide an assessment of the ideas or meanings contained in the data / information used.

### **Systematics of Writing**

This study has a systematics that can be detailed as follows: BiAB I discusses explanations related to research which includes discussion of phenomena or problems behind the research conducted, formulation of research problems, objectives of study implementation, benefits / uses to be obtained from the study, and research methods. CHAPTER II discusses the theoretical basis consisting of the Concept of Power and *Power Elite Theory*, Class Exploitation Theory and Surplus Value Theory, Diplomacy Theory, study of precariat, Previous Research, Mindset. Chapter III discusses Data Findings and Analysis. Chapter IV discusses the conclusions of the study, as well as the suggestions and criticisms that the author gives to the topic under study

## **RESULTS AND DISCUSSION**

### **Bidding Process**

The World Cup has the official name FIFA™ World Cup is an international football competition that is held once in four years and involves as many as 32 participating countries competing with each other for the title of world champion in the field of football. The *Fédération Internationale de Football Association* (FIFA) organized the first World Cup contestation in 1930 which ended with Uruguay coming out as world champions. The competition continues today with the last World Cup being held in 2022 with Qatar as hosts and Argentina winning the title as world champions for the third time. (Dubinsky, 2023)

In 2010, then FIFA President Sepp Blatter made the important announcement that Qatar had been chosen as the host country for the 2022 World Cup. The decision is the result of a series of rigorous evaluation processes conducted by FIFA's 22-member Executive Committee. This Executive Committee has conducted a thorough examination and assessment of all aspects

required to host the World Cup.

The decision marks an important milestone in the world of football with Qatar being granted the privilege of hosting as well as the first Middle Eastern country to have the honour of hosting the World Cup. The historic selection also proves FIFA's commitment to further embrace diversity while paving the way for other Middle Eastern countries that also aspire to host the World Cup so as to encourage greater inclusivity and global representation in the world of football (IRGALI, 2022).

The determination process is carried out based on FIFA standards and regulations that serve as a framework or guide that allows FIFA to select the host country of the World Cup in a fair and transparent manner. The standards set by FIFA to determine and select the host country of the World Cup can be described as follows (Jerabek et al., 2017).

The vision and strategy of the host country that includes a comprehensive and integrated strategic approach, including the *legacy* to be left behind. This strategic vision must gain political support to ensure a successful World Cup.

Host country information covering a wide range of sectors, including general host information as well as political, economic, media, and marketing information.

Technical matters such as the availability and feasibility of stadiums, facilities for participating teams, facilities for referees who officiate matches, provision of accommodation, provision of FIFA headquarters or headquarters, provision of public transportation and mobility infrastructure, information and communication technology, international broadcasting center (*International Broadcast Centre*), and safety and security aspects during the World Cup.

Other aspects related to the organization of various activities include aspects of communication, *public relations*, promotion related to activities, *FIFA Fan Fest*, services from host cities, *volunteering*, tournament-related activities, health and medical systems, as well as budget expenditure and ticket revenue.

Event management that implements sustainable practices, compliance with human rights and labor standards, and environmentally friendly practices.

Qatar was chosen to be the host country of the 2022 World Cup after going through a series of processes. The process can be presented in the table below. (FIFA, 2010a)

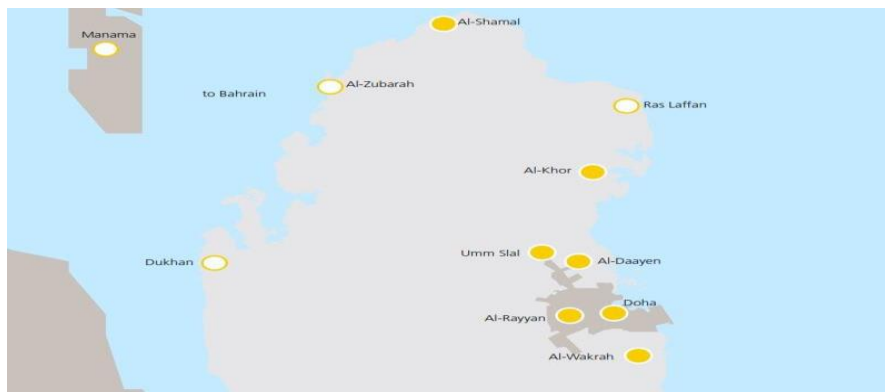
**Table 4.1**  
**Qatar's Process to Host the 2022 World Cup**

<b>Date</b>	<b>Information</b>
March 16th, 2009	Bid to host the 2018 and 2022 World Cups
September 18th, 2009	Establishment of Bid <i>Committees</i>
December 11th, 2009	Signing of Bidding Agreements
May 14th, 2010	Handover of Auction Documents with FIFA
13 – 17 September 2010	FIFA's visit to Qatar for the purpose of conducting inspections
December 2nd, 2010	Selection of the 2018 and 2022 World Cup host countries by the FIFA Executive Committee

The results in which Qatar was selected as the host country were based on FIFA's evaluation and alignment with its national development strategy which emphasised Qatar's commitment to the country's development. Qatar offers a variety of facilities and venues close to each other within an area with a radius of 60 kilometers which can be a factor influencing the organization of the

World Cup. In addition, Qatar demonstrated its commitment to a strong *legacy* of carrying out a carbon-neutral World Cup through the adoption of environmentally friendly cooling technology. This is also strengthened by the support of various *stakeholders* such as national and local football authorities, local municipalities, and the central government through the formation of the *Supreme Committee for Delivery and Legacy* which is responsible for the infrastructure and operations of the 2022 World Cup. (FIFA, 2022)

Specifically in its proposal, Qatar proposed as many as seven cities to host the World Cup and prepared 12 stadiums, of which three will undergo renovations while the remaining nine are new stadiums built specifically to host the World Cup. The stadiums are specifically designed to meet FIFA's minimum requirements. The total financial investment for this reached fantastic figures reflecting Qatar's great commitment in preparing for the World Cup to the maximum. In addition, Qatar also proposed accommodation facilities that far exceeded the minimum requirements set by FIFA. Therefore, the consideration of choosing Qatar as the host country of the 2022 World Cup has become stronger based on various offers in its proposal. (FIFA, 2010a)



Source: FIFA (2010).

**Figure 4.1 Location of the 2022 World Cup in Qatar**

### **Model of Structural Relations in the *Kafala System***

#### **The *Kafala System* in the Perspective of *Power Elite Theory***

The kafala work system in Gulf Cooperation Council countries, including Qatar, influences the power dynamic between sponsors (kafil) and precariats, i.e. migrant workers. C. Wright Mills' perspective on power elite theory reveals the structure of power relations within the kafala work system.

C. Wright Mills' power elite theory states that power in society tends to be concentrated in elite groups that hold sway in various government policies. Mills highlighted the existence of a power elite made up of political, economic, and military circles that influence national decisions.

In the context of the kafala work system, an analysis of the economic and social dimensions highlights the gap between the sponsor (kafil) and the precariat. The Precariat has limited access to healthcare, education, and legal protections due to structures controlled by sponsors, raising

ethical questions about human rights.

The kafala system of work affects social, economic, political, and legal conditions. Power elites, through the dominance of sponsors, take advantage of their positions to influence government policy, create precariate dependencies, and restrict basic rights.

The asymmetry of structural relations in the kafala system creates social and economic inequality. The dominance of sponsors leads to dependence on the precariate in law, employment, and basic needs. The kafala system also creates questions about equality, justice, and social mobility in society.

### **Exploitation of the Precariat at the Qatar 2022 World Cup Precariat and Surplus Value**

Precarization is a distinctive prominent characteristic of the contemporary workforce that is perceived as a break or breakup from the 'traditional' working class. This labor force is referred to as the precariate in the term used by Guy Standing which can be defined as a typical socioeconomic group and combines the terms " (McCabe, 2018) *precarious*" and "*proletariat*" as *class-in-the-making*. According to Standing, the precariat is characterized by workers who do not have a clear contractual relationship and working hours, a working class who have low and uncertain incomes and do not have guarantees and insurance in their work.(Standing et al., 2011)

According to , class can be defined as the categorization of individuals in society based on the way they relate to production, distribution and the state specifically. Further, these three dimensions are used by Standing to classify contemporary society into five distinct classes. These classes include the following:

The elite class, which can be characterized as a small number of individuals who have considerable wealth and have the ability to influence various scenarios of government policy.

Salariat class, which is a class below the elite class formed by individuals who already have *full-time employment* stability and aspire to move up to the elite class. Salarlates have many privileges, including pensions, paid vacation, and corporate facilities, and often receive subsidies from the government. The salariate class is concentrated in large corporations, government institutions and public administration, including civil servants.

The class *of proficians*, which fall under the class of salariat and combine the traditional idea of the concepts of 'professional' and 'technician' who have a variety of marketable skills or expertise and enable this class to earn income from high and profitable contracts, both as consultants and self-employed.

The proletariat, that is, the working class subordinate to the expert class. In terms of income and employment, this class consisted largely of manual workers who formed the foundation of the classical 'working class'.

The precariate class, which is a class that includes two different groups in society. These groups are the unemployed group who do not have regular employment opportunities, and the group of individuals who in Standing terms are called 'suffering from various social ills' who have a high level of vulnerability.

So based on Standing's writing, it can be concluded that the social structure or order in modern society includes various classes that are characteristically very different. The elite class wielded enormous power and influence, while the Salariat enjoyed the stability and benefits of full-time employment. The expert class makes use of its particular skills in the professional realm, while the proletariat forms the backbone of manual work. While the precariat class represents a segment of society that is marginalized and vulnerable to various economic and social problems.

Marx's theory of *surplus value* provides an explanation of how capitalists effectively profit

from the exploitation of labour. Such exploitation is realized when workers are paid low subsistence wages that are solely sufficient for the survival of workers and their families, or in Marx's terms "*necessary labor*".(Wilson, 2020)

Furthermore, capitalists can also profit by manipulating working time, either by increasing or subtracting from it, in order to obtain a surplus of labor. According to Marx, there are two types of surplus value in the context of exploitation of workers, namely absolute surplus value and relative surplus value. The amount of "*absolute surplus value*" relates to the extension of the working day and has to do with the formal subordination of labor to capital. "*Relative surplus value*" arises through a reduction in the work time required to increase productivity.

These special conditions give rise to forms of precarization of workers, especially for workers who work as subcontracted workers or supplied through labor recruitment agencies that cause them to lose their rights as workers. Various forms of exploitation of workers begin from the transition from the subsumption of formal workers to real workers. This transition opens the door to facilitate greater extraction of absolute value from workers.

In the context of the approach to the theory of labor value, such models of exploitation are considered as fundamental components of the long-term viability of a system in which the means of production and labor are limited to a form of labor transfer based on certain socio-historical formations in which labor processes and social relations of production interact with each other . This has resulted in the precariat always being a class group that has consistently been a large segment of the labor force in various developed countries as a consequence of the transformation of labor relations triggered by the restructuring of the private sector and deindustrialization.

The moment of the 2022 World Cup in Qatar is a real demonstration of the impact experienced by the precariat in exploitative labor practices. Projects for the construction and renovation of stadiums and related infrastructure have raised serious concerns about the inhumane working conditions experienced by migrant workers. This condition can be seen from the dangerous working environment of migrant workers, low wages, and the stripping of workers' basic rights accompanied by no guarantees and legal protections that exist due to the contractual attachment of migrant workers that limit their freedom, even these migrant workers are often treated as disposable labor that can be replaced at any time.

The hazardous aspect of the work environment refers to workplace conditions that often do not meet internationally recognized safety and health standards. Migrant workers' limited access to adequate safety protection and equipment has the potential to increase the potential for accidents and injuries in the environment where they work. In addition, the low wages generally given to migrant workers are often insufficient for the basic needs of labor and their families, and ultimately create significant economic instability for the precariate.

Furthermore, there is the stripping of workers' basic rights which is a serious concern in the dynamics of *kafala* work. Contracts that bind migrant workers expressly often restrict their freedom and mobility, which in turn leaves them vulnerable to abuse and exploitation by employers. What's more, these practices often illustrate how migrant workers are treated as "disposable labor" that can be replaced or ignored without adequate humanitarian consideration.

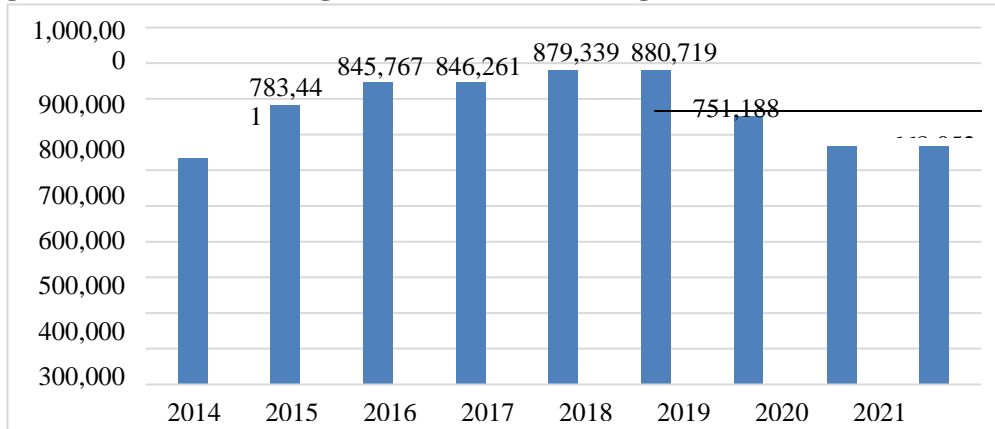
In this context, the impact of inhumane labor practices on the precariat in preparation for the 2022 World Cup in Qatar shows the need for an in-depth evaluation of the existing *kafala* work system and efforts to protect the rights of migrant workers more strongly.

### **Precariate Exploitation Practices**

Qatar is one of the main destinations for migrant workers in the *Gulf Cooperation Council* region, especially in the construction sector. The number of migrant workers working in

construction projects in Qatar shows quite significant figures from year to year. These migrant workers substantially contribute to the rapidly evolving transformation of construction in Qatar. The number of migrant workers in Qatar working on construction projects can be seen in the following graph.

**Figure 4.4 Number of Migrant Workers Working in Construction Sector in Qatar**



Source: Planning and Statistics Authority, 2022 (processed).

Regarding the organization of the 2022 World Cup, according to the Qatari Government there are more than 30,000 migrant workers mostly from Bangladesh, India, Nepal, and the Philippines employed just to build stadiums. In addition, there are also migrant workers from Malaysia, Kenya, and various other South Asian countries (Workers' Welfare, 2022) (Amnesty International, 2016; International Trade Union Confederation, 2014) .

The hosting of the 2022 World Cup in Qatar has exposed the various working conditions faced by migrant workers or precariat under the *kafala* work system. Various data and reports published by international organizations and media reveal a long line of exploitative practices experienced by the precariat during the hosting of the 2022 World Cup in Qatar.

For example in 2015, Amnesty International exposed various human rights violations by sponsors (*kafil*) to more than a hundred migrant workers involved in the renovation project of Khalifa Stadium in Qatar. Furthermore, Amnesty International also highlighted several forms of exploitation widely reported by migrant workers in Qatar, including deceptive recruitment practices where migrant workers are promised certain working conditions but in fact are subjected to vastly different working conditions when already working in their destination countries and inadequate living conditions where migrant workers are forced to live in squalid and indecent dwellings. (Amnesty International, 2016)

In addition, the practices of confiscation of passports, refusal of exit visas, withholding wages, and delays in payment of wages for a long period of time further emphasize the extent of exploitation experienced by migrant workers. Sponsors (*kafil*) also often do not fulfill basic rights and fail to complete migrant workers' identity documents, placing migrant workers vulnerable to arrest or deportation. To make matters worse, migrant workers are also often subjected to forced labor which further worsens their plight under the exploitation of *the kafala labor system*. (Amnesty International, 2016)

The International Trade Union Confederation (ITUC) in its special report also discusses the exploitation practices that occur in migrant workers in the form of charging very high recruitment fees. The cost even reaches an average figure of 1,000 USD which in some cases can be even higher (International Trade Union Confederation, 2014) . Such recruitment costing practices contradict the International Labour Organization (ILO) Convention. No. 181 The report also details other exploitative practices in the *kafala* labor system: illegal wage cuts, months of unpaid wages, restrictions on freedom of movement, inadequate access to health services, substandard living facilities, and unhealthy and dangerous working conditions. The report also highlights practices of prohibition of association as well as discrimination and physical or sexual violence such as beatings, rape, and torture of migrant workers working under the (Human Rights Watch, 2022) *kafala labor system* (Malaeb, 2015).

Furthermore, the many different methods used to take advantage of the exploitation of precariates or migrant workers in their work in the 2022 World Cup facilities and infrastructure development projects can be explained as follows:

**Recruitment, Passport Detention, and Freedom to Change Jobs**

The practice of recruiting workers, especially migrant workers, has been regulated in various international regulations, one of which is the *"General Principles and Operational Guidelines for Fair Recruitment"* issued by the *International Labor Organization* (ILO) which explicitly prohibits the imposition of recruitment fees or other costs to workers or job seekers. The ban clearly reads *"No recruitment fees or related costs should be charged to, or otherwise borne by, workers or jobseekers"*. (International Labour Organization, 2019) The regulation was made with the aim of ensuring fair treatment of individuals who are workers or are seeking employment opportunities abroad.

However, in reality there are still certain labor recruitment agencies in workers' home countries that set very high recruitment fees for migrant workers. The fee is charged to migrant workers for various purposes, including the arrangement of employment contracts, work visas, and to facilitate the travel of migrant workers to their destination countries. In addition, these recruitment agencies often lure migrant workers through promises regarding the favorable working conditions that migrant workers will get but in the end it turns out that the working conditions experienced by migrant workers are very different from those promised. This discrepancy between promised and actual working conditions further exacerbates the exploitation conditions faced by migrant workers. (Human Rights Watch, 2009)

In its comprehensive report, it investigates the recruitment costs that these migrant workers have to bear. It noted that there are differences in recruitment fees levied by employment agencies in each country that channels migrant workers to Qatar. The details of the recruitment costs can be presented in the table as follows. (Jureidini, 2014)

**Table 4.2 Cost of Recruitment by Employment Agencies in Different Countries**

Country	Cost Range (in USD)	Average Cost Estimate (in USD)
Philippines	664 – 1.600	1.130
Nepal	1.300 – 1.500	1.400
Bangladesh	616 – 1.200	925
Sri Lanka	657 – 1.185	900
India	1.093 – 1.562	1.300

Indian workers in Doha	710 – 1.185	890
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Source: Jureidini (2014)

The table presented above contains information on the estimated recruitment fees charged to migrant workers in US dollars in some countries. The data includes countries such as the Philippines, Nepal, Bangladesh, Sri Lanka, India, and also particularly Indian workers in Doha. The range of recruitment costs presented in the table shows that the recruitment costs to be borne by migrant workers originating from the Philippines range from USD 664 to USD 1,600 with an estimated average cost of around USD 1,130. Meanwhile, migrant workers from Nepal bear recruitment costs in the range of USD 1,300 to USD 1,500 with an estimated average cost of around USD 1,400. As for other countries, such as Bangladesh with a range between USD 616 to USD 1,200 and an estimated average cost of around USD 925, and Sri Lanka with a range between USD 657 to USD 1,185 and an estimated average cost of around USD 900. Similarly, migrant workers coming from India bear recruitment costs ranging from USD 1,093 to USD 1,562 with an estimated average cost of around USD 1,300, while specifically for Indian workers working Doha, Qatar has to bear recruitment costs ranging from USD 710 to USD 1,185 with an estimated average cost of around USD 890.

Another report published by Verité highlights the more alarming extent of the issue, revealing that recruitment fees charged to migrant workers of Indian origin in *Gulf Cooperation Council* countries can reach 4,100 USD which is even higher than the total average annual salary of construction workers in the region. The economic pressure on migrant workers to get a job forces migrant workers to borrow money at very high interest rates which ultimately plunges them into a very high debt burden. This cycle of debt further perpetuates the exploitation and vulnerability of migrant workers that makes them vulnerable to various forms of oppression and abuse (Latham-Sprinkle et al., 2019).

In addition to deceptive recruitment practices, another form of exploitation that occurs in migrant workers is the control or restriction of migrant workers' freedoms or precariates through the practice of passport detention. This passport detention is carried out by sponsors (*kafil*) as a mechanism to restrict the freedom of movement of migrant workers. It is important to note that the practice of passport detention in Qatar is illegal. However, despite the provisions, there are still many labor recruitment agencies and sponsors (*kafil*) who continue to practice this practice to prevent migrant workers from leaving Qatar without the permission of their sponsors. (Human Rights Watch, 2022)

Extensive research conducted by the study revealed that of the large number of migrant workers interviewed, as many as six out of seven experienced passport detention cases carried out by their sponsors. In addition to impacting migrant workers' freedom of movement, the practice of passport detention also places migrant workers in vulnerable conditions that continue to be under the shadow of arrest and deportation. (Nyaupane et al., 2020)

Another important aspect of the *kafala* system of labor that contributes to the exploitation of the precariate is the restriction of the working mobility of the precariate. This significantly hinders migrant workers' ability to obtain opportunities to work elsewhere that are from various aspects better than their previous place of work because legally migrant workers cannot change jobs without the approval of their sponsor. Such approval is unfortunately very rarely granted and ultimately leaves workers trapped in an unfavorable and highly exploitative work environment. Migrant workers who decide to quit their jobs without obtaining permission from their sponsors face severe consequences where they could face arrest by Qatari authorities for supposedly

absconding. (International Trade Union Confederation, 2014)

**Prohibition of Association**

The rights relating to freedom of association in Qatar have been explicitly outlined in . However, the rights of migrant workers are not legally covered by the law which in article 116 reads: Qatar Law No.14 of 2004 on Employment Law

*"The membership in the mentioned two committees and in the General Union of the Workers of Qatar shall exclusively be to the Qatari Workers".*

The regulation clearly describes the provision for the establishment of a committee known as a "Labour Committee" by workers employed in a company on condition that the minimum number of Qatari workers who establish it exceeds one hundred people. It is important to note that the formation of these committees is limited to only one committee per establishment to emphasize the importance of collective representation of workers within the boundaries of their workplace.

However, the article further explains that freedom of association belongs only to Qatari workers so that migrant workers who are not Qatari citizens do not have the same rights to join unions. This blatant discrimination is in stark contrast to the fundamental rights of workers in various international regulatory instruments, for example in article 23 (3) of the "Universal Declaration of Human Rights" which emphasizes the right of all individuals, regardless of nationality or status, to be able to freely join and form organizations to protect their interests and advocate for their rights as workers. (International Trade Union Confederation, 2011)

In addition, the "Convention on Freedom of Association and Protection of the Right to Organize" No. 87 of 1948 also affirms the importance of fulfilling the rights of workers to establish and engage with labor organizations. This Convention, which is the cornerstone of international labor law, explicitly recognizes the importance of collective bargaining and labor representation as essential elements of a fair labor system. The practices restricting freedom of association for migrant workers in labor law are contrary to the principles enforced by the Convention, as well as other international laws that prioritize the protection of workers' rights.

Based on these facts, it becomes clear that although Qatar recognizes the rights of its local workers to unionize, it fails to provide equal recognition and protection of rights to migrant workers. Even among the various *Gulf Cooperation Council countries*, Qatar is a country that does not provide migrant workers with the right to participate in trade unions. This can be observed in the table below.

**Table 4.3 Rights related to Freedom of Association in Gulf Cooperation Council States**

Rights	Country					
	Bahrain	Kuwait	Oman	Qatar	Saudi Arabia	United Arab Emirates
The right to become a trade union member	Yes	Limited to all workers	Yes	Not possible for migrant workers	Not	Not
Right to collective bargaining	Not	Yes	Yes	Limited to all workers	Not	Not
Right to strike	Limited	Yes	Yes	Limited to	Not	Not

Rights	Country					
	Bahrain	Kuwait	Oman	Qatar	Saudi Arabia	United Arab Emirates
	to all workers			all workers		possible for migrant workers

Source:.. International Trade Union Confederation (2009)

### Unsuitable Housing Conditions

In general, migrant workers employed in *Gulf Cooperation Council* countries live in villas or labor camps located on the outskirts of major cities. In Qatar, precariats employed on construction work of the 2022 World Cup are experiencing a situation where they live in very squalid and unfit neighborhoods. The labor camp provided to accommodate migrant workers is considered very inappropriate because it places migrant workers where more than 25 people are placed in the same room and more than 30 migrant workers must share the same bathroom.

This dire condition is exacerbated by the absence of guarantees related to the availability of drinking water suitable for consumption, as evidenced by a comprehensive survey conducted by Qatar National Human Rights in 2011. The survey included a large sample size of 1,114 migrant workers in their capacity as workers in the 2022 World Cup facilities and infrastructure construction projects. The survey revealed that about 17.3% of the total migrant workers surveyed do not have access to clean drinking water in their accommodation or residence. (Human Rights Watch, 2022)

The act of lack of access to adequate facilities for migrant workers affects not only their physical well-being but also their mental well-being. Lack of privacy, inadequate facilities, and unhealthy environments can create significant emotional distress for migrant workers. In some cases, this can lead to serious psychological impacts such as anxiety, depression, and other psychological health problems. This issue is sometimes overlooked or taken lightly, but psychological health is an integral aspect of efforts to maintain a decent quality of life for all workers, including migrant workers. In the context of the *kafala* work system, there needs to be an awareness of the importance of providing a supportive environment for mental health for migrant workers to ensure that they not only have physically safe working conditions, but also adequate mental well-being.

### Poor Law Enforcement

Labor-related laws in Qatar have been specifically regulated to ensure the protection of labor rights through the Qatar Manpower Law of 2003 and Ministerial Decree No. 13 of 2015 which are stipulated to control and supervise inspection procedures applicable to residences and accommodation facilities for workers. In addition, emphasis related to the importance of housing for workers is emphasized through Ministerial Decree No. 17 which outlines various prerequisites related to worker residence. However, in its implementation sponsors (*kafil*) often do not comply with these regulations. (Morgan, 2012)

Morgan et al. (2012) added that Qatar's labor law also establishes guidelines aimed at fulfilling workers' rights and ensuring workers' welfare. This guideline covers various aspects such as setting maximum working hours per week, setting occupational health and safety standards, and providing paid *vacation time*. However, sponsors (*kafil*) also often ignore these regulations in practice, causing migrant workers to have no protection of their rights as workers.

The situation of migrant workers or precariat becomes worse when they seek to file complaints relating to the fulfillment of their rights as workers and the enforcement of labor laws. One of the obstacles experienced by migrant workers is the language barrier. In Qatar, most complaint service *hotlines* are only available exclusively in Arabic where migrant workers are generally unable to speak Arabic. The language barrier eventually becomes an important factor preventing migrant workers from obtaining support and assistance regarding the fulfillment of their rights as workers. (Human Rights Watch, 2022)

In addition, migrant workers also have to face the risk of being dismissed from their jobs and expelled from their place of residence if they try to voice their interests and fight for their rights, for example trying to file a complaint if they experience persecution by their sponsors. This condition causes migrant workers to be trapped in a situation where they are forced to accept or endure the ill-treatment they receive and accept conditions where their rights as workers are violated by their sponsors. This condition certainly exacerbates the exploitation practices experienced by migrant workers in the 2022 World Cup construction projects.

Therefore, despite Qatar's labor laws specifically designed to protect workers' rights, their actual implementation and sponsorship compliance *remain* problematic so that migrant workers will remain trapped in a cycle of exploitation. The failure of sponsors to comply with existing laws or regulations and even deliberately ignore them, coupled with weak law enforcement in Qatar regarding migrant workers' conditions, further contributes to the establishment of conditions where migrant workers are vulnerable as precariates and continue to be exploited.

Regarding the implementation of labor laws in Qatar, the main problem lies in the lack of compliance and effective enforcement of laws against sponsors (*kafil*). While there are regulations designed to protect workers' rights, in reality, their implementation is often problematic. Sponsors' failure to comply with existing laws, sometimes deliberately ignored, creates significant loopholes in the protection of migrant workers' rights.

The problem has worsened due to weak law enforcement in Qatar in dealing with the plight of migrant workers. This situation significantly creates an environment in which migrant workers continue to be in a vulnerable condition as a precariate, and exploitation of them continues without significant hindrance. In this context, the protection of migrant workers' rights depends not only on the existence of appropriate laws, but also on effective implementation and strict enforcement of laws.

### **Wage Fulfillment and Exit Visa**

According to a survey conducted by the Qatar National Human Rights of migrant workers in Qatar, the majority of complaints from migrant workers revolve around issues such as low and substandard salaries and wages, as well as salary payments that are often not made. In fact, of the 1,114 respondents surveyed by Qatar National Human Rights, 33.9% admitted that they did not receive regular salary payments. (Human Rights Watch, 2022)

In addition, *exit visas in the kafala work system* controlled by sponsors (*kafil*) also have the potential to pave the way for the exploitation of migrant workers. Even based on the findings of various studies conducted on migrant workers in Qatar, it is known that many Qatari companies that sponsor (*kafil*) force migrant workers to pay various costs incurred to leave Qatar after their employment period ends, even though the practice has been prohibited through Qatari regulations.

The implications of such exploitation place migrant workers in difficult and vulnerable conditions because, according to a *Human Rights Watch* report, the only option available to these migrant workers to regain their rights as workers is to undergo protracted litigation just to obtain the exit visas to which they should be entitled. (Human Rights Watch, 2022)

Due to the challenges migrant workers face in regaining their rights, lengthy and protracted litigation poses a significant obstacle. In addition to facing wasted time, complex legal proceedings often cost migrant workers high costs. They sometimes have to spend large sums of money to get legal aid or fight their cases in court.

The limited financial resources of most migrant workers are a serious barrier to accessing justice. This creates inequality of access to the justice system, where only financially capable individuals are able to obtain adequate legal assistance. In many cases, these high costs and lengthy processes limit migrant workers' access to the justice to which every individual should be entitled, deepening the justice gap for them.

### **Qatar's Diplomacy Strategy Model**

#### **Diplomatic Crisis and Sanctions from Four Arab Countries**

The crisis between Qatar and the four Arab countries is undoubtedly the most severe crisis in the history of Qatari diplomacy. The crisis has had a profound and far-reaching impact on various sectors throughout the Arabian Peninsula which includes various sectors such as economic, political, and stability sectors throughout the Arabian Peninsula region. This crisis was accompanied by the imposition of diplomatic sanctions by the four Arab countries and led to a change in the geopolitical order on a wider scale in the Middle East region. (Saanun, 2018)

The diplomatic crisis was caused by various accusations leveled against Qatar by Egypt, the United Arab Emirates, Bahrain, and Saudi Arabia. The countries have accused Qatar of being involved in funding various terrorist organizations as well as other opposition groups in the Persian Gulf region. The allegations include allegations that Qatar supports Iran, the Muslim Brotherhood, and other Islamic organizations, including Hamas, Hezbollah, and Al Qaeda, all of which are firmly considered terrorist groups by Saudi Arabia and its coalition. The countries also highlighted Qatar's foreign policy, which it claimed showed a tendency to support the Iranian government, which is in opposition to Saudi Arabia and several other Persian Gulf states. (Al-Rawi, 2017)

In its capacity as a sovereign state, Qatar considers the allegations a deliberate attempt to isolate and limit Qatar's influence regionally. In response to this crisis, Sheikh Mohammed bin Abdulrahman Al-Thani, who holds the post of Qatari Foreign Minister, categorically denied all the allegations and asserted that they were based on false and baseless information. Al-Thani also underlined the key point that Qatar and Saudi Arabia have previously engaged in cooperative efforts in the security and intelligence fields, adding a layer of complexity to the accusations leveled by the four Arab countries. Al-Thani also claimed that the allegations are baseless as Egypt, the United Arab Emirates, Bahrain, and Saudi Arabia cannot provide concrete evidence to support their accusations.

After denying the allegations, Qatar has firmly chosen to resolve the diplomatic crisis through diplomatic channels and negotiation tactics. Sheikh Tamim, who serves as Emir in Qatar, emphatically stressed that the diplomatic crisis is just a pretext used by four Arab countries to incite regime change in Qatar. Al-Thani also significantly stressed on the fact that the diplomatic crisis accompanied by the imposition of sanctions will not hinder Qatar's foreign policy measures and the Qatari Government will remain in its commitment to safeguard its sovereignty and reject any form of interference from external parties. (Al-Jazeera, 2017b)

The consequences of the diplomatic crisis accompanied by the imposition of sanctions by the four Arab countries caused huge losses for Qatar in economic and political aspects. This is mainly due to the geographical proximity of these countries to Qatar. One of the sectors particularly affected by the imposition of sanctions is Qatar's import and export sector, most of which are carried out in the territory of Saudi Arabia and the United Arab Emirates. This has

resulted in a scarcity of important resources such as food, beverages, and various construction materials needed by Qatar to organize the 2022 World Cup. (Nephew, 2020)

To counter the impact of the sanctions, the Government of Qatar conducted a comprehensive review of its various strategic policies while actively developing short-term diplomatic relations with the Governments of Iran and Turkey. The diplomatic approach was taken by Qatar to maintain its domestic stability and to overcome the diplomatic crisis it faces given that Turkey and Iran hold positions as major powers in the Middle East region so that support and cooperation with the two countries is considered to help Qatar to resolve the diplomatic crisis and overcome sanctions imposed by the four Middle Eastern countries. (Al-Jazeera, 2017a)

As a consequence of the diplomatic crisis, the Qatari Government is actively taking diplomatic steps to address the issue by intensifying diplomatic efforts as well as engaging in negotiations based on the principles of equality and mutual respect to maintain Qatar's status as a sovereign and independent state. Qatar's diplomatic strategy or approach in responding to the crisis and imposing sanctions can be explained as follows.

Qatar actively seeks to strengthen and enhance its diplomatic relations with the United States with a commitment to strengthen bilateral relations with the United States Government. To achieve this goal, Qatar is proactively liaising with various US institutions such as the Pentagon and the US State Department. The move by Qatar is through the signing of a landmark agreement worth 12 billion USD for the procurement of F15 fighter jets. In addition, Qatar also took substantive action through the signing of a memorandum of understanding with the United States as a strategic alliance to combat terrorism financing. (Bayoumi et al., 2017)

Qatar actively utilizes its diplomatic power to establish and strengthen relations with European countries as a leading world power. Qatar's proactive efforts are being made to strengthen its position in the Middle East while also garnering support and fostering strong ties to effectively address the problems caused by the imposition of sanctions from four Arab countries. As a direct result of such diplomatic actions, the Qatari Government managed to gain the support of Germany which was willing to play the role of mediator in the crisis faced by Qatar. Germany's involvement as a neutral party further strengthens Qatar's diplomatic position to address the crisis it faces. In addition, the Qatari Government also proactively diplomacy with Russia through bilateral meetings between the Qatari Foreign Minister in Moscow and Sergey Lavrov, the Russian Foreign Minister. During the bilateral meeting, Sheikh Mohammed bin Abdulrahman Al-Thani stressed the urgency to resolve the crisis in the Persian Gulf as he recognized Russia's potential role as a mediator in resolving the conflict and the crisis to reach a peaceful resolution.

Qatar effectively optimized its diplomatic efforts by sending delegations at the *National Human Rights and Shura Council* to the United States and Europe in an effort to build a common understanding of the humanitarian impact of the four Middle Eastern sanctions. In addition, the Government of Qatar also took the initiative to host an international conference on media freedom to counter attempts to blockade critical media financially supported by Qatar.

Qatar has also established diplomatic relations with various neutral neighbors in the conflict faced by Qatar such as Kuwait and Oman to support its diplomatic strategy.

## CONCLUSION

The study concluded that the kafala work system in Qatar creates exploitative relations with migrant workers. Power elites, including the Qatari government, FIFA, international contractors, and recruitment agencies, contribute to this exploitation for economic gain. The crisis with four Middle Eastern countries is affecting stability in the region, triggered by accusations that Qatar is

involved with terrorist groups. Qatar responded with diplomatic action, building relations with neutral countries and seeking to improve its image through soft diplomacy. Despite labor law reforms, exploitation of migrant workers still occurs, despite Qatar's diplomatic efforts to build a positive image in the eyes of the international community

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