

Kafala *v.* Human Rights Migrant Workers at the 2022 Qatar World Cup

Yordan Gunawan^{a b}✉, M. Fabian Akbar^a, Eva Ferrer Corral^c

^a Faculty of Law, Universitas Muhammadiyah Yogyakarta, Indonesia

^b Facultat de Dret, Universitat Pompeu Fabra, Spain

^c Facultat d'Humanitats, Universitat Pompeu Fabra, Spain

✉ Corresponding email: yordangunawan@umy.ac.id

Abstract

The research analyzes violations of human rights against immigrant workers at the 2022 Qatar World Cup. After receiving the privilege of hosting the 2022 World Cup, Qatar was faced with the problem of migrant workers, which has become a concern of the world community. Migrant workers who build infrastructure face discriminatory and exploitative treatment, and hundreds of migrant workers are found working on infrastructure development for the 2022 World Cup, where workers are affected by human rights violations by the companies where they work. The problem is due to the existence of the *Kafala* system, which is considered to be the root cause of all aspects of the migrant workforce in infrastructure development in Qatar through 2022. The research method used is normative legal research with a case approach. The results of the study show that the sponsorship *kafala* system implemented by Qatar only facilitates the occurrence of modern slavery through the exploitation of the rights of migrant workers. Therefore, the research examines Qatar's actions on human rights violations and the International Labour Organization (ILO)

accountability in efforts to influence policies related to migrant workers in Qatar.

KEYWORDS *Human Rights, Kafala, Labor Exploitation, Modern Slavery, Qatar*

Introduction

Qatar is a Middle Eastern nation located on a small peninsula extending from the Arabian Peninsula in West Asia. It shares its only land border with Saudi Arabia to the south, while the rest of its territory is surrounded by the Persian Gulf. As a relatively small country with a limited population, Qatar heavily relies on migrant workers to support its infrastructure development.¹ A member of the Gulf Cooperation Council (GCC), Qatar participates in this regional trade union comprising six Arab nations situated along the Persian Gulf. The GCC pursues various economic and social objectives, including regional integration and cooperation. Among GCC member states, Qatar stands out as a significant destination for migrant workers, driven in part by its high per capita income, which is among the highest in the region and serves as a key factor attracting international labor migration.²

With a highly dominant migrant worker population in Qatar, according to statistics, 90 percent of the overall population of Qatar consists of migrant workers, 40 percent of whom are actively engaged in the sector of infrastructure building. Qatar has the world's highest ratio of migrants to citizens.³ This is owing to the strong demand for labor and the country's tiny population, which forces Qatar to depend extensively on migrant laborers.

The growth of migrant workers in Qatar is also related to large-scale growth, which is one of the most important drivers in the country. Furthermore, after the awarding of the 2022 World Cup hosting rights to Qatar by FIFA in 2010, Qatar has constructed a variety of facilities and infrastructure

¹ S Alfredha Shinta Putri, "Qatar's Clean Diplomacy Facing Regional Conflict," *Sospol: Jurnal Sosial Politik* 5, no. 2 (2019): 249–260, <https://doi.org/10.22219/sospol.v5i2.10035>.

² Omar Hesham Al-Shehabi, "Policing Labour in Empire: The Modern Origins of the Kafala Sponsorship System in the Gulf Arab States," *British Journal of Middle Eastern Studies* 48, no. 2 (2019): 291–310, <https://doi.org/10.1080/13530194.2019.1580183>.

³ Chloé Domat, "The Plight of Migrant Workers in Qatar," 2022.

in preparation for the 2022 World Cup. With so much growth in Qatar, the country does not have a sufficient workforce, so the government of Qatar continues to attract migrant laborers to help with the development process, including infrastructure construction for the 2022 World Cup.

In dealing with migrant workers, Qatar uses the *kafala* system. The system is the main way for workers to obtain entry visas and residence permits. The *kafala* system itself is regulated in Law No. 4 of 2009 which contains regulations on the entry and exit of expatriates, their place of residence and their relationship with employers. The system regulates the relationship between the sponsor (employer) and the migrant worker where the migrant worker is legally bound to the sponsor during the contract period. However, the application of the *kafala* system has opportunities for human rights violations and risks of worker exploitation.⁴

The implementation of the *kafala* system, it makes the dominance of foreign workers in Qatar vulnerable to discriminatory practices and exploitation of foreign workers who work in facility and infrastructure development projects. Many of these workers were late and were not paid according to the employment contract of the foreign workers. They also do not get a residence permit, have their passports confiscated, where they live inadequately and are required to work beyond the specified time limit.⁵ The maximization of migrant workers is also very risky against all forms of discriminatory treatment they receive.

It can be seen from the various world responses that highlight the government of Qatar in employing its migrant workers. The condition was confirmed through the news reports of The Guardian media that at least 6,500 from India, Pakistan, Nepal, Bangladesh, and Sri Lanka who died in Qatar were involved in infrastructure development for the 2022 World Cup 2011 and 2020 due to infrastructure development for the 2022 World Cup.⁶

Migrant workers are not permitted to enter the country, change occupations, or leave the country for any reason unless they first acquire formal authorization from their sponsor. Sponsors often exert control, which damages

⁴ Victor H Mlambo and Sphephelo Zubane, "No Rights, No Freedom: The Kafala System and the Plight of African Migrants in the Middle East," *Adri Journals of Arts and Social Sciences* 18, no. 1 (2021): 1–16, [https://doi.org/10.55058/adriijass.v18i1\(6\),%20April,%202021-%20June.656](https://doi.org/10.55058/adriijass.v18i1(6),%20April,%202021-%20June.656).

⁵ Amnesty International, "Qatar: Labour Reform Unfinished and Compensation Still Owed as World Cup Looms," 2022.

⁶ Gary Dagorn and Iris Derœux, "World Cup 2022: The Difficulty with Estimating the Number of Deaths on Qatar Construction Sites," 2022.

foreign employees. In general, sponsors remove workers' passports and travel papers, even though the practice is prohibited in some destination countries. The structure is at the heart of exploitative acts against migrant workers, which restrict many types of rights, including the freedom to change occupations and return to their home country. Modern slavery is a kind of forced labor, more specifically the exploitation of forced labor, in which the business sector acts as recruitment agents for bonded labor, particularly in the construction industry.⁷

The worldwide attention that the World Cup has given to Qatar, in particular, has revealed some of the underlying abuses involving foreign employees, for which Qatar is accused of failing to defend the rights of every person touched by the country's actions. FIFA is being held accountable for its choice to choose Qatar as the host country for the 2022 World Cup.

In the worker issue, the International Labour Organization (ILO) plays a role in efforts to protect all workers who experience problems in employment. Where the ILO is an international organization under the auspices of the United Nations (UN) agency that deals with the field of employment in the international world.⁸ The organization, which was founded in 1919, has 187 members, one of which is Qatar. Qatar itself has officially been a member of the ILO since 1972 and has ratified several conventions at the ILO. The ILO, one of its goals, is to become an organization that compiles labor standards to be used as guidelines and international programs to improve employment and the lives of workers.⁹

The research is conducted using a normative legal approach, focusing on the analysis of legal frameworks and principles related to human rights violations of migrant workers during the 2022 Qatar World Cup in the context of international law. This study examines various international human rights instruments, including conventions and treaties, to assess how Qatar's legal system addresses or fails to address these violations. Additionally, the research employs a case study approach, specifically analyzing legal cases where the Kafala system has been challenged or where migrant workers' rights have been

⁷ Rachel Silvey, "Precarity Chains: Cycles of Domestic Worker Migration from Southeast Asia to the Middle East," *Journal of Ethnic and Migration Studies* 46, no. 16 (2020): 3457–71, <https://doi.org/10.1080/1369183X.2019.1592398>.

⁸ Tzehainesh Teklè, "An Analysis of the Contribution of the ILO's International Labour Standards System to the European Court of Human Rights's Jurisprudence in the Field of Non-Discrimination," *Industrial Law Journal* 49, no. 1 (2019): 1–19, <https://doi.org/10.1093/indlaw/dwz020>.

⁹ Antoine Duval, "How Qatar's Migrant Workers Became FIFA's Problem: A Transnational Struggle for Responsibility," *Transnational Legal Theory* 12, no. 4 (2021): 473–500, <https://doi.org/10.1080/20414005.2022.2030633>.

litigated. This includes cases from international courts, as well as local Qatari judicial proceedings, to explore how these cases reveal systemic issues within Qatar's legal framework regarding migrant workers. The research also compares these cases to broader legal trends in other Gulf Cooperation Council (GCC) countries. Data is gathered from primary legal sources, including case law, treaties, and legal documents, and secondary sources such as books, legal journals, and newspapers. The information is categorized and interpreted qualitatively using a deductive-inductive approach to explore patterns and provide solutions to the human rights issues identified.

Forms of Human Rights Violations Against Foreign Workers in Qatar

Human rights can also be interpreted as rights that everyone has because of their existence as human beings. These rights stem from human moral thinking and are necessary to protect the dignity of the individual as a human being. Human rights exist since a person is born into the world, and their existence is recognized without regard to race, color, language, religion, politics, nationality, money, or birth. The Universal Declaration of Human Rights (UDHR) was passed by the General Assembly of the United Nations (UN) in 1948.¹⁰ The declaration is a worldwide declaration of human rights that includes 30 articles and calls on all governments to protect human rights by harmonizing their constitutions with the declaration.¹¹

The selection of Qatar to host the 2022 FIFA World Cup necessitates the construction of several new and large-scale building projects by the Qatari government. Qatar will once again need foreign workers to fulfill the megaproject since the number of Qatari workers is restricted and pay for international workers are cheaper.

Qatar is one of the countries in the Arab Gulf region with an increasing number of migrant workers every year. It is based on Qatar's need for migrant workers, where construction is the most significant sector for increasing the number of these migrant workers. Placement of migrant workers in Qatar is

¹⁰ Emanuele Ertola, "‘White Slaves’: Labor, Whiteness, And Settler Colonialism in Italian East Africa (1935-1941)," *Labor History* 61, no. 5 (2020): 551–67, <https://doi.org/10.1080/0023656X.2020.1820974>.

¹¹ Hanne Christensen, "Born Free and Equal: The History of the Universal Declaration of Human Rights," *Advances in Social Sciences Research Journal* 7, no. 6 (2020): 112–17, <https://doi.org/10.14738/assrj.76.8334>.

also an effort to realize equal rights and opportunities for workers to obtain decent jobs and income, the implementation of which is carried out while taking into account dignity, human rights, and legal protection, as well as equal distribution of employment opportunities and the provision of manpower in accordance with national interests. For the reason, the country is obliged to improve the entire system of protection for migrant workers and their families that reflects human values and dignity as a nation, starting from before work, during work, and after work. The placement and protection of migrant workers needs to be carried out in an integrated manner between government agencies, both central and regional, by involving the community.¹²

The massive influx of migrant workers to Qatar was based on the industrial development carried out by Qatar on a large scale, for example, the discovery of petroleum in Dukhan in 1939 and exports, which were carried out for the first time in 1949, which helped Qatar rise from its previous poor economy. Qatar began to develop in its country in the 1950s with the export of petroleum, and the development accelerated with the discovery of large amounts of natural gas. In developing its industrial system, Qatar requires many workers. The relatively small population of Qatar requires Qatar to be able to deal with the lack of manpower, namely by looking for workers from other countries.¹³

The opening of jobs for foreign workers impacts the population in Qatar. Qatar's population at that time grew with foreign workers entering and working in Qatar. Its number grows every year. Since the 1970s, the Gulf countries, including Qatar, have depended on foreign workers from various Asian countries. Especially when Qatar started building several infrastructures for the purpose of holding the 2022 World Cup, which led to a growth in the influx of foreign worker populations in Qatar.¹⁴

With a very dominant population of migrant workers in Qatar, on the one hand, the proportion of migrant workers with a large number is considered beneficial because it can help speed up the process of completing infrastructure

¹² Chris F Wright, "Migrant Labour and Low-Quality Work: A Persistent Relationship," *Journal of Industrial Relations* 61, no. 2 (2019): 157–75, <https://doi.org/10.1177/0022185618824137>.

¹³ Ahmad Syarnubi et al., "Performance, Productivity, and Safety & Health Among Employee of Oil & Gas Company in Qatar," *IOP Conference Series Earth and Environmental Science* 195, no. 2 (n.d.): 1–8, <https://doi.org/10.1088/1755-1315/195/1/012075>.

¹⁴ Zahra Babar and Neha Vora, "The 2022 World Cup and Migrants' Rights in Qatar: Racialised Labour Hierarchies and the Influence of Racial Capitalism," *The Political Quarterly* 93, no. 3 (2022): 498–507, <https://doi.org/10.1111/1467-923X.13154>.

development. Still, on the other hand, development involving the majority of workers has been decorated by practices that make workers Migrants are vulnerable to discriminatory practices and exploitation. Due to demanding and dangerous working conditions for construction workers. It shows that hundreds of migrant workers who work on stadium and infrastructure construction projects in Qatar are subject to discriminatory and exploitative treatment by the companies where they work. Many of the migrant workers are late and are not paid according to the work contract. They also do not get a residence permit, have their passports confiscated, where they live inadequately, and are required to work beyond the specified time limit.¹⁵

However, in practice, strict control from employers often leads to negative things that actually violate the rights of migrant workers. In addition, migrant workers are usually constrained in their mobility. If the cafeels do not want to, workers cannot leave them for yet another lucrative job. In fact, workers can become victims of extortion by unscrupulous cafeels. If they protest or question their terms and conditions of work, the cafeel can deport them. For example confiscation of passports and identity documents, which can violate freedom of movement. Such a situation indicates that migrant workers are trapped in an exploitative system which is considered as a manifestation of today's slavery.

According to quotes from The Guardian, more than 6,500 migrant workers from India, Pakistan, Nepal, Bangladesh, and Sri Lanka have died since Qatar was chosen to host the World Cup. On average, 12 workers die each week.¹⁶ In response, Qatar said that the number of deaths was proportional to the number of migrant workers and included many non-manual workers, adding that any lives lost were a tragedy.¹⁷ In this case, Qatar is considered to have failed in prioritizing humanitarian aspects and human rights because the death rate of its workers is quite high. It is triggered not only by the high death rate of workers but also by the high level of violence against migrant workers in Qatar.¹⁸ Due to their political and economic agenda, there is a clear lack of

¹⁵ Daniela Heerdt, "Winning at the World Cup: A Matter of Protecting Human Rights and Sharing Responsibilities," *Netherlands Quarterly of Human Rights* 36, no. 2 (2018): 86–92, <https://doi.org/10.1177/0924051918771228>.

¹⁶ The Guardian, "Revealed: 6,500 Migrant Workers Have Died in Qatar Since World Cup Awarded," 2021.

¹⁷ Reuters, "World Cup 2022: How Many Migrant Workers Have Died in Qatar?," 2022.

¹⁸ Mohammed Al Thani, "Channelling Soft Power: The Qatar 2022 World Cup, Migrant Workers, and International Image," *The International Journal of the History of Sport* 38, no. 17 (2021): 1729–52, <https://doi.org/10.1080/09523367.2021.1988932>.

attention and action, instead focusing on the prosperity that all infrastructure projects will bring to the table in the near future.

The high death rate is influenced by the Qatar Government's lack of attention to occupational safety and health facilities and infrastructure, which results in inadequate working environmental conditions. In addition, the Qatari government tends to attribute the death rate to work accidents, even though in reality the majority of victims are young workers. Conditions in migrant worker camps also remain in a dire state, despite the Qatari government's promise in 2017 to improve camp conditions, protect workers from exposure to extreme weather, and limit working hours. However, this promise has not been implemented optimally. In these camps, illegal migrant workers have to share a room with six other people, while the food provided is in very inadequate conditions.

Accommodation or dormitory facilities provided by companies or employers are generally in inadequate conditions and tend to be shabby and overcrowded. Migrant workers are placed in rooms equipped with bunk beds, where each room can accommodate four to eight people. Apart from that, access to the dormitory is often inadequate, characterized by a dirty environment, standing water due to a poor drainage system, and the strong smell of waste. This condition reflects inhumane work practices and has the potential to fall into the category of forced labor.

Migrant workers are also often not allowed to return to their home countries on the grounds that they have not received their salaries for months. On the other hand, companies or employers often take advantage of this situation to force workers to continue working with the promise of salary payments and permission to return home. Thus, this condition is exploited by companies and employers as a form of pressure on migrant workers to comply with all work orders given.¹⁹

The treatment received by these migrant workers proves that the Qatari government is not serious about ensuring the health and safety of migrant workers. When it is reported and published in the international media, the Qatari government always denies that they treat migrant workers inhumanely. The Qatari government claims that they always ensure the safety of migrant workers, even though the government does not always deny that negligence occurs, which then affects the conditions of these migrant workers. However, when discussing data on the high death rate and lots of news that mentions the

¹⁹ Adinda Putri Prakasa, "Perlindungan Hak Asasi Manusia Pekerja Migran Pada Piala Dunia Tahun 2022 Di Qatar," *Uti Possidetis: Journal of International Law* 4, no. 1 (2023): 119–45, <https://doi.org/10.22437/up.v4i1.21816>.

conditions experienced by migrant workers, the Qatari government remains firm in its attitude, that is, they always pay attention to the conditions of these migrant workers. But in reality, it is different. The government of Qatar itself should give the condition great attention.

Then, regarding the working hours of workers in Qatar, they are employed in extreme conditions, with work duration reaching up to 20 hours per day. The workers have to work under extreme heat of up to 50 degrees Celsius for long hours, which in the context of construction work is considered very dangerous.²⁰ In addition, the wages received by migrant workers are often insufficient. They are paid less than the full minimum wage, and in some cases, it doesn't bother them at all. Migrant workers also carry out unilateral wage cuts which are carried out illegally and are considered a severe punishment. Furthermore, there were reports of workers not receiving wage payments for months, despite continuing to work long hours. This situation has been exacerbated by the Covid-19 pandemic, which has led to an increase in violations related to the payment of wages. Many construction companies in Qatar are experiencing financial difficulties and are on the verge of bankruptcy because projects financed by the government as their main client have experienced a decline in funding.

The protection of migrant workers is part of the right to work, which is one of the basic rights of every human being. The right to work and the right to work as part of human rights will be attached to every person, and the country is obliged to respect, protect, and fulfill these human rights. The obligation to respect means that the country must ensure that its policies do not violate the human rights of its citizens; protecting can be done by preventing any violations committed by third parties and carrying out investigations and punishments for those who violate them; fulfilling means creating a condition that allows every individual to enjoy the right to work, for example by providing job information or creating jobs. Moreover, international institutions working in the field of human rights are increasingly involved in pressing cases involving the government of Qatar.²¹

²⁰ Kumparan, "Piala Dunia 2022 Dan HAM: Kegagalan Qatar Dalam Memenuhi Hak Buruh Migran," 2024, <https://kumparan.com/radhite-satria/piala-dunia-2022-dan-ham-kegagalan-qatar-dalam-memenuhi-hak-buruh-migran-22D6R64WCLm>.

²¹ Yupiter Marpi, "Legal Protection of Migrant Workers Against Threats of Abuse Discrimination in A Diplomatic Relationship Perspective Between Countries," *Lampung Journal of International Law* 3, no. 2 (2021): 111–20, <https://doi.org/10.25041/lajil.v3i2.2366>.

The *Kafala* System's Application to Migrant Workers in Qatar

Several problems experienced by migrant workers in Qatar are inseparable from existing rules or regulations. Regulations regarding migrant workers in Qatar include those in other Gulf countries that are members of the GCC, such as Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates, as well as in non-GCC countries such as Jordan and Lebanon.²² Various agreements were formed and ratified by the GCC relating to the interests of the Gulf countries. The *kafala* system is one example of a GCC-negotiated outcome. The *kafala* system focuses on foreign workers, often referred to as "migrant workers," who come and work in the Gulf countries. The system was used and adopted for the first time since the 1950s as a reference in implementing domestic policies related to migrant workers in the Gulf countries. It is known as the *kafala* system. by some of the Gulf countries, the system was set up to supply the workforce that supports large-scale infrastructure development in some of the Gulf countries.²³

In general, *kafala* is a discussion of Islamic law which has been in the spotlight of previous scholars. Al-*kafala* is a guarantee given by the guarantor to people who have dependents on other people or in another sense, which means the transfer of responsibility for something guaranteed or guaranteed. *Kafala* literally means combining. Meanwhile, in the Qur'an, the word *kafala* means maintenance.

The *Kafala* system stems from the large demand for cheap labor from several Gulf countries and the desperation of migrant workers who want social security and a better life. In this case, the country grants sponsorship permits to private companies to be able to employ migrant workers, who will later be brought in through recruitment agencies from the worker's country of origin legally bound to the employer or sponsor (*kafeel*) where they work. They also have full authority to arrange the arrival of workers, including processing visas and residence permits. Fundamentally, the *kafala* system should be a good

²² Cosimo Magazzino, "Fiscal Sustainability in the GCC Countries," *International Journal of Economic Policy Studies* 16, no. 1 (2022): 389–408, <https://doi.org/10.1007/s42495-022-00082-9>.

²³ Anggita Doramia Lumbanraja and Yusriyadi, "The Urgency to Reform the Kafāla System in the Sake of Human Rights of Indonesia Domestic Workers," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 21, no. 2 (2021): 213–30, <https://doi.org/10.18326/IJTIHAD.V21I2.213-230>.

system that makes the sponsor or employer responsible for protecting the workers. The real purpose of the *kafala* system is to guarantee all needs such as accommodation, shelter, wages or salaries as well as health and safety guarantees for migrant workers and that they are treated fairly. All guarantees given to these migrant workers are bound by a work contract. In the *Kafala* system, migrant workers are bound by their employers.

But in reality, migrant workers cannot apply for or renew their own residence permit without the consent of the employer. If the sponsor fails to renew the worker's residence permit, the penalty falls on the worker, not the sponsor. Workers who are under contract with the sponsor also cannot change their workers or leave the employer's country without permission from the sponsor.²⁴

The problem is due to the existence of the *kafala* system which is considered to be the root cause of all aspects of migrant workers in infrastructure development in Qatar 2022. In the *Kafala* System, all regulations made by employers must be followed or obeyed by migrant workers, including in the field of work. In many cases, employers or sponsors do not pay or, in other words, do not pay migrant workers. However, with the *Kafala* system, migrant workers are not at all benefited. Their lives completely depend on their masters. However, due to the *Kafala* system being too partial to employers or sponsors, employers take advantage of loopholes in the system by carrying out actions that are actually against the law. The existence of the *Kafala* system clearly violates the human rights and security of individual migrant workers.²⁵

The kafala system in Qatar, Saudi Arabia, Kuwait, and the United Arab Emirates (UAE) shares the fundamental principle of giving employers or sponsors significant control over migrant workers. However, there are notable differences in how it is implemented and the reforms introduced in each country. In Qatar, the kafala system is governed by Law No. 4 of 2009, which grants sponsors extensive control over workers, including their residency permits and passports. Migrant workers cannot change employers or leave the country without the sponsor's consent, often leading to human rights abuses and restrictions on freedom. Similarly, in Saudi Arabia, while the kafala system still exists, the government started reforms in 2021 allowing migrant workers to

²⁴ Bina Fernandez, 'Racialised Institutional Humiliation Through the Kafala', *Ethnic and Migration Studies*, 47.19 (2021), 4344–61 <<https://doi.org/10.1080/1369183X.2021.1876555>>.

²⁵ Amanda Garrett, "The End of Kafala? Evaluating Recent Migrant Labor Reforms in Qatar," *Georgetown Journal of International Affairs* 21, no. 1 (2021): 201–8, <https://doi.org/10.1353/gia.2020.0029>.

change jobs without the sponsor's approval, although these reforms are still limited to certain sectors. In Kuwait, although the kafala system still requires migrant workers to have a sponsor, the country is gradually phasing it out and replacing it with a more equitable contract-based system aimed at reducing dependency on sponsors and protecting workers' rights. Meanwhile, the UAE announced significant reforms in 2020 that allow migrant workers to change jobs without the sponsor's approval after two years of employment, offering more freedom to migrant workers compared to other GCC countries. Oman also began to phase out the kafala system in 2020, replacing it with a more flexible contract system that gives migrant workers greater mobility and control over their employment arrangements. Despite these reforms in some countries, migrant workers across the GCC still face significant challenges in terms of the protection of their rights and fair treatment by sponsors.²⁶

The *kafala* system in Qatar itself falls under the jurisdiction of the Ministry of Interior, not the Ministry of Labour. Therefore, workers have no protection under the host country's labor laws. It then makes it vulnerable to exploitation and deprivation of the rights of workers, especially these migrant workers. In addition, the rules of the *Kafala* System stipulate that only sponsors or people who employ migrant workers can renew or extend the visas of these migrant workers. In this case, migrant workers belong to a class of citizens who are not native citizens, therefore, their legal status of work is different from that of Qatari citizens, it creates an imbalance of power which can be exploited by sponsors or people who employ migrant workers.²⁷

Under Law No. 4 of 2009, every migrant worker is subject to the *kafala* system which regulates the relationship between migrant workers and their employers. Broadly speaking, the law contains explanations as stated in several articles in Law No. 4 of 2009 contains the following explanation:

- a. Article 1: Explanation of the terms 'Expatriate' and 'Sponsor'. Expatriate refers to all migrant workers, while 'Sponsor' refers to employer inviting the workers to their sponsorship who has obligations over his workers.
- b. Article 9: The employer has a responsibility to assist visa and residence permit of his workers. Upon completion of procedures, the employer shall return the passport or travel document to the workers.

²⁶ Hind Mohammed Al Hammadi, Kawthar Abdallah Bayouomi, and Arieff Salleh Bin Rosman, "The Impact of Abolishing the Sponsorship System (Kafala) on the Peaceful Co-Existence of Population Groups in Qatar in Light of the Migration Goals of the Alliance of Civilizations," *International Journal of Academic Research in Business and Social Sciences* 12, no. 4 (2022): 388–408, <https://doi.org/10.6007/IJARBS/v12-i4/13068>.

²⁷ K Robinson, "What Is the Kafala System," 2022.

- c. Article 12: Workers are allowed to change sponsorship only if it is found any abuses or mistreatment by the original sponsor. The transfer is only on a temporary basis. Workers who leave sponsorship without the the consent of the employer will be considered as absconding.
- d. Article 26: Workers are required to have an exit permit from the employer before the approval of the competent authority if they wish to leave the country.
- e. Article 41: Workers who do not have a residence permit or if the permit is expired will be deported from Qatar.
- f. Article 52: An employer who keeps workers' passports or travel documents shall pay a penalty, but do not exceed 10,000 riyals.

Based on the law, it is basically considered inadequate in protecting the rights of migrant workers. The condition of migrant workers who are under the strong influence of their employers has shown indications of forced labor. It shows that employers wield considerable power and influence on migrant labor. The above article is considered to violate the rights of migrant workers in Qatar. For example, in article 9 which states that the employer is responsible for the completion of a work stay permit within 90 days after arrival. Upon completion, the employer must return the worker's passport. In fact, employers often confiscate migrant workers' passports upon arrival.²⁸ These conditions have limited the migrant workers' freedom of movement as they cannot leave Qatar until their employers agree to return their passports.

Article 12 states that migrant workers can change or leave their employers if there are cases of violations. But in reality, migrant workers who leave their employers without consent will be considered runaways. Referring to Article 11, it causes the status of migrant workers to become illegal and can be sent to jail. In addition, in article 26, migrant workers who wish to leave Qatar must first obtain permission to leave from their employers. The existence of article 26 regarding exit permits is in stark contrast to article 13 of the Universal Declaration of Human Rights, which states that everyone has the right to leave a country and return to their country of origin. As written as follows:

²⁸ Sabine Damir-Geilsdorf and Michaela Pelican, "Between Regular and Irregular Employment: Subverting the Kafala System in the GCC Countries," *Migration and Development* 8, no. 2 (2019): 155–75, <https://doi.org/10.1080/21632324.2018.1479215>.

"Everyone has the right to freedom of movement and residence within the borders of each country. Everyone has the right to leave any country, including his own, and to return to his country" (United Nations, 1948)".²⁹

Ensuring the Safety of Migrant Workers in Qatar World Cup 2022 by FIFA

FIFA states in its mission statement that it has responsibility outside of football: "Despite the world's abundance of natural beauty and cultural diversity, many people continue to be denied basic human rights." FIFA has more responsibility for reaching out to the world via football, a symbol of hope and unity." According to Article 3 of FIFA's statutes, "FIFA is committed to respecting all internationally recognized human rights and shall strive to promote the protection of these rights." This new item was accepted at a special FIFA Congress in February 2016. FIFA accepts responsibility for defending the inherent dignity and equal rights of all persons touched by its activities. It regularly evaluates its policies and procedures, as well as its organizational and event management systems, to ensure that the risks to human rights generated by its operations are fully handled. Human rights risks associated with competitions and programs are actively controlled in collaboration with partners. In 1997, FIFA and the ILO collaborated to develop a due diligence program to avoid child labor in the football manufacturing industry, which led in ballas and artificial turf licensees being legally required to maintain fair labor policies and ban child labor.³⁰

FIFA members are obligated to follow the Code of Conduct, which establishes basic principles and standards for behavior inside and between organizations. Prior to its recent decision to adopt the UNGPs, add Article 3 to its statutes, and publish a human rights policy, FIFA had no clear commitment to human rights. According to FIFA's Human Rights Manager, 2011 witnessed a paradigm change in human rights owing to criticism of FIFA's decision to give the World Cups to Russia and Qatar, as well as the UNGPs, which caused

²⁹ Cecilia Bruzelius, "Freedom of Movement, Social Rights and Residence-Based Conditionality in the European Union," *Journal of European Social Policy* 29, no. 1 (2019): 70–83, <https://doi.org/10.1177/0958928718756262>.

³⁰ Mohammad Hanaan Alfarizi, Kirthie Rubini Morgan, and Manuel Campos Lago, "Human Rights Abused in Qatar: FIFA Puts World Cup More Than Lives?," *Jurnal Penegakan Hukum Dan Keadilan* 4, no. 2 (2023): 112–22, <https://doi.org/10.18196/jphk.v4i2.17949>.

FIFA to reassess its policy. Before developing its human rights policy, FIFA was ignorant of its duty for stadium construction in host countries.³¹

Despite this, FIFA has a long way to go before it is fully compliant with human rights norms. FIFA has not conducted any investigations into accidents or human rights abuses in Qatar.³² Nonetheless, FIFA is working with the Supreme Committee for Delivery and Legacy (SC) and Building and Wood Workers International (BWI) to monitor conditions on stadium building sites. In the case of an accident, FIFA examines what happened and what steps would be done; in other words, FIFA is mainly concerned with core issues, whilst the SC is in charge of subsequent investigations. The SC has established an effective and consistent mechanism for investigating occurrences, which includes incident notification, investigation, and reporting across all SC operations. Amnesty International and Human Rights Watch have examined a range of human rights issues, including forced labor.³³

ILO Convention on the Protection of the Rights of Migrant Workers

The ILO was founded in 1919, as part of the Treaty of Versailles that ended World War I, to reflect the belief that universal and lasting peace can only be achieved if it is based on social justice. The constitution was drafted between January and April 1919, by a Labor Commission created by the Peace Conference, which met first in Paris then at Versailles. The commission is chaired by Samuel Gompers, Head of the American Federation of Labor (AFL) in the United States, which consists of nine country representatives namely: Belgium, Cuba, Czechoslovakia, France, Italy, Japan, Poland, the United Kingdom and the United States.³⁴

³¹ Salma M Khaled and Richard Gray, "Depression in Migrant Workers and Nationals of Qatar: An Exploratory Cross-Cultural Study," *International Journal of Social Psychiatry* 65, no. 5 (2019): 354–367, <https://doi.org/10.1177/0020764019850589>.

³² Karin Caroline Kelly, Uliviana Restu, and Ika Arinia Indriyany, "Hegemony of Saudi Arabia's Kafala System in The Relationship Between Employer and Indonesian Female Domestic Migrant Workers 2018-2020," *International Journal of Social Sciences Review* 3, no. 1 (2022): 18–33, <https://doi.org/10.57266/ijssr.v3i1.83>.

³³ Marhaba, "2022 FIFA World Cup Qatar Stadium Inspected by SC and BWI," 2017.

³⁴ Huw Thomas and Peterl Turnbull, "From a 'Moral Commentator' to a 'Determined Actor'? How the International Labour Organization (ILO) Orchestrates the Field of International Industrial Relations," *Global Policy* 13, no. 5 (2020): (640-655, <https://doi.org/10.1111/bjir.12578>.

The founders of the ILO were dedicated to fostering decent working conditions and combating injustice, misery, and poverty. The primary goal of the group is to promote workplace socialization and labor rights by offering adequate job possibilities, guaranteed worker protection, and extensive debate and conversation as a means of addressing workplace difficulties. The proclamation served as a watershed moment for the ILO in redefining its aims and objectives.³⁵

The ILO is the only body that invites representatives of governments, employers and workers to jointly develop policies and programs. The ILO is the global body responsible for setting and monitoring international labor standards. Working with its 181 member countries, the ILO works to ensure that these labor standards are respected both in principle and in practice.³⁶

In essence, the ILO already has a Convention related to workers. The ILO seeks to achieve its goals through, four key objectives:

- a. Promote and realize fundamental principles and rights at work;
- b. Creating greater opportunities for women and men to find decent work;
- c. Increase the coverage and effectiveness of social protection for all;
- d. Strengthen tripartism and social dialogue.

As the official body in charge of manpower affairs, the ILO has regulations or rules regarding fundamental rights for workers in the workplace. The ILO Declaration on fundamental principles and rights at work is basically an international labor standard system which can be realized in the form of conventions, recommendations and rules. In the form of conventions, the ILO has established several conventions to guarantee the fulfillment of the rights of workers, including migrant workers, as well as to improve the conditions of workers.³⁷

³⁵ Fatema Anowara and Mohammad Belayet Hossain, "Bangladeshi Migrant Workers' Rights on the Front-Lines of Covid-19 Epidemic: A Socio-Legal Approach of Kafala System in Gulf Cooperation Council (GCC) Countries," *Lex Publica* 8, no. 1 (2021): 15–30, <https://doi.org/10.58829/lp.8.1.2021.15-30>.

³⁶ Jean Elvardi, Arya Putra Rizal Pratama, and Muhammad Ramzy Muliawan, "The Urgency for Ratification of the 1970 Ilo Minimum Wage Fixing Convention in the TIME of Fourth Industrial Revolution," *Jurnal Hukum Bisnis Bonum Commune* 4, no. 2 (2021): 226–34, <https://doi.org/10.30996/hukum%20bisnis%20bon.v4i2.5394>.

³⁷ Ryszard Cholewinski, "The ILO and the Global Compact for Safe, Orderly and Regular Migration: Labour Migration, Decent Work and Implementation of the Compact with Specific Reference to the Arab States Region," *International Journal of Law in Context* 16, no. 3 (2020): 304–20, <https://doi.org/10.1017/S1744552320000336>.

Besides that, the ILO is an international agency under the auspices of the United Nations which actively participates in protecting the rights of workers around the world. The basic principles of the organization include:

- a. That workers or laborers are not commodities;
- b. That freedom of expression and association is essential for sustainable progress and
- c. That poverty anywhere will be a danger to prosperity everywhere.

The implementation of the protection of human rights in a country is of course inseparable from the existence of a legal product or regulation that has been made beforehand, so that an order can be achieved in providing direction to the authorities in carrying out their duties and functions to provide appropriate protection of human rights. with regulatory mandates. Qatar as a member of the ILO must comply with ILO policies, because the ILO Convention is an international agreement that binds member countries to implement.³⁸ International treaties have binding legal force and become a source of law in national law because they have been made in accordance with the constitution. So, in protecting the human rights of foreign workers, Qatar itself has ratified the ILO Convention, because as one of its member countries it is obligatory to obey the rules of the Convention for the sake of upholding the protection of human rights for foreign workers abroad. Several conventions that are relevant to the case of migrant workers in Qatar include the Forced Labor Convention No. 29, Abolition of Forced Labor Convention No. 105 and Labor Inspection Convention No. 81.³⁹

In Forced Labor Convention No. 29, it is explained according to Article 1 Paragraph 1 that ILO member countries have the responsibility and obligation to identify, criminalize and eradicate all forms of forced labor practices. Member states must also protect persons who are victims of forced labor practices. Furthermore, Article 2 paragraph 1 of the ILO explains that forced labor can occur when workers do not offer themselves voluntarily to work and receive threats of punishment. In situations related to migrant workers, the ILO identified that confiscation of identity documents is a form of forced labor due to indirect coercion which interferes with the freedom of migrant workers

³⁸ K.D. Ewing, "The EU-UK Trade and Cooperation Agreement: Implications for ILO Standards and the European Social Charter in the United Kingdom," *King's Law Journal* 32, no. 2 (2021): 306–43, <https://doi.org/10.1080/09615768.2021.1969757>.

³⁹ International Labour Organizations, "Ratifications for Qatar," 2017.

to offer themselves voluntarily. It is also the case with licensing issues that limit the rights of migrant workers to change jobs or leave the country.⁴⁰

In Abolition of Forced Labor Convention No. 105, the convention contains related to the prohibition of forced labor, but in more detail about the forms of forced labor that are prohibited. As written in article 1 of the ILO prohibits forced labor as a means for the purpose of political education. The ILO also prohibits the use of forced labor for the purpose of economic development, as a means of work discipline, as punishment for striking, and as a means of discriminating against race, social status or religion. Through the convention, the ILO obliges member states to take effective steps to ensure the elimination of all forms of forced labor.⁴¹

Next, namely Labor Inspection Convention No. 81, which requires member countries to implement a system of labor inspection or inspection in the work environment so that corporations and companies in the country comply with international labor principles. The convention covers the rules of labor inspection, the function and organization of the inspection system, the criteria for recruitment, and the terms and conditions of the services of labor inspectors. Also, through the convention member countries must submit an annual report from the labor inspectorate to the ILO as evidence showing the functioning of labor inspection services.⁴²

As a member country that has ratified the three ILO conventions above, including several other conventions since 1976, Qatar should be able to realize the principles of protecting the rights of migrant workers mandated by the ILO. However, Qatar has not fully adopted the principles of ILO conventions into its national policy, especially by knowing the situation of migrant workers in Qatar who experience discriminatory and exploitative treatment, along with the application of the *kafala* system which is considered contrary to ILO labor principles or norms. It is then prompted the ILO to issue a warning to Qatar regarding indications of forced labor practices and discriminatory practices

⁴⁰ Odiljon Sulaymanov and Jurabek Rasulov, "Abolition Of Forced Labour: Case Of Uzbekistan," *Psychology and Education Journal* 58, no. 1 (2021): 4564–80, <https://doi.org/10.17762/turcomat.v12i4.618>.

⁴¹ M Akiyama, "Measures to Prepare for Ratification of the Abolition of Forced Labor Convention Enacted," *International Union Rights* 28, no. 3 (2021): 20–37, <https://doi.org/jhu.edu/article/845101>.

⁴² Andrew Moretta, Steve Tombs, and David Whyte, "The Escalating Crisis of Health and Safety Law Enforcement in Great Britain: What Does Brexit Mean?," *International Journal of Environmental Research and Public Health* 19, no. 5 (2020): 1–21, <https://doi.org/10.3390/ijerph19053134>.

against migrant workers. The ILO considers the condition to indicate that Qatar does not comply with ILO conventions.

As for Qatar's non-compliance with several conventions, the ILO issued a warning aimed at Qatar; the ILO conveyed that the issue of forced labor related to the *kafala* system had affected the lives of migrant workers in Qatar, where the Qatari government was deemed to have failed in establishing a policy framework calling on the Qatari government to end the *kafala* system and give freedom to migrant workers to form or join a trade union.⁴³

The ILO's role in addressing human rights violations related to migrant workers in Qatar is vital and continues to grow. The ILO has actively carried out reports and investigations into the conditions of migrant workers in the country, who often face exploitation and rights violations. Since 2014, the ILO has been working with the Qatari government to monitor labor conditions and provide recommendations to improve the situation of migrant workers, especially in the construction sector related to the 2022 World Cup. These reports highlight various issues, including delays in salary payments, poor working conditions, and restrictions on workers' rights to change jobs or leave the country due to the Kafala system in force in Qatar.⁴⁴

Apart from carrying out investigations, the ILO is also putting diplomatic pressure on the Qatari government to carry out labor policy reforms. In 2017, the ILO opened an office in Qatar to help monitor labor standards and support the implementation of necessary reforms. One significant achievement was the abolition of the Kafala system in 2020, which previously restricted migrant workers' freedom to change employers without permission. Additionally, Qatar also passed a minimum wage law in 2021, an important step in improving worker welfare. However, despite the implementation of these reforms, the ILO and other human rights organizations still report gaps in their implementation, with migrant workers continuing to face problems such as late payment of wages and poor living conditions.

The ILO's actions in Qatar indicate significant legislative changes, but challenges in implementing these reforms remain. Reforms such as the abolition of the Kafala system and the legalization of the minimum wage can be considered positive steps, but their implementation is still inconsistent. Reports

⁴³ Mustafa Qadri, "Qatar Labour Reforms Ahead of the FIFA 2022 World Cup," *Business and Human Rights Journal* 7, no. 2 (2022): 319–25, <https://doi.org/10.1017/bhj.2022.14>.

⁴⁴ ILO, "Cooperation Programme Agreed Between," vol. 13, 2019, https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_723203.pdf.

by the ILO and other organizations show that migrant workers still face discrimination, exploitation, and restrictions on freedom of movement. This indicates that despite legal reform, challenges to upholding migrant workers' rights remain significant.

The ILO's intervention in this case shows that although it plays an important role in encouraging change through diplomatic pressure and policy advocacy, the ILO's power is limited to persuasive efforts and recommendations. The ILO does not have the authority to enforce laws directly, so the success of its interventions depends largely on the commitment of member states to comply with the recommendations provided. In Qatar, despite some important changes, such as the removal of the Kafala system, challenges remain in ensuring that these changes are actually implemented effectively. Therefore, ILO interventions have limitations, and to achieve more substantial results, there needs to be ongoing monitoring and stronger law enforcement.

Developments in Qatar's Migrant Worker Regulation with *Kafala* Reform

The international attention that the World Cup has brought to Qatar has highlighted some of the fundamental abuses involving foreign workers, which Qatar has been accused of failing to protect the rights of any individual affected by its country's activities.

As one of the main actors in organizing the 2022 World Cup, FIFA is held accountable for choosing Qatar as the host country for the 2022 World Cup. FIFA urges Qatar to immediately reform its migrant worker policy in a consistent and sustainable manner, in accordance with the labor standards set by the ILO. FIFA recognizes its responsibility and interest in the issue of foreign workers. Therefore, FIFA also stated that it will support and facilitate the process of reforming workers' policies effectively and seeks to urge Qatar to reform its policies.⁴⁵ Whereas on the other hand, FIFA is only a world football governing body or it can be called INGO in the field of sports, which is not specifically tasked with employment and labor affairs. In fact, FIFA has also been considered the main actor to blame for its decision to give the right to host

⁴⁵ Sarath K. Ganji, "Leveraging the World Cup: Mega Sporting Events, Human Rights Risk, and Worker Welfare Reform in Qatar," *Journal on Migration and Human Security* 4, no. 4 (2018): 221–59, <https://doi.org/10.1177/233150241600400403>.

the 2022 World Cup to a country that has a bad track record on human rights issues.

Against the background of Qatar being criticized for alleged human rights violations, Qatar has slowly started to move towards reforming its migrant worker policies. The government of Qatar officially issued Law No. 19 which states that migrant workers can now change jobs before their contracts expire without first having to obtain a No Objection Certificate (NOC) from their employer. policy by changing the *kafala* system which was originally a sponsorship system to a contract-based system. Through the new policy, migrant workers can easily change jobs and leave Qatar. But they still need a permit or a certificate from the company if they want to do that. In addition, Qatar passed Law No. 17 which includes a minimum wage set at 1,000 Qatari riyals per hour for all workers effective six months after the law was passed. Clarity regarding termination of work. It allows the migrant worker and employer to agree to a maximum of one six-month probationary period as well as the right to termination of employment including, the employer terminating the employee has not fully performed his duties, and if the employee decides to take an alternative job, they can with written notification. In addition, migrant workers can appeal to the Complaints Committee if they are not granted permission to leave the country by their employer.⁴⁶

Qatar has also ratified the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). It implies that it is now legally obligated to respect and protect all the rights guaranteed by both agreements to all its residents without discrimination. For example, the ICESCR requires all employers to provide safe working conditions, fair wages, paid holidays and adequate limitation of working hours. What's more, the Emir of Qatar has passed a law that abolished exit permits for migrant workers. These steps, endorsed by contemporary, internationally recognized human rights law, can be conceptualized as a noteworthy step forward protecting some of the rights of migrant workers involved in World Cup-related infrastructure construction.

However, reform regarding these policies is in fact still far from perfect. With the existence of reforms, discriminatory and exploitative treatment still occurs. For example, when an employer refuses to provide a certificate to a migrant worker who wants to change jobs. It is situation ultimately results in

⁴⁶ Siti Nurohmatiljanah Setiawan, A Muchmudi, and Kurniawaty Iskandar, "Indonesian Women Workers' Condition Within Kafala Labor System in Egypt: The Case of Winarti Musiyar," *International Journal of Research and Review* 3, no. 1 (2023): 185–94, <https://doi.org/ejournal.penerbitjurnal.com/index.php/research/index>.

migrant workers being forced to stay longer and work until their contracts expire. It is also the case with granting permits to leave the country, where employers and the judicial committee often refuse requests from workers who want to leave the country.

For the reason, Qatar has shown positive developments in protecting workers' rights and reforming policies. However, related to discriminatory and exploitative treatment still often occurs. It is considered that the *kafala* system has not completely ended. If effectively enforced, the proposed reforms and ratification of international treaties would be an important step forward to protect workers exposed to exploitative and appalling conditions. In short, it would enable them to have the right to leave the country, change jobs, receive a fair wage, and be protected from labor abuse or exploitation. As such, it appears that human rights are inescapably an integral part of Qatar's ambitions not only for a successful World Cup but also to maneuver its way towards a more prominent position on the international stage.

Conclusion

The large numbers of migrant workers in Qatar are often viewed as beneficial for the country's rapid infrastructure development, especially in preparation for the 2022 World Cup. However, this influx has also brought about serious concerns regarding the mistreatment of workers. The conditions many migrant workers endure can be classified as forced labor, with violations of personal security such as inadequate housing, detention of identities, and restrictions on their ability to return to their home countries. These issues are primarily caused by the *kafala* system, which grants excessive power to employers or sponsors over workers, making them vulnerable to exploitation. Despite Qatar's reforms to certain aspects of the *kafala* system, the country has failed to fully implement the principles outlined in ILO conventions, such as the Forced Labor Convention No. 29, the Abolition of Forced Labor Convention No. 105, and the Labor Inspection Convention No. 81.

While Qatar has made efforts to align with international labor standards, its failure to fully adopt these reforms into national policy has resulted in continued discriminatory and exploitative practices against migrant workers. A more detailed exploration of the issue would address the legal implications of abolishing the *kafala* system or replacing it with a more equitable labor framework. This could include discussions on the challenges to implementing such reforms, such as potential political resistance within Qatar or broader geopolitical considerations. It is also crucial to examine how these reforms

would align with international human rights law and standards, particularly in ensuring the protection and fair treatment of migrant workers.

References

- Akiyama, M. "Measures to Prepare for Ratification of the Abolition of Forced Labor Convention Enacted." *International Union Rights* 28, no. 3 (2021): 20–37. <https://doi.org/jhu.edu/article/845101>.
- Al-Shehabi, Omar Hesham. "Policing Labour in Empire: The Modern Origins of the Kafala Sponsorship System in the Gulf Arab States." *British Journal of Middle Eastern Studies* 48, no. 2 (2019): 291–310. <https://doi.org/10.1080/13530194.2019.1580183>.
- Alfarizi, Mohammad Hanaan, Kirthie Rubini Morgan, and Manuel Campos Lago. "Human Rights Abused in Qatar: FIFA Puts World Cup More Than Lives?" *Jurnal Penegakan Hukum Dan Keadilan* 4, no. 2 (2023): 112–22. <https://doi.org/10.18196/jphk.v4i2.17949>.
- Alfredha Shinta Putri, S. "Qatar's Clean Diplomacy Facing Regional Conflict." *Sospol: Jurnal Sosial Politik* 5, no. 2 (2019): 249–260. <https://doi.org/10.22219/sospol.v5i2.10035>.
- Amnesty International. "Qatar: Labour Reform Unfinished and Compensation Still Owed as World Cup Looms," 2022.
- Anowara, Fatema, and Mohammad Belayet Hossain. "Bangladeshi Migrant Workers' Rights on the Front-Lines of Covid-19 Epidemic: A Socio-Legal Approach of Kafala System in Gulf Cooperation Council (GCC) Countries." *Lex Publica* 8, no. 1 (2021): 15–30. <https://doi.org/10.58829/lp.8.1.2021.15-30>.
- Babar, Zahra, and Neha Vora. "The 2022 World Cup and Migrants' Rights in Qatar: Racialised Labour Hierarchies and the Influence of Racial Capitalism." *The Political Quarterly* 93, no. 3 (2022): 498–507. <https://doi.org/10.1111/1467-923X.13154>.
- Bruzelius, Cecilia. "Freedom of Movement, Social Rights and Residence-Based Conditionality in the European Union." *Journal of European Social Policy* 29, no. 1 (2019): 70–83. <https://doi.org/10.1177/0958928718756262>.
- Cholewinski, Ryszard. "The ILO and the Global Compact for Safe, Orderly and Regular Migration: Labour Migration, Decent Work and Implementation of the Compact with Specific Reference to the Arab States Region." *International Journal of Law in Context* 16, no. 3 (2020): 304–20. <https://doi.org/10.1017/S1744552320000336>.

- Christensen, Hanne. "Born Free and Equal: The History of the Universal Declaration of Human Rights." *Advances in Social Sciences Research Journal* 7, no. 6 (2020): 112–17. <https://doi.org/10.14738/assrj.76.8334>.
- Dagorn, Gary, and Iris Derœux. "World Cup 2022: The Difficulty with Estimating the Number of Deaths on Qatar Construction Sites," 2022.
- Damir-Geilsdorf, Sabine, and Michaela Pelican. "Between Regular and Irregular Employment: Subverting the Kafala System in the GCC Countries." *Migration and Development* 8, no. 2 (2019): 155–75. <https://doi.org/10.1080/21632324.2018.1479215>.
- Domat, Chloé. "The Plight of Migrant Workers in Qatar," 2022.
- Duval, Antoine. "How Qatar's Migrant Workers Became FIFA's Problem: A Transnational Struggle for Responsibility." *Transnational Legal Theory* 12, no. 4 (2021): 473–500. <https://doi.org/10.1080/20414005.2022.2030633>.
- Elvardi, Jean, Arya Putra Rizal Pratama, and Muhammad Ramzy Muliawan. "The Urgency for Ratification of the 1970 Ilo Minimum Wage Fixing Convention in the TIME of Fourth Industrial Revolution." *Jurnal Hukum Bisnis Bonum Commune* 4, no. 2 (2021): 226–34. <https://doi.org/10.30996/hukum%20bisnis%20bon.v4i2.5394>.
- Ertola, Emanuele. "'White Slaves': Labor, Whiteness, And Settler Colonialism in Italian East Africa (1935-1941)." *Labor History* 61, no. 5 (2020): 551–67. <https://doi.org/10.1080/0023656X.2020.1820974>.
- Ewing, K.D. "The EU-UK Trade and Cooperation Agreement: Implications for ILO Standards and the European Social Charter in the United Kingdom." *King's Law Journal* 32, no. 2 (2021): 306–43. <https://doi.org/10.1080/09615768.2021.1969757>.
- Fernandez, Bina. "Racialised Institutional Humiliation Through the Kafala." *Ethnic and Migration Studies* 47, no. 19 (2021): 4344–61. <https://doi.org/10.1080/1369183X.2021.1876555>.
- Ganji, Sarath K. "Leveraging the World Cup: Mega Sporting Events, Human Rights Risk, and Worker Welfare Reform in Qatar." *Journal on Migration and Human Security* 4, no. 4 (2018): 221–59. <https://doi.org/10.1177/233150241600400403>.
- Garrett, Amanda. "The End of Kafala? Evaluating Recent Migrant Labor Reforms in Qatar." *Georgetown Journal of International Affairs* 21, no. 1 (2021): 201–8. <https://doi.org/10.1353/gia.2020.0029>.
- Hammadi, Hind Mohammed Al, Kawthar Abdallah Bayouomi, and Arieff Salleh Bin Rosman. "The Impact of Abolishing the Sponsorship System (Kafala) on the Peaceful Co-Existence of Population Groups in Qatar in

- Light of the Migration Goals of the Alliance of Civilizations.” *International Journal of Academic Research in Business and Social Sciences* 12, no. 4 (2022): 388–408. <https://doi.org/10.6007/IJARBSS/v12-i4/13068>.
- Heerdt, Daniela. “Winning at the World Cup: A Matter of Protecting Human Rights and Sharing Responsibilities.” *Netherlands Quarterly of Human Rights* 36, no. 2 (2018): 86–92. <https://doi.org/10.1177/0924051918771228>.
- ILO. “Cooperation Programme Agreed Between.” Vol. 13, 2019. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_723203.pdf.
- International Labour Organizations. “Ratifications for Qatar,” 2017.
- Kelly, Karin Caroline, Uliviana Restu, and Ika Arinia Indriyany. “Hegemony of Saudi Arabia’s Kafala System in The Relationship Between Employer and Indonesian Female Domestic Migrant Workers 2018-2020.” *International Journal of Social Sciences Review* 3, no. 1 (2022): 18–33. <https://doi.org/10.57266/ijssr.v3i1.83>.
- Khaled, Salma M, and Richard Gray. “Depression in Migrant Workers and Nationals of Qatar: An Exploratory Cross-Cultural Study.” *International Journal of Social Psychiatry* 65, no. 5 (2019): 354–367. <https://doi.org/10.1177/0020764019850589>.
- Kumparan. “Piala Dunia 2022 Dan HAM: Kegagalan Qatar Dalam Memenuhi Hak Buruh Migran,” 2024. <https://kumparan.com/radhite-satria/piala-dunia-2022-dan-ham-kegagalan-qatar-dalam-memenuhi-hak-buruh-migran-22D6R64WCLm>.
- Lumbanraja, Anggita Doramia, and Yusriyadi. “The Urgency to Reform the Kafala System in the Sake of Human Rights of Indonesia Domestic Workers.” *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 21, no. 2 (2021): 213–30. <https://doi.org/10.18326/IJTIHAD.V21I2.213-230>.
- Magazzino, Cosimo. “Fiscal Sustainability in the GCC Countries.” *International Journal of Economic Policy Studies* 16, no. 1 (2022): 389–408. <https://doi.org/10.1007/s42495-022-00082-9>.
- Marhaba. “2022 FIFA World Cup Qatar Stadium Inspected by SC and BWI,” 2017.
- Marpi, Yapiter. “Legal Protection of Migrant Workers Against Threats of Abuse Discrimination in A Diplomatic Relationship Perspective Between Countries.” *Lampung Journal of International Law* 3, no. 2 (2021): 111–20. <https://doi.org/10.25041/lajil.v3i2.2366>.
- Mlambo, Victor H, and Sphephelo Zubane. “No Rights, No Freedom: The Kafala System and the Plight of African Migrants in the Middle East.” *Adri*

- Journals of Arts and Social Sciences* 18, no. 1 (2021): 1–16. [https://doi.org/10.55058/adrriajass.v18i1\(6\),%20April,%202021-%20June.656](https://doi.org/10.55058/adrriajass.v18i1(6),%20April,%202021-%20June.656).
- Moretta, Andrew, Steve Tombs, and David Whyte. “The Escalating Crisis of Health and Safety Law Enforcement in Great Britain: What Does Brexit Mean?” *International Journal of Environmental Research and Public Health* 19, no. 5 (2020): 1–21. <https://doi.org/10.3390/ijerph19053134>.
- Prakasa, Adinda Putri. “Perlindungan Hak Asasi Manusia Pekerja Migran Pada Piala Dunia Tahun 2022 Di Qatar.” *Uti Possidetis: Journal of International Law* 4, no. 1 (2023): 119–45. <https://doi.org/10.22437/up.v4i1.21816>.
- Qadri, Mustafa. “Qatar Labour Reforms Ahead of the FIFA 2022 World Cup.” *Business and Human Rights Journal* 7, no. 2 (2022): 319–25. <https://doi.org/10.1017/bhj.2022.14>.
- Reuters. “World Cup 2022: How Many Migrant Workers Have Died in Qatar?,” 2022.
- Robinson, K. “What Is the Kafala System,” 2022.
- Setiawan, Siti Nurohmatiljanah, A Muchmudi, and Kurniawaty Iskandar. “Indonesian Women Workers’ Condition Within Kafala Labor System in Egypt: The Case of Winarti Musiyar.” *International Journal of Research and Review* 3, no. 1 (2023): 185–94. <https://doi.org/ejournal.penerbitjurnal.com/index.php/research/index>.
- Silvey, Rachel. “Precarity Chains: Cycles of Domestic Worker Migration from Southeast Asia to the Middle East.” *Journal of Ethnic and Migration Studies* 46, no. 16 (2020): 3457–71. <https://doi.org/10.1080/1369183X.2019.1592398>.
- Sulaymanov, Odiljon, and Jurabek Rasulov. “Abolition Of Forced Labour: Case Of Uzbekistan.” *Psychology and Education Journal* 58, no. 1 (2021): 4564–80. <https://doi.org/10.17762/turcomat.v12i4.618>.
- Syarnubi, Ahmad, Riayadi Andemon Sembiring, Tri Siswaya, and Rida Zuraida. “Performance, Productivity, and Safety & Health Among Employee of Oil & Gas Vompany in Qatar.” *IOP Conference Series Earth and Environmental Science* 195, no. 2 (n.d.): 1–8. <https://doi.org/10.1088/1755-1315/195/1/012075>.
- Teklè, Tzehainesh. “An Analysis of the Contribution of the ILO’s International Labour Standards System to the European Court of Human Rights’s Jurisprudence in the Field of Non-Discrimination.” *Industrial Law Journal* 49, no. 1 (2019): 1–19. <https://doi.org/10.1093/indlaw/dwz020>.
- Thani, Mohammed Al. “Channelling Soft Power: The Qatar 2022 World Cup, Migrant Workers, and International Image.” *The International Journal of*

- the History of Sport* 38, no. 17 (2021): 1729–52. <https://doi.org/10.1080/09523367.2021.1988932>.
- The Guardian. “Revealed: 6,500 Migrant Workers Have Died in Qatar Since World Cup Awarded,” 2021.
- Thomas, Huw, and Peterl Turnbull. “From a ‘Moral Commentator’ to a ‘Determined Actor’? How the International Labour Organization (ILO) Orchestrates the Field of International Industrial Relations.” *Global Policy* 13, no. 5 (2020): (640-655. <https://doi.org/10.1111/bjir.12578>.
- Wright, Chris F. “Migrant Labour and Low-Quality Work: A Persistent Relationship.” *Journal of Industrial Relations* 61, no. 2 (2019): 157–75. <https://doi.org/10.1177/0022185618824137>.

Acknowledgment

None

Funding Information

None

Conflicting Interest Statement

The authors state that there is no conflict of interest in the publication of this article.

History of Article

Submitted : March 18, 2024

Revised : May 25, 2024; July 12, 2024

Accepted : November 20, 2024

Published : November 30, 2024