

HUMAN RIGHTS GUIDE FOR REPORTERS

2022 FIFA World Cup in Qatar



Human Rights Reporters' Guide for 2022 FIFA World Cup Qatar

Copyright © 2022 Human Rights Watch

All rights reserved.

Printed in the United States of America

ISBN: 979-8-88708-014-7

Cover design by Rafael Jimenez

Human Rights Watch defends the rights of people worldwide. We scrupulously investigate abuses, expose the facts widely, and pressure those with power to respect rights and secure justice. Human Rights Watch is an independent, international organization that works as part of a vibrant movement to uphold human dignity and advance the cause of human rights for all.

Human Rights Watch is an international organization with staff in more than 40 countries, and offices in Amsterdam, Beirut, Berlin, Brussels, Chicago, Geneva, Goma, Johannesburg, London, Los Angeles, Nairobi, New York, Paris, San Francisco, Sydney, Tokyo, Toronto, Tunis, Washington DC, and Zurich.

For more information, please visit our website: <http://www.hrw.org>



NOVEMBER 2022

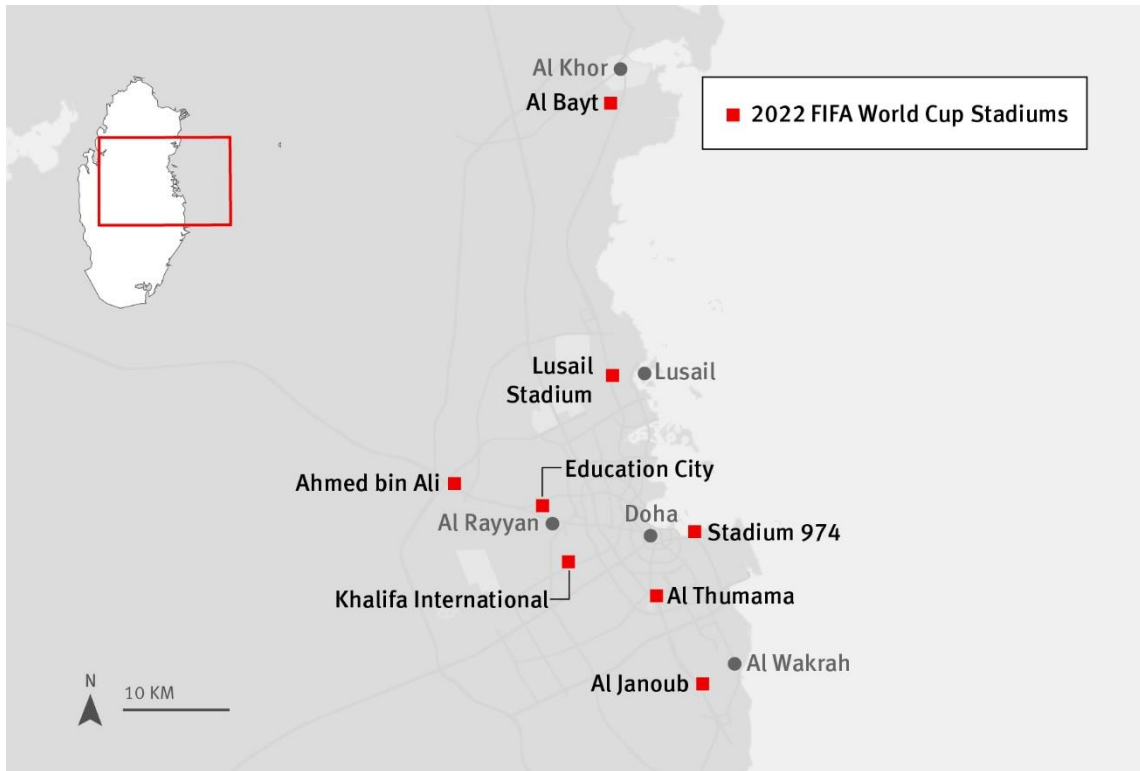
ISBN: 979-8-88708-014-7

Human Rights Reporters' Guide for 2022 FIFA World Cup Qatar

Map of the 2022 FIFA World Cup Host Cities in Qatar	i
Introduction	1
I. Human Rights Abuses Linked to Preparations for the 2022 World Cup.....	2
Abuses of Migrant Workers.....	2
<i>Kafala</i> (Sponsorship) System.....	4
Wage Abuses.....	7
Illegal Recruitment Fees	9
Migrant Worker Deaths.....	11
Migrant Workers' Strikes and Deportations	14
Gaps in Existing Compensation Schemes.....	16
Call for Remedy of Abuses Against Migrant Workers.....	18
FIFA's Labor Monitoring Ahead of the 2022 World Cup	20
II. Other Human Rights in Qatar	22
Discrimination against Women	22
Discrimination in Marriage and Divorce.....	23
Restrictions on Rights to Education, Work, and Traveling Abroad	24
Restrictions on Movement within Qatar.....	25
Restrictions on Women's Access to Health Care	25
Women Residents under the <i>Kafala</i> System	26
Criminalization of Non-Marital and Same-Sex Relations.....	26
Discrimination and Violence Against LGBT People	28
Restrictions on Freedom of Expression.....	31
III. FIFA's Human Rights Commitments.....	34
Citations from Key Elements of FIFA's Human Rights Policy	35
IV. Compilation of Recommendations Human Rights Watch Has Made to FIFA and Qatari Authorities.....	37

Regarding Compensation of Migrant Workers.....	37
Regarding the Human Rights Situation in Qatar.....	37
Regarding Labor Reforms in Qatar.....	38
Regarding Future FIFA World Cup Events.....	39
IV. Human Rights Watch Media Contacts	41

Map of the 2022 FIFA World Cup Host Cities in Qatar



© 2022 Human Rights Watch

Introduction

On December 2, 2010, Qatar won the right to host the Fédération Internationale de Football Association (FIFA) Men's Football World Cup 2022, a first for a country in the Middle East and North Africa region. FIFA's decision drew widespread criticism for the lack of human rights protections in place for migrant workers, women, lesbian, gay, bisexual, and transgender (LGBT) people, and journalists. FIFA did not require Qatar to commit to ensuring human rights, including labor rights, for the millions of migrant workers that would be needed to build the considerable number of infrastructure projects.

Since FIFA awarded the 2022 World Cup to Qatar despite its poor human rights records and massive infrastructure deficit, there have been thousands of unexplained migrant worker deaths,¹ and many more migrant workers have been charged high illegal recruitment fees to secure employment in Qatar and subject to wage theft.²

This Reporters' Guide looks beyond the state-of-the-art stadiums and shiny new hotels and summarizes the numerous human rights concerns surrounding Qatar's preparations for the 2022 World Cup, the general situation for human rights in Qatar, and FIFA's human rights commitments.

Human Rights Watch urges journalists and sports reporters covering the 2022 World Cup to expand their reporting to cover: FIFA's human rights responsibilities and Qatar's human rights obligations; abuses against migrant workers who built World Cup tournament infrastructure; discrimination against women; discrimination and violence against LGBT people; and restrictions on freedom of expression. This Human Rights Watch Reporters' Guide is a resource to support this work.

¹ Human Rights Watch, "Q&A: Migrant Worker Abuses in Qatar and FIFA World Cup 2022," December 18, 2021, <https://www.hrw.org/news/2021/12/18/qa-migrant-worker-abuses-qatar-and-fifa-world-cup-2022>.

² "Qatar/FIFA: Reimburse Migrant Workers' Recruitment Fees," October 20, 2022, Human Rights Watch news release, <https://www.hrw.org/news/2022/10/20/qatar/fifa-reimburse-migrant-workers-recruitment-fees>; "Qatar/FIFA: Address Demands of Migrant Worker Strikes," Human Rights Watch news release, October 12, 2022, <https://www.hrw.org/news/2022/10/12/qatar/fifa-address-demands-migrant-worker-strikes>.

I. Human Rights Abuses Linked to Preparations for the 2022 World Cup

Abuses of Migrant Workers

Qatar's migrant population of more than 2 million people comprises approximately 95 percent of its total labor force.³

When Qatar was awarded the 2022 World Cup hosting rights in 2010, little to no attention was given by FIFA and Qatari authorities to the living and working conditions of the millions of migrant workers who would be needed to build the massive infrastructure, including stadiums for the World Cup in the extreme heat. In 2010, low-paid migrants from Asia and Africa already made up more than 90 percent of the country's workforce. FIFA in its 2010 evaluation of Qatar's bid acknowledged the "significant human resources" required for the considerable number of infrastructure projects, but otherwise did not require labor rights commitments from Qatar, despite human rights reports detailing abuses against migrant workers there.⁴

Over the last twelve years, human rights groups and journalists have repeatedly documented series of abuses against migrant workers in Qatar while employed to deliver infrastructure essential to the tournament. Among migrant workers' most common grievances are wage theft, crowded and unsanitary living conditions, and excessive working hours. In 2020, for example, a comprehensive report by Human Rights Watch documented widespread wage abuse by companies including unpaid overtime, arbitrary deductions, delayed wages, withholding of wages, unpaid wages, or inaccurate wages. Human Rights Watch has documented that widespread wage theft has persisted until now. Furthermore, migrant workers are still paying exorbitant, illegal recruitment fees to secure jobs in Qatar.

³ "Qatar: Population of migrant workers swells to 2.1 million ahead of 2022 FIFA World Cup," *Business and Human Rights Resource Centre*, March 10, 2017, <https://www.business-humanrights.org/en/latest-news/qatar-population-of-migrant-workers-swells-to-21-million-ahead-of-2022-fifa-world-cup/> (accessed October 25, 2022).

⁴ FIFA, *2022 FIFA World Cup: Bid Evaluation Report: Qatar*, 2010, <https://digitalhub.fifa.com/m/3041e390c9c0afea/original/fd4w8qgexnrxmquwsb7h-pdf.pdf> (accessed October 21, 2022).

Qatari authorities have also failed to investigate the causes of deaths of thousands of migrant workers, many of which are attributed to “natural causes.” Human Rights Watch found that in such cases, families seldom receive compensation for deaths given that under the Qatari Labour Law, deaths not considered work-related are not entitled to compensation.

While Qatari authorities have introduced significant labor reforms and created several compensation systems in recent years to mitigate these longstanding problems, the systems do not cover all workers or address abuses in the years before they began, and significant gaps remain. These programs’ benefits have been limited due to their late introduction, narrow scope, or faulty implementation.

Qatar is obligated under international human rights law to prevent widespread human rights violations and to ensure remedy for every abuse in its territory.

For more Human Rights Watch reporting on migrant worker abuses in Qatar, see:

- “Qatar/FIFA: Reimburse Migrant Workers’ Recruitment Fees,” October 20, 2022, <https://www.hrw.org/news/2022/10/20/qatar/fifa-reimburse-migrant-workers-recruitment-fees>
- “FIFA/Qatar: Commit to Compensate Abused Migrant Workers,” August 12, 2022, <https://www.hrw.org/news/2022/08/12/fifa/qatar-commit-compensate-abused-migrant-workers>
- “How Can We Work Without Wages?” *Salary Abuses Facing Migrant Workers Ahead of Qatar’s FIFA World Cup 2022* (New York: Human Rights Watch, 2022) <https://www.hrw.org/report/2020/08/24/how-can-we-work-without-wages/salary-abuses-facing-migrant-workers-ahead-qatars>
- *Building a Better World Cup: Protecting Migrant Workers in Qatar Ahead of FIFA 2022* (New York: Human Rights Watch, 2022) https://www.hrw.org/report/2012/06/12/building-better-world-cup/protecting-migrant-workers-qatar-ahead-fifa-2022#_ftnref20

Q&A

- “Q&A: Migrant Worker Abuses in Qatar and FIFA World Cup 2022,” December 18, 2021, <https://www.hrw.org/news/2021/12/18/qa-migrant-worker-abuses-qatar-and-fifa-world-cup-2022>

- “10 Questions Journalists Should Ask FIFA and Qatari Authorities About Rights Abuses,” March 29, 2022, <https://www.hrw.org/news/2022/03/29/10-questions-journalists-should-ask-fifa-and-qatari-authorities-about-rights-abuses>

News releases

- “Qatar: Wage Abuses by Firm in World Cup Leadup,” March 3, 2022, <https://www.hrw.org/news/2022/03/03/qatar-wage-abuses-firm-world-cup-leadup>
- Michael Page, “Families Bring Home Migrant Worker Remains from Qatar,” July 11, 2022, <https://www.hrw.org/news/2022/07/11/families-bring-home-migrant-worker-remains-qatar>
- “Qatar: Wage Abuse Action Shortchanges Workers,” December 22, 2020, <https://www.hrw.org/news/2020/12/22/qatar-wage-abuse-action-shortchanges-workers>
- “Qatar: Significant Labor and Kafala Reforms,” September 24, 2020, <https://www.hrw.org/news/2020/09/24/qatar-significant-labor-and-kafala-reforms>

Kafala (Sponsorship) System

At the heart of all abuses against migrant workers lies the *kafala* (sponsorship) system, a British colonial era-legacy kept and entrenched by Gulf states following independence, which ties migrant workers’ visas to their employers.⁵ This leaves workers dependent on their employers for their legal residency and status in the country, placing them in a position of vulnerability that employers can, and often do, take advantage of. The *kafala* system grants employers unchecked powers over migrant workers, allowing them to evade accountability for labor and human rights abuses, and leaves workers beholden to debt and in constant fear of retaliation.

There are five elements of the *kafala* system that can keep migrant workers trapped in abusive conditions:

⁵ Omar Hesham AlShehabi, “Policing labour in empire: the modern origins of the Kafala sponsorship system in the Gulf Arab States,” *British Journal of Middle Eastern Studies*, 48:2 (2021): 291-310, accessed November 2, 2022, doi: 10.1080/13530194.2019.1580183.

1. Migrant workers need to have an employer act as their sponsor to enter the country.
2. The power employers have to secure and renew migrant workers' residency and work permits, and their ability to cancel these at any time.
3. The requirement for migrant workers to obtain their employers' consent to leave or change jobs.
4. The crime of "absconding," under which employers can report a migrant worker missing, meaning the worker automatically becomes undocumented and can be arrested, detained, and deported.
5. The requirement for migrant workers to have an exit permit to leave the country, which is often compounded by requiring them to obtain their employers' consent.

Human Rights Watch has documented how these elements of the *kafala* system facilitate abuse and exploitation. Workers have little power to complain about or escape abuse when their employer controls their entry and exit from the country, residency, and ability to change jobs. Many employers exploit this control by confiscating workers' passports, forcing them to work excessive hours and denying them wages. Migrant domestic workers furthermore do not have equal labor protections as other workers and face even more abuses as they can be confined to their employers' homes and may be subject to physical and sexual abuse.⁶ The *kafala* system has also led to many migrant workers losing their legal status, making them subject to arrest, detention and forcible deportation and leaving them acutely more vulnerable to abuses.

Following a complaint by the International Trade Union Confederation against Qatar at the International Labour Organization (ILO) for failing to comply with the Forced Labour Convention, Qatar made a commitment to the ILO in 2017 for a series of important reforms, including to replace the *kafala* system with an employment contract system.⁷ And while it has since introduced some measures that have served to chip away at *kafala*, such as that most migrant workers no longer need to have an exit permit from their employers in order

⁶ "Qatar: Fix Gaps in Domestic Worker Law," Human Rights Watch news release, June 26, 2018, <https://www.hrw.org/news/2018/06/26/qatar-fix-gaps-domestic-worker-law>; "Qatar: Domestic workers share harrowing accounts of abuse and exploitation," Amnesty International press release, October 20, 2020, <https://www.amnesty.org/en/latest/press-release/2020/10/qatar-domestic-worker-abuse-and-exploitation-report/> (accessed October 25, 2022).

⁷ "Qatar: Implementation Will Be Key for Labor Reforms," Human Rights Watch news release, October 27, 2017, <https://www.hrw.org/news/2017/10/27/qatar-implementation-will-be-key-labor-reforms>.

to leave the country or allowing migrant workers to change jobs without requiring a No Objection Certificate (NOC) from their employers, employers still wield tremendous control over migrant workers' lives.⁸

This is because the reforms that have been introduced are poorly enforced. For example, while the Qatari government has removed the requirement to obtain NOC from the original employer to change jobs, migrant workers are still required by the government to obtain signed letters approving their resignation from their original employer – essentially creating a de-facto NOC – before they are allowed to switch jobs, which gives employers disproportionate control over workers.⁹

Furthermore, key elements of the kafala system remain unaddressed, including the criminalization of “absconding.” Penalties for absconding can include fines, detention, deportation, and a ban on re-entry. This means employers can falsely report workers as having “absconded,” invalidating the worker’s legal status even if they are simply escaping an employer’s abuse.

For more Human Rights Watch reporting on the kafala system, see:

- “Qatar: Significant Labor and Kafala Reforms,” September 24, 2020, <https://www.hrw.org/news/2020/09/24/qatar-significant-labor-and-kafala-reforms>
- “Qatar: End All Migrant Worker Exit Visas,” September 6, 2018, <https://www.hrw.org/news/2018/09/06/qatar-end-all-migrant-worker-exit-visas>
- “Qatar: New Reforms Won’t Protect Migrant Workers,” November 8, 2015, <https://www.hrw.org/news/2015/11/08/qatar-new-reforms-wont-protect-migrant-workers>

⁸ “Qatar: End All Migrant Worker Exit Visas,” Human Rights Watch news release, September 6, 2018, <https://www.hrw.org/news/2018/09/06/qatar-end-all-migrant-worker-exit-visas>; “Qatar: End of Abusive Exit Permits for Most Migrant Workers,” Human Rights Watch news release, January 20, 2020, <https://www.hrw.org/news/2020/01/20/qatar-end-abusive-exit-permits-most-migrant-workers>; “Qatar: Significant Labor and Kafala Reforms,” Human Rights Watch news release, September 24, 2020, <https://www.hrw.org/news/2020/09/24/qatar-significant-labor-and-kafala-reforms>.

⁹ Sanaullah Ataullah, “Resignation copy required for job change request,” *Peninsula*, November 28, 2020, <https://thepeninsulaqatar.com/article/28/11/2020/Resignation-copy-required-for-job-change-request> (accessed October 25, 2022); “A de facto NOC in Qatar?” *Migrant-Rights.org*, January 10, 2021, <https://www.migrant-rights.org/2021/01/a-de-facto-noc-in-qatar/> (accessed October 25, 2022).

Wage Abuses

After the World Cup was awarded to Qatar, millions of migrant workers came to the country in hope of stable jobs and higher incomes, but instead many have faced widespread wage abuses that drive them further into debt and trap them in these jobs with ineffective mechanisms of redress.

In October 2022, just weeks ahead of the World Cup, Human Rights Watch documented instances of strikes led by migrant workers who were victims of wage theft as an act of desperation demanding action from authorities. This is despite the risks of collectively protesting in Qatar, a country that prohibits migrant workers from joining trade unions and or participating in strikes.¹⁰ In March 2022, Human Rights Watch also reported that migrant workers at Bin Omran Trading and Contracting (BOTC), a prominent Qatari trading and construction firm with several projects related to the FIFA World Cup Qatar 2022, had not received their salaries for up to five months.¹¹

In an August 2020 report, Human Rights Watch spoke to 93 migrant workers working for 60 different employers and companies between January 2019 and May 2020, all of whom reported some form of wage abuse by their employer, such as unpaid overtime, arbitrary deductions, delayed wages, withholding of wages, unpaid wages, or inaccurate wages.¹²

Companies often withhold contractually guaranteed overtime payments and end-of-service benefits, and they regularly violate their contracts with migrant workers with impunity. In the worst cases, workers said, employers have simply stopped paying their wages, and the workers have often struggled to buy food.

Such abuses persist despite several reforms that Qatar has introduced since 2015 to improve wage protection for migrant workers. The government's Wage Protection System (WPS), designed to ensure that workers receive their salaries through direct bank transfer

¹⁰ "Qatar/FIFA: Address Demands of Migrant Worker Strikes," Human Rights Watch news release, October 12, 2022, <https://www.hrw.org/news/2022/10/12/qatar/fifa-address-demands-migrant-worker-strikes>.

¹¹ "Qatar: Wage Abuses by Firm in World Cup Leadup," Human Rights Watch news release, March 3, 2022, <https://www.hrw.org/news/2022/03/03/qatar-wage-abuses-firm-world-cup-leadup>.

¹² Human Rights Watch, *"How Can We Work Without Wages?": Salary Abuses Facing Migrant Workers Ahead of Qatar's FIFA World Cup 2022* (New York: Human Rights Watch, 2020), <https://www.hrw.org/report/2020/08/24/how-can-we-work-without-wages/salary-abuses-facing-migrant-workers-ahead-qatars>.

by the seventh day of every month, allows the government to monitor wage payments and to impose sanctions on employers for noncompliance. However, Human Rights Watch found that the Wage Protection System can be better described as a wage monitoring system with significant gaps in its oversight capacity.

The Worker's Support and Insurance Fund, which became fully operational in 2020, was established specifically to ensure that workers are paid wages they are owed when companies fail to pay or go out of business. Based on data the Ministry of Labour provided to Human Rights Watch in July 2022, the fund has compensated 36,373 workers of 17 nationalities, both inside and outside Qatar, a total of 597,591,986 QAR (US\$164 million). The ILO reported that by September 30, 2022, this had increased to QAR 1,165,316,181 (over US\$320 million) of unpaid wages and benefits.¹³ While positive, the fund has failed to adequately address the scale of wage abuse in Qatar as widely documented by Human Rights Watch.

Wage abuses are also driven by deceptive recruitment practices both in Qatar and in the workers' home countries that require them to pay between about US\$700 and \$2,600 to secure jobs in Qatar that can take months of wages to recuperate. By the time workers arrive in Qatar, they are already victims of wage theft, indebted and trapped in jobs that often pay less than promised.

For more Human Rights Watch reporting on wage abuses, see:

- “Qatar: Wage Abuses by Firm in World Cup Leadup,” March 3, 2022, <https://www.hrw.org/news/2022/03/03/qatar-wage-abuses-firm-world-cup-leadup>
- “Qatar: Wage Abuse Action Shortchanges Workers,” December 22, 2020, <https://www.hrw.org/news/2020/12/22/qatar-wage-abuse-action-shortchanges-workers>
- “How Can We Work Without Wages?” *Salary Abuses Facing Migrant Workers Ahead of Qatar’s FIFA World Cup 2022* (New York: Human Rights Watch, 2022) <https://www.hrw.org/report/2020/08/24/how-can-we-work-without-wages/salary-abuses-facing-migrant-workers-ahead-qatars>

¹³ ILO, *Progress report on the technical cooperation programme between the Government of Qatar and the ILO*, https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/---ilo-qatar/documents/publication/wcms_859839.pdf (accessed November 3, 2022), p. 10.

Illegal Recruitment Fees

Many migrant workers paid exorbitant and illegal recruitment fees to make the 2022 World Cup in Qatar possible, even though Qatar prohibits charging workers these fees.

An October 2022 Human Rights Watch report found that migrant workers had paid unaffordable recruitment fees by borrowing at high interest rates, selling assets, and depleting family savings. Many workers fell into debt bondage and were unable to leave their job, leaving them more vulnerable to abuse and subject to further penalties if they failed to work. Debt bondage is a form of forced labor under international labor standards. Among 10 people interviewed who had paid off their recruitment fees, it took them between 4 to 24 months to clear their debts. But some workers died or were sent home without their contractually owed salary and other benefits before they could clear their debts, leaving them to deal with loan sharks who continued to demand the debt repayment their deceased loved ones owed.¹⁴

While origin country recruitment agencies are notorious for charging workers illegal recruitment costs and fees, Human Rights Watch found that businesses based in Qatar are contributing to recruitment fees by imposing costs on recruiters that they know will be passed down to workers. Employers often refuse to pay recruiters in full or at all for their services, and sometimes even levy additional commissions on recruiters in exchange for job orders, which then get passed onto workers. Even when Qatar-based companies do pay the full cost and fees to hire a worker, this does not guarantee that a migrant worker is also not paying fees. Qatar-based companies' failure to conduct sufficient oversight of recruiters allows some unscrupulous recruiters to "double dip" and charge both employers and migrant workers.

Businesses have responsibilities to uphold human rights throughout their operations, including recruitment agencies they hire. The pervasiveness of charging workers illegal and abusive recruitment fees suggests that employers are failing to conduct proper oversight, whether over their own human resources employees, or external labor suppliers or recruiters, in either Qatar or the origin country.

¹⁴ "Qatar/FIFA: Reimburse Migrant Workers' Recruitment Fees," Human Rights Watch news release, October 20, 2022, <https://www.hrw.org/news/2022/10/20/qatar/fifa-reimburse-migrant-workers-recruitment-fees>.

In 2014, the Supreme Committee imposed the Workers' Welfare Standards on all companies contracted to work on their projects, which among other standards designed to promote worker welfare, require contractors to ensure that workers are not charged any fees, and are reimbursed if they are. However, a 2021 audit of Supreme Committee projects found that 68 percent of workers paid an average of US\$1,333 in recruitment fees.¹⁵

In 2017, the Supreme Committee introduced the Universal Reimbursement Scheme, requiring a contractor either to prove that workers did not pay any fees or to reimburse the worker. As of December 2021, QAR 83.20 million (US\$21.96 million) had been paid under this program out of the committed QAR 103.95 million (\$28.4 million).¹⁶

This initiative, while promising, is not mandatory even among contractors that operate projects affiliated with the Supreme Committee. It covers fewer than 50,000 workers, a fraction of the millions of migrant workers who are making the 2022 World Cup possible.¹⁷

Human Rights Watch documented that there were some good recruitment practices by ethical employers. Although encouraging, these appear to remain the exception and not the rule. Human Rights Watch spoke to seven migrant workers who had been compensated for recruitment costs under the Universal Reimbursement Scheme, one of whom reported that it provided much relief and motivation.

Qatari authorities should build on such good recruitment practices to prevent workers being forced to “pay to work” in Qatar, and expand the Supreme Committee’s Universal Reimbursement Scheme to all workers in Qatar, shifting the burden of proof to contractors to prove that workers did not pay recruitment fees.

¹⁵ Impactt, *Annual External Compliance Report of the Supreme Committee for Delivery and Legacy’s Workers’ Welfare Standards April 2022: Shifting Focus to Delivery and Legacy*, April 2022, https://www.workerswelfare.qa/sites/default/files/reports_item/field_document/Sixth%20Impactt%20Ltd.%20Compliance%20Report.pdf (accessed October 25, 2022).

¹⁶ Supreme Committee for Delivery and Legacy, *Seventh Annual Workers’ Welfare Progress Report*, 2021, https://www.workerswelfare.qa/sites/default/files/documents/WW_Progress_Report_2021_EN.pdf (accessed October 25, 2022).

¹⁷ Ibid.

For more Human Rights Watch reporting on recruitment fees, see:

- “Qatar/FIFA: Reimburse Migrant Workers’ Recruitment Fees,” October 20, 2022, <https://www.hrw.org/news/2022/10/20/qatar/fifa-reimburse-migrant-workers-recruitment-fees>

Migrant Worker Deaths

Despite Qatar’s highly advanced healthcare system, it has failed to publish comprehensive data on worker deaths disaggregated by gender, nationality, occupation. Human Rights Watch and others have consistently asked questions and made recommendations relating to preventing and investigating deaths.¹⁸ Failure to investigate underlying causes of deaths and to make public comprehensive data makes it difficult to prevent future deaths or provide remedy to the grieving families.

While available statistics are scattered and vary widely, the high rate of unexplained deaths is nonetheless demonstrable.

1. The Qatari authorities say that the number of non-Qatari deaths between 2010 and 2019 is 15,021 for all ages, occupations, and causes.¹⁹ But because the data is neither disaggregated nor comprehensive, it is difficult to do any meaningful analysis of migrant worker deaths.²⁰
2. A 2021 *Guardian* investigation found that between 2010 to 2020, there were over 6,751 deaths in Qatar of people from just five South Asian countries, which were neither categorized by occupation nor place of work.²¹ Sixty-nine percent of the deaths of migrant workers from India, Nepal, and Bangladesh between 2010 and

¹⁸ “Qatar: Urgently Investigate Migrant Worker Deaths,” Human Rights Watch news release, October 10, 2019, <https://www.hrw.org/news/2019/10/10/qatar-urgently-investigate-migrant-worker-deaths>; “Qatar: Take Urgent Action to Protect Construction Workers,” Human Rights Watch news release, September 27, 2017, <https://www.hrw.org/news/2017/09/27/qatar-take-urgent-action-protect-construction-workers>; Amnesty International, “*In the prime of their lives*”: Qatar’s failure to investigate, remedy and prevent migrant workers’ deaths, August 26, 2021, <https://www.amnesty.org/en/documents/mde22/4614/2021/en/> (accessed November 2, 2022).

¹⁹ Government of Qatar, Planning and Statistics Authority, *Vital Statistics Annual Bulletin, Births & Deaths 2019*, March 2021, https://www.psa.gov.qa/en/statistics/Statistical%20Releases/Population/BirthsDeaths/2019/Bulletin_Births_Deaths_2019_AE.pdf (accessed November 3, 2022).

²⁰ Amnesty International, “Reality Check 2021: A year to the 2022 World Cup – The state of Migrant Worker’s Rights in Qatar,” November 16, 2021, <https://www.amnesty.org/en/documents/mde22/4966/2021/en/> (accessed October 25, 2022).

²¹ Pete Pattison and Niamh McIntyre, “Revealed: 6,500 migrant workers have died in Qatar since World Cup awarded,” *Guardian*, February 23, 2021, <https://www.theguardian.com/global-development/2021/feb/23/revealed-migrant-worker-deaths-qatar-fifa-world-cup-2022> (accessed October 25, 2022).

2020 were attributed to “natural causes,” while among Indians, the figure is 80 percent.

3. According to a commissioned report by the International Labour Organization (ILO), there were 50 work-related deaths in Qatar in 2020, and these have been disaggregated by key characteristics, such as places of injury and death and the underlying cause where available.²² A fifth of the 50 work-related deaths from 2020 were attributed to “unknown causes.”
4. According to the Supreme Committee’s Workers’ Welfare Progress Reports, 18 of the 33 fatalities of migrant workers under the Supreme Committee’s World Cup projects recorded between October 2015 and October 2019 attribute the cause of death to “natural causes,” “cardiac arrest,” or “acute respiratory failure,” terms that obscure the underlying cause of deaths and make it impossible to determine whether they may be related to working conditions, such as heat stress.²³ In 2022, the *Indian Express* reported that the Supreme Committee claimed there have been 40 deaths since 2010, with three attributed to work-related reasons.²⁴

When deaths are attributed to “natural causes,” cardiac arrest, heart attack, respiratory failure, and “sickness,” these terms obscure the underlying cause of deaths and make it impossible to determine whether they may be related to working conditions, such as heat stress.²⁵ In 2019, medical research found a strong correlation between heat stress and young workers dying of cardiovascular problems in the summer months.²⁶ Such deaths are categorized as non-work-related, which means families are not provided compensation, leaving many destitute in the absence of their often-sole income provider. Under Qatari Labour Law,²⁷ families of workers who die because of work, or workers who sustain work injuries resulting in partial or complete permanent disability from work injuries, are

²² “ILO publishes report on work-related deaths and injuries in Qatar,” ILO news release, November 18, 2021, https://www.ilo.org/beirut/countries/qatar/WCMS_828399/lang-en/index.htm (accessed October 25, 2022).

²³ Annual Workers’ Welfare Progress Reports from 2015 to 2019, see Government of Qatar, Supreme Committee for Delivery & Legacy, “News and reports,” <https://www.workerswelfare.qa/en/news-and-reports> (accessed October 25, 2022); Amnesty International, “Reality Check 2021: A year to the 2022 World Cup – The state of Migrant Worker’s Rights in Qatar,”

²⁴ Mihir Vasavda, “On Indian workers deaths, Qatar says some progress in reforms, long journey ahead,” *Indian Express*, October 20, 2022, <https://indianexpress.com/article/express-exclusive/indian-migrant-workers-qatar-doha-responds-some-progress-in-reforms-long-journey-ahead-8219575/> (accessed November 3, 2022).

²⁵ “Qatar: Urgently Investigate Migrant Worker Deaths,” Human Rights Watch news release, October 10, 2019, <https://www.hrw.org/news/2019/10/10/qatar-urgently-investigate-migrant-worker-deaths>.

²⁶ Ibid.

²⁷ Government of Qatar, Law No (14) of the Year 2004, The Labor Law, https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_125871.pdf (accessed November 2, 2022).

entitled to compensation from their employers. However, deaths and disabilities not considered work-related are not compensated.

Human Rights Watch has called on Qatar to adopt and enforce adequate restrictions on outdoor work to protect workers from potentially fatal heat-related risks. Qatar had a rudimentary summer working hours ban that only prohibited outdoor work between 11:30 a.m. and 3 p.m. from June 15 to August 31, which failed to address the very real heat-related risks that outdoor workers face due to very high temperatures in Qatar outside these hours and times of year.²⁸ In May 2021, the Qatari authorities issued a ministerial decision on heat protection, including an extension of the summer working hours restriction for June 1 and up until September 15, the imposition of a temperature limit of a wet-bulb globe temperature (WBGT) of 32.1 degrees centigrade above which all work is prohibited, and granting workers the right to stop work if they believe heat stress is a threat to their safety or health.²⁹

While these measures are important, enforcement is crucial. Moreover, leaving it to workers to assert their right to stop or take breaks because of heat stress does not recognize the extremely unequal relationship between employer and worker in Qatar where workers can face huge pressure to complete work. Amnesty International pointed to experts who recommended that break times should be determined through the use of recognized activity modification guidelines which outline rest times based on the climatic conditions and the nature of the work performed.³⁰

²⁸ Human Rights Watch, *Building a Better World Cup Protecting Migrant Workers in Qatar Ahead of FIFA 2022* (New York: Human Rights Watch, 2022), <https://www.hrw.org/report/2012/06/12/building-better-world-cup/protecting-migrant-workers-qatar-ahead-fifa-2022>; “Qatar: Take Urgent Action to Protect Construction Workers,” Human Rights Watch news release, September 27, 2017, <https://www.hrw.org/news/2017/09/27/qatar-take-urgent-action-protect-construction-workers>; “Qatar: Urgently Investigate Migrant Worker Deaths,” Human Rights Watch news release, October 10, 2019, <https://www.hrw.org/news/2019/10/10/qatar-urgently-investigate-migrant-worker-deaths>.

²⁹ Minister of Administrative Development, Labour and Social Affairs, “Decision of the Minister of Administrative Development, Labour and Social Affairs No. (17) for the year 2021 specifying measures to protect workers from heat stress,” May 24, 2020, https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/legaldocument/wcms_794551.pdf (accessed November 4, 2022).

³⁰ Amnesty International, “Qatar: ‘In the prime of their lives’: Qatar’s failure to investigate, remedy and prevent migrant workers’ deaths,” August 26, 2021, <https://www.amnesty.org/en/documents/mde22/4614/2021/en/> (accessed November 4, 2022).

For more Human Rights Watch reporting on migrant worker deaths, see:

- Michael Page, “Families Bring Home Migrant Worker Remains from Qatar,” July 11, 2022, <https://www.hrw.org/news/2022/07/11/families-bring-home-migrant-worker-remains-qatar>
- “Qatar: Urgently Investigate Migrant Worker Deaths,” October 10, 2019, <https://www.hrw.org/news/2019/10/10/qatar-urgently-investigate-migrant-worker-deaths>
- “Qatar: Take Urgent Action to Protect Construction Workers,” September 27, 2017, <https://www.hrw.org/news/2017/09/27/qatar-take-urgent-action-protect-construction-workers>

Migrant Workers’ Strikes and Deportations

Qatar bans migrant workers from protesting, strikes, or joining trade unions. While Qatar joined the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights in 2018, it maintained several formal reservations, including interpreting the term “trade unions” in accordance with its national law.³¹ Article 116 of Qatar’s Labor Law allows only Qatari nationals the right to form workers’ associations or trade unions, depriving migrant workers of their rights to freedom of association and to form trade unions.

In lieu of this right, and under international pressure from a 2017 International Labour Organization (ILO) forced labor complaint, Qatar committed to allowing joint committees that include representatives of both the company and its workforce.³² The first joint committee was formed in 2019 and by 2020, 107 representatives of 17,000 employees in 20 companies had been elected. However, as Amnesty International has documented,

³¹ “Ratification Status for Qatar,” United Nations Human Rights Treaty Bodies, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=140&Lang=EN (accessed November 2, 2022).

³² Ministry of Administrative Development, Labour and Social Affairs, “Joint Committees in accordance with the provisions of the Labour Code No. 14 of 2004, and Ministerial Decision No. 21 of 2019 which regulates the conditions and procedures for the election of workers’ representatives to joint committees,” 2019, <https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/108501/134135/F1786604991/QAT108501%20Eng.pdf> (accessed November 2, 2022); Complaint concerning non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_586479.pdf (accessed November 3, 2022).

joint committees are flawed as they are led by employers and fall short of providing the same crucial protections as those offered by independent worker-led trade unions.³³

In a 2022 report, migrant workers told Human Rights Watch that they had participated in strikes to protest wage theft as employers' fail to pay wages on time, sometimes for months. Other workers with short-term visas participated in strikes after companies told them they were sending them home before their two-year employment contract had ended.

Workers told Human Rights Watch that strikes occur in phases. When companies fail to pay them for months, they decide to stay in their accommodation and refuse to show up for work. But, they say, when salary delays persist, migrant workers protest in streets, sometimes in front of government buildings or a company's headquarters, or even block traffic. Other migrant workers said they had decided not to join strikes due to fear of reprisal from both their employer and Qatari authorities, but that this left them with little recourse to recoup unpaid salary or bargain for better accommodation. Research by Human Rights Watch also showed that several workers who participated in strikes had been detained and deported.

For more Human Rights Watch publications on migrant workers' strikes and deportations, see:

- "Qatar/FIFA: Address Demands of Migrant Worker Strikes," October 12, 2022, <https://www.hrw.org/news/2022/10/12/qatar/fifa-address-demands-migrant-worker-strikes>
- Human Rights Watch Letter to Qatar Ministry of Labor, September 8, 2022, https://www.hrw.org/sites/default/files/media_2022/10/2022.09.06.Qatar%20Letter%20to%20Minister%20of%20Labour_Redacted.pdf
- Qatar Ministry of Labor Response to Human Rights Watch Letter, 2022, https://www.hrw.org/sites/default/files/media_2022/10/Response%20from%20MOL.pdf
- "Qatar: Migrant Workers Strike Over Work Conditions," August 8, 2019, <https://www.hrw.org/news/2019/08/08/qatar-migrant-workers-strike-over-work-conditions>

³³ "Qatar: One year to make good on promises to migrant workers as progress stagnates," Amnesty International news release, November 16, 2021, <https://www.amnesty.org/en/latest/news/2021/11/qatar-one-year-to-make-good-on-promises-to-migrant-workers-as-progress-stagnates/> (accessed November 2, 2022).

Gaps in Existing Compensation Schemes

Hundreds of thousands of migrant workers in Qatar have not received financial compensation or any other adequate remedy for serious labor abuses suffered while building and servicing infrastructure for the FIFA World Cup. This includes uncompensated deaths, injuries, wage theft and illegal recruitment fees.

Qatari authorities, including the Supreme Committee for Delivery and Legacy, the body responsible for planning and delivering World Cup infrastructure, have introduced several initiatives, including the Labour Ministry's Wage Protection System (WPS), Labour Dispute Resolution Committees and Workers' Support and Insurance Fund (Workers' Support Fund), and the Supreme Committee's Universal Reimbursement Scheme.³⁴

Human Rights Watch found that access to programs that compensate workers for serious harm has been limited. The programs have only been established in recent years: The Workers' Support and Insurance Fund became operational in 2020; the Supreme Committee Universal Reimbursement Scheme came into effect in 2017;³⁵ and the Supreme Committee started encouraging its contractors to adopt life insurance for migrant workers only since 2019.³⁶ This means that migrant workers who worked in Qatar and experienced abuses before these programs existed never had access to them. In addition, migrant workers' access to these programs has been limited, either due to the narrow scope of some initiatives that are targeted only to workers affiliated with Supreme Committee projects, or because of weak implementation.

³⁴ Qatar, Act No. 1 of 2015, Taken by the Emir of Qatar, <https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/99861/119423/F122558500/QAT99861%20Eng.pdf> (accessed November 3, 2022); "Qatar: Significant Labor and Kafala Reforms," Human Rights Watch press release, September 24, 2020, <https://www.hrw.org/news/2020/09/24/qatar-significant-labor-and-kafala-reforms>; Government of Qatar, Law No. (17) of 2018 Establishing the Workers' Support and Insurance fund, https://www.migrant-rights.org/wp-content/uploads/2019/08/Law-No.-17-of-2018_Workers%E2%80%99-Fund_English.pdf (accessed November 3, 2022); Supreme Committee for Delivery and Legacy, *Seventh Annual Workers' Welfare Progress Report*, 2021, https://www.workerswelfare.qa/sites/default/files/documents/WW_Progress_Report_2021_EN.pdf (accessed October 25, 2022).

³⁵ Supreme Committee for Delivery and Legacy, *Seventh Annual Workers' Welfare Progress Report*, 2021, https://www.workerswelfare.qa/sites/default/files/documents/WW_Progress_Report_2021_EN.pdf.

³⁶ Supreme Committee for Delivery and Legacy, *Fifth Annual Workers' Welfare Progress Report*, 2019, https://www.workerswelfare.qa/sites/default/files/reports_item/field_document/fifth-annual-workers-welfare-progress-report-en-2019.pdf (accessed November 3, 2022).

Crucially, significant implementation and enforcement gaps remain. For programs like the Workers' Support and Insurance Fund, lack of information or fear among victims of employer retaliation, as well as delays in decision making on how and when workers qualify to receive compensation, has deterred access. The high exclusion rates of these existing programs have meant that many migrant workers who are victims of abuse often return home uncompensated, based on interviews and previous research conducted by Human Rights Watch. Once they are back home, migrant workers' access to compensation systems in Qatar is even more limited.

Research by Human Rights Watch has also found that the last resort for many returning migrant workers and their families are welfare programs set up by their own governments, especially for abuses resulting in death and injury. The Migrant Welfare Funds are commonly used in many countries of origin to fund such welfare schemes. However, such support is often conditioned on valid labor permits, which not all migrant workers possess. Moreover, origin countries' level and comprehensiveness of support to migrant workers varies significantly. The available records collected in embassies, consulates, and migrant welfare departments of countries of origin and the implementation lessons from these welfare schemes, however, can inform the design and implementation of a comprehensive compensation program by FIFA and Qatar.

Human Rights Watch has documented that compensation can have far-reaching benefits to migrant workers and their families, and has called on FIFA and Qatari authorities to leverage the country's existing migrant worker compensation systems to establish a comprehensive remedy program for workers who suffered serious harms, including deaths, injuries, and wage theft.³⁷

For more Human Rights Watch reporting on the need for compensation of migrant workers and their families, see:

- “FIFA/Qatar: Commit to Compensate Abused Migrant Workers,” August 12, 2022, <https://www.hrw.org/news/2022/08/12/fifa/qatar-commit-compensate-abused-migrant-workers>

³⁷ “FIFA/Qatar: Commit to Compensate Abused Migrant Workers,” Human Rights Watch news release, August 12, 2022, <https://www.hrw.org/news/2022/08/12/fifa/qatar-commit-compensate-abused-migrant-workers>.

- Michael Page, “Families Bring Home Migrant Worker Remains from Qatar,” July 11, 2021, <https://www.hrw.org/news/2022/07/11/families-bring-home-migrant-worker-remains-qatar>
- Katherine La Puente, “World Cup Abuses Harm Children, Families of Migrant Workers,” August 15, 2022, <https://www.hrw.org/news/2022/08/15/world-cup-abuses-harm-children-families-migrant-workers>

Call for Remedy of Abuses Against Migrant Workers

On May 18, 2022, Human Rights Watch, Amnesty International, FairSquare, and a global coalition of migrant rights groups, labor unions, international football fans, abuse survivors, and business and rights groups launched the #PayUpFIFA campaign, calling on FIFA and the government of Qatar to provide remedy, including financial compensation, for serious abuses that migrant workers have suffered since the 2022 World Cup was awarded in 2010. These abuses include deaths, injuries, unpaid wages, and exorbitant recruitment fees.³⁸ To fund this, FIFA should set aside an amount at least US\$440 million, equivalent to prize money provided to teams participating in the tournament, to invest in funds to compensate workers and improve worker protections.

The remediation program should be governed in a participatory and transparent way following consultation with stakeholders, including migrant workers, surviving family members, and trade unions. It needs to be easily accessible to workers and their families, many of whom will no longer be in Qatar. And it needs to offer a timely remedy for a wide range of unaddressed abuses since 2010. Research by Human Rights Watch has shown how a comprehensive remedy program could be built on using existing mechanisms and complement various records that exist in both Qatar and migrant origin countries.³⁹

³⁸ “FIFA: Pay for Harm to Qatar’s Migrant Workers,” Human Rights Watch press release, May 18, 2022, <https://www.hrw.org/news/2022/05/18/fifa-pay-harm-qatars-migrant-workers>; Human Rights Watch Joint Open Letter to Gianni Infantino Regarding Remedy for Labor Abuses Behind the 2022 World Cup, May 17, 2022, <https://www.hrw.org/news/2022/08/26/qatar-joint-open-letter-gianni-infantino-regarding-remedy-labor-abuses-behind-2022>.

³⁹ “FIFA/Qatar: Commit to Compensate Abused Migrant Workers,” Human Rights Watch news release, August 12, 2022, <https://www.hrw.org/news/2022/08/12/fifa/qatar-commit-compensate-abused-migrant-workers>.

Announcing a compensation fund has public backing from at least seven national Football Associations,⁴⁰ four World Cup sponsors,⁴¹ current and former players,⁴² political leaders and, according to a global opinion poll, a large majority of the public in 15 countries.⁴³ Yet, at time of writing, FIFA and Qatari authorities have failed to publicly commit to a remedy program with only days left to go before the World Cup starts on November 20, 2022.⁴⁴

For the #PayUpFIFA campaign, see:

- #PayUpFIFA, <https://www.hrw.org/PayUpFIFA>

For more Human Rights Watch products related to the #PayUpFIFA campaign, see:

- “FIFA/Qatar: Commit to Compensate Abused Migrant Workers,” August 12, 2022, <https://www.hrw.org/news/2022/08/12/fifa/qatar-commit-compensate-abused-migrant-workers>
- “FIFA: Pay for Harm to Qatar’s Migrant Workers,” May 18, 2022, <https://www.hrw.org/news/2022/05/18/fifa-pay-harm-qatars-migrant-workers>
- “Qatar: Joint Open Letter to Gianni Infantino Regarding Remedy for Labor Abuses Behind the 2022 World Cup,” May 17, 2022, <https://www.hrw.org/news/2022/08/26/qatar-joint-open-letter-gianni-infantino-regarding-remedy-labor-abuses-behind-2022>

For public support of the #PayUpFIFA campaign, see:

- “FIFA Yet to Back Workers’ Remedy Fund Despite Growing Support,” October 18, 2022, <https://www.hrw.org/news/2022/10/18/fifa-yet-back-workers-remedy-fund-despite-growing-support>
- Michael Page, “US, French Politicians Urge FIFA to Remedy Migrant Worker Abuses in Qatar,” Human Rights Dispatch, October 12, 2022,

⁴⁰ “FIFA Yet to Back Workers’ Remedy Fund Despite Growing Support,” Human Rights Watch news release, October 18, 2022, <https://www.hrw.org/news/2022/10/18/fifa-yet-back-workers-remedy-fund-despite-growing-support>.

⁴¹ “FIFA World Cup: All Sponsors Should Back Remedies for Workers,” Human Rights Watch news release, September 20, 2022, <https://www.hrw.org/news/2022/09/20/fifa-world-cup-all-sponsors-should-back-remedies-workers>.

⁴² Sophie McNeill, “Australia’s FIFA World Cup Team First to Collectively Back Workers, LGBT Rights,” Human Rights Dispatch, October 28, 2022, <https://www.hrw.org/news/2022/10/28/australias-fifa-world-cup-team-first-collectively-back-workers-lgbt-rights>.

⁴³ “Qatar: Global survey shows overwhelming demand for FIFA to compensate World Cup migrant workers,” Amnesty International news release, September 15, 2022, <https://www.amnesty.org/en/latest/news/2022/09/qatar-global-survey-shows-overwhelming-demand-for-fifa-to-compensate-world-cup-migrant-workers/> (accessed November 9, 2022).

⁴⁴ “FIFA: Pay for Harm to Qatar’s Migrant Workers,” Human Rights Watch news release, May 18, 2022, <https://www.hrw.org/news/2022/05/18/fifa-pay-harm-qatars-migrant-workers>.

<https://www.hrw.org/news/2022/10/12/us-french-politicians-urge-fifa-remedy-migrant-worker-abuses-qatar>

- Minky Worden, “Athletes, Fans Demand Remedy for Migrant Worker Abuses in Qatar,” Human Rights Dispatch, September 21, 2022, <https://www.hrw.org/news/2022/09/21/athletes-fans-demand-remedy-migrant-worker-abuses-qatar>
- “FIFA World Cup: All Sponsors Should Back Remedies for Workers,” September 20, 2022, <https://www.hrw.org/news/2022/09/20/fifa-world-cup-all-sponsors-should-back-remedies-workers>

For multimedia, see:

- “FIFA: Pay for Harm to Qatar’s Migrant Workers,” YouTube, https://www.youtube.com/watch?v=VWeYy8HD4_A

FIFA’s Labor Monitoring Ahead of the 2022 World Cup

In October 2019, FIFA and the Qatari Supreme Committee for Delivery and Legacy (SC) announced a Sustainability Strategy for the 2022 FIFA World Cup in Qatar under which safeguarding the rights and welfare of workers engaged on FIFA World Cup 2022 sites and promoting their rights in projects and supply chains directly linked to the FIFA World Cup was prioritized to leave a legacy of world-class standards and practices for workers in Qatar and internationally.⁴⁵

Although construction of the stadiums and World Cup-related projects started years before the Sustainability Strategy was developed in 2019, the strategy only covers the period between 2019 to 2023, which marks the completion of projects for the tournament.⁴⁶ In 2014, the Supreme Committee imposed the Workers’ Welfare Standards on all companies contracted to work on their projects, which among other standards designed to promote worker welfare, require contractors to ensure that workers are not charged any fees, and are to be reimbursed if they are. The Sustainability Strategy established enforcement measures for the Workers’ Welfare Standards with a four-tier auditing system: “quarterly

⁴⁵ FIFA, World Cup Qatar 2022 Sustainability Strategy, October 2019, <https://digitalhub.fifa.com/m/5adbe651c67c78a3/original/02zbd8acyiooxynodwuk-pdf.pdf> (accessed November 3, 2022), p. 6.

⁴⁶ Ibid., p. 12.

self-audits by the contractor of itself and other contracting parties; SC audits; external monitor audits by an independent third-party auditor; and Ministry of Administrative Development, Labour and Social Affairs (MOADLSA) inspections.”⁴⁷ In addition, the SC has set up a “24/7 grievance hotline” that workers can call to lodge their concerns.⁴⁸

FIFA also has an online complaints mechanism in place for safeguarding and child protection concerns that allows for anonymous reporting and whistleblowing.⁴⁹

However, migrant workers may not know of the existence of reporting channels or fear retaliation to report abuses or dangerous conditions. FIFA still needs to provide remedy to migrant workers who suffered serious abuses or their families. This includes responsibility toward workers directly employed in World Cup projects and those who have built and serviced a wider range of projects for tournament preparation and delivery, including transportation, accommodations, security, and cleaning, among others.

⁴⁷ FIFA, World Cup Qatar 2022 Sustainability Strategy, p. 27.

⁴⁸ Ibid., p. 30.

⁴⁹ Ibid., pp. 46-49; FIFA, “Reporting concerns,” <https://www.fifa.com/social-impact/fifa-guardians/reporting-system> (accessed October 21, 2022).

II. Other Human Rights in Qatar

Qatar's poor human rights record creates other serious concerns, including state policies that discriminate and facilitate violence against women, a repressive environment against lesbian, gay, bisexual and transgender (LGBT) residents and visitors, and severe restrictions on free expression and peaceful assembly.

Discrimination against Women

Qatar's discriminatory male guardianship system denies women the right to make many key decisions about their lives.

In a March 2021 report, Human Rights Watch found that women in Qatar must obtain permission from their male guardians – fathers, brothers, uncles, grandfathers, and when married, their husbands – to exercise many of their basic rights, including to marry, study abroad on government scholarships, work in many government jobs, travel abroad until certain ages, and receive some forms of reproductive healthcare. The discriminatory system also denies women the authority to act as their children's primary guardian, even when they are divorced and have legal custody. Qatari women are also not entitled to pass nationality to their children or non-Qatari spouses. At the root of these discriminatory rules are laws, policies, and practices that deem men as heads of households and as legal and social guardians of women. These restrictions are contrary to Qatar's constitution and violate Qatar's obligations under international human rights law.

The Human Rights Watch findings are based on a review of 27 laws, as well as regulations, policies, forms, written communications with the government, and 73 interviews, including 50 in-depth interviews with women affected by this system. In written communications sent in February and March 2021, government representatives confirmed many of these findings and disputed others, despite Human Rights Watch evidence to the contrary.

Male guardianship rules contradict both Qatar's Family Law, which provides that guardianship ends when individuals turn 18, and Qatar's Constitution, which provides for equality before the law without discrimination on the basis of sex.

Most of the women Human Rights Watch interviewed for our 2021 report spoke of the heavy toll such rules have taken on their ability to lead independent lives, including when male guardians denied them permission to drive, travel abroad, study, work, or marry a person of their own choosing. Some also spoke of how this has impacted their mental health, contributing to self-harm, depression, stress, and suicide ideation.

Male guardianship reinforces the power and control that men feel they have over women's lives and choices and may foster or fuel violence. The lack of domestic violence legislation leaves women further exposed to abuse by their families and husbands.

A significant challenge is the lack of clarity or information about the extent of discriminatory laws and administrative requirements. Even when the authorities enact reforms, these decisions do not get much publicity. This makes it difficult for women to enjoy such reforms or to challenge discrimination when they face it. Moreover, women have few avenues to report discrimination in practice as Qatar has no anti-discrimination law or equality body to sanction it. A lack of independent women's rights organizations as well as intimidation and harassment of vocal Qatari women make it difficult to promote grassroots change.

Discrimination in Marriage and Divorce

Qatar's laws require women to have male guardian permission to marry, regardless of age or former marital status. Men can marry up to four women at any one time, without needing permission from a guardian or even from their current wife or wives. When a woman is married, guardianship transfers from her father to her husband. The Family Law provides that a wife can lose her right to financial maintenance from her husband if she is deemed "disobedient," which includes where she does not obtain her husband's permission before working, traveling, or if she leaves her home or refuses to have sex with him, without a justification. Women also spoke of how discrimination in laws relating to marriage, divorce, and decisions concerning children left them trapped in abusive marriages, often waiting years to obtain a divorce, unable to remarry for fear of losing 'custody' of their children, and dependent on their ex-husbands, who still act as the legal guardians of their children. Many divorced women must return to having their fathers as guardians.

Restrictions on Rights to Education, Work, and Traveling Abroad

While more women than ever are attending university, many women reported that their male guardians had prohibited them from studying abroad or at mixed-gender universities in Qatar, limiting what they could study and their future careers. Women indirectly need male guardian permission to obtain a government scholarship to study abroad or in Qatar as per Qatar's Scholarships Law. It is unsurprising then that there are double the number of Qatari male students than Qatari female students at universities abroad on government scholarships. Women reported facing restrictions at the state's sex-segregated Qatar University, including that they needed guardian permission to enter or leave with a taxi or a car not registered by their family with the university, to reside in student accommodation, and to take field trips as part of their studies.

Despite a growing number of highly educated Qatari women, women's participation in the workforce continues to remain half that of men. While no law requires women to have guardian permission to work, it also does not prohibit discrimination against women in the recruitment process. Women said they needed male guardian permission to work in many ministries, including the ministries of education, defense, interior, municipality and environment, endowments (Awqaf) and Islamic affairs, as well as governmental or quasi-governmental institutions, including Qatar University, Qatar Foundation, the State Audit Bureau, and in government schools. Some women said their families or husbands refused to let them work or would not let them work in mixed-gender environments.

Interior Ministry rules, but not law, require that unmarried Qatari woman under age 25 need permission from their male guardian (in person or an exit permit) to travel abroad, unlike men who do not need guardian permission after age 18. In 2017, Qatar introduced online applications on the website *Hukoomi* and mobile application *Metrash2* to allow male guardians and employer-sponsors to issue exit permits for their dependents, including children, unmarried women under 25, and migrant employees.

Men can also ask courts to impose travel bans against their wives or daughters, at any age or nationality, and authorities do not inform women when travel bans are imposed on them or their children. Women are also not allowed to travel abroad with their own children without the permission of the children's father, a requirement not imposed on men.

Restrictions on Movement within Qatar

Men control many aspects of women's movements in Qatar. Restrictions connected to male guardianship compromise women's full freedom to obtain driving licenses and move freely within the country. Until January 2020, Qatari women needed male guardian permission to obtain a driving license. While the rule has been lifted, male guardians may still be able to block women from obtaining a provisional driving license. Migrant women in Qatar are still required to get permission if their father or husband is their visa sponsor. Other discriminatory rules also restrict women's movements including whether Qatari women can rent an apartment, stay in a hotel, or register for utilities so she can live on her own. Some hotels prohibit unmarried Qatari women under 30 years old to rent a hotel room, and Qatari women are prohibited from attending some events and entering spaces that serve alcohol.⁵⁰ Such restrictions are in breach of international human rights law on nondiscrimination, the right to freedom of movement and to choose one's own residence, and Qatar's own constitution.⁵¹

Restrictions on Women's Access to Health Care

Despite Qatar's strong regional reputation for its healthcare service, women also face discrimination in their access to health care. Qatari law requires that in cases of abortion for fetal abnormalities, a woman needs the consent of the father, limiting a woman's autonomy. Women also reported that they need a husband's consent for some other forms of reproductive health care relating to fertility, but the legal basis for these requirements is unclear. Women said they are required to show proof of marriage to access some sexual and reproductive health care. Some women reported how such rules delayed treatment, even when their disorders did not relate to sexual activity.

⁵⁰ Women reported how such restrictions has impacted their ability to enjoy events in their own country equal to men. Universal Declaration of Human Rights (UDHR), adopted December 10, 1948, G.A. Res. 217A(III), U.N. Doc. A/810 at 71 (1948), art. 13(1); International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, art. 12; Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted December 18, 1979, G.A. res. 34/180, 34 U.N. GAOR Supp. (No. 46) at 193, U.N. Doc. A/34/46, entered into force September 3, 1981, art. 15(4); and Permanent Constitution of the State of Qatar, arts. 35 and 36.

⁵¹ UDHR, art. 13(1); ICCPR, art. 12; CEDAW, art. 15(4); and Permanent Constitution of the State of Qatar, arts. 35 and 36.

Women Residents under the Kafala System

Foreign national women living in Qatar also face many restrictions. Under Qatar’s kafala system, foreign women who are dependent on their husbands or fathers as their visa sponsors to enter and reside in Qatar are under controls comparable to male guardianship. Women need their visa sponsor to give permission for them to get a driving license, work, or obtain a government scholarship to study in Qatar. The authorities send automatic text messages to visa sponsors when their dependents leave the country and allow men to ban their female relatives from traveling abroad. The visa sponsorship rules thus also enable abuse.

For more Human Rights Watch reporting on women’s rights in Qatar, see:

- “*Everything I Have to Do is Tied to a Man*”: Women and Qatar’s Male Guardianship Rules (New York: Human Rights Watch, 2021), <https://www.hrw.org/report/2021/03/29/everything-i-have-do-tied-man/women-and-qatars-male-guardianship-rules>
- “Qatar: Male Guardianship Severely Curtails Women’s Rights,” March 29, 2021, <https://www.hrw.org/news/2021/03/29/qatar-male-guardianship-severely-curtails-womens-rights>

Criminalization of Non-Marital and Same-Sex Relations

Article 281 of the Penal Code states that men and women who have sexual relations outside marriage can face up to seven years in prison.⁵² If they are Muslim, in addition to imprisonment, courts can also sentence them to flogging (if unmarried) or the death penalty (if married).

Such offenses disproportionately affect women, who can and have been in the past prosecuted if they report rape, and because pregnancy serves as evidence of the so-called crime. Police often do not believe women who report such violence, instead believing the men who claim it was consensual, and any evidence or suggestion that a woman knew the male offender has been enough to prosecute the woman.

⁵² Government of Qatar, Ministry of Justice, Law No. 11 of 2004 Issuing the Penal Code, <https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=255&lawId=26&language=en> (accessed October 25, 2022).

Sexual violence survivors also will need urgent medical treatment, regardless of whether they seek to file a criminal complaint. However, women are required to show a marriage certificate to access certain forms of sexual and reproductive health care, including checks for sexually transmitted infections, and post-exposure prophylaxis for HIV in Qatar, and lack access to emergency contraception.

In addition, article 285 of the Penal Code punishes consensual sexual relations between men above sixteen with up to seven years' imprisonment. Article 296 provides penalties between one and three years for any male who "instigates" or "entices" another male to "commit an act of sodomy or immorality." Article 288 provides a penalty of ten years' imprisonment, which is also imposed on anyone who engages in consensual sexual relations with a person above sixteen, outside marriage, which could apply to consensual same-sex relations between women, men, or heterosexual partners.

Media reports indicate that officials may not prosecute consensual sexual relations outside marriage and will provide access to sexual and reproductive health care without asking about marital status, during the World Cup. However, this information has not been clarified clearly and publicly by Qatari authorities.⁵³

On November 7, 2022, the Supreme Committee for Delivery and Legacy provided information to Human Rights Watch on support services for victims of violence, including sexual violence, and shelters and clinics that will provide psychological, medical, forensic, and legal support for victims of abuse.⁵⁴ On November 9, FIFA in writing told Human Rights Watch that they had received additional assurances from the Qatari authorities that meant that "FIFA is confident that women will have full access to medical care, including any care connected with a possible pregnancy, regardless of circumstances and without questions asked about marital status," and that "FIFA has been assured that women reporting rape or other forms of abuse will not face any questions or accusations regarding possible

⁵³ Simone Foxman, "Qatar World Cup May Allow Rainbow Flags, Political Protests," *Bloomberg*, November 1, 2022, <https://www.bloomberg.com/news/articles/2022-11-01/qatar-world-cup-may-allow-rainbow-flags-political-protests> (accessed November 8, 2022).

⁵⁴ Letter from Supreme Committee for Delivery and Legacy to Human Rights Watch, "Response to letter requesting information," https://www.hrw.org/sites/default/files/media_2022/11/SC-CMC-LET-HRW-22-01176_HumanRightsWatchv2.pdf, November 7, 2022.

consensual extramarital sexual relationships and should not fear repercussions of any form on that basis.”⁵⁵

Authorities should ensure that any moratorium on prosecutions for consensual sexual relations or other behavior that relates to peaceful exercise of rights, as well as access to health care without discrimination including on basis of marital status, should apply to all and continues beyond the World Cup.

- *“Everything I Have to Do is Tied to a Man”: Women and Qatar’s Male Guardianship Rules* (New York: Human Rights Watch, 2021),
<https://www.hrw.org/report/2021/03/29/everything-i-have-do-tied-man/women-and-qatars-male-guardianship-rules>
- *Human Rights Watch Submission to the CEDAW Committee of Qatar’s Periodic Report for the 73rd Session*, July 1, 2019,
<https://www.hrw.org/news/2019/07/01/human-rights-watch-submission-cedaw-committee-qatars-periodic-report-73rd-session>
- *Human Rights Watch World Report*, “Qatar: Events of 2021,”
<https://www.hrw.org/world-report/2022/country-chapters/qatar>

Discrimination and Violence Against LGBT People

In October 2022, Human Rights Watch issued research that found Qatar Preventive Security Department forces arbitrarily arrested LGBT people and subjected them to ill-treatment in detention. LGBT people interviewed said that their mistreatment took place as recently as September 2022, as Qatar prepared to host the 2022 FIFA Men’s World Cup in November and even as the government came under intense scrutiny for its treatment of LGBT people.

Human Rights Watch documented six cases of severe and repeated beatings and five cases of sexual harassment in police custody between 2019 and 2022. Security forces arrested people in public places based solely on their gender expression and unlawfully

⁵⁵ Letter from FIFA to Human Rights Watch, “Response to your letter regarding the protection of women’s rights at the FIFA World Cup Qatar 2022,”
https://www.hrw.org/sites/default/files/media_2022/11/FIFA%20Response%20letter%20to%20HRW_g%20November%202022.pdf, November 9, 2022.

searched their phones. As a requirement for their release, security forces mandated that transgender women detainees attend conversion therapy sessions at a government-sponsored “behavioral healthcare” center.

All six Qatari LGBT people interviewed said that Preventive Security Department officers detained them in an underground prison in Al Dafneh, Doha, where they verbally harassed and subjected detainees to physical abuse, ranging from slapping to kicking and punching until they bled. Security officers also inflicted verbal abuse, extracted forced confessions, and denied detainees access to legal counsel, family, and medical care. All six said that police forced them to sign pledges indicating that they would “cease immoral activity.” All were detained without charge, in one case for two months in solitary confinement, without access to legal counsel. None received any record of having been detained.

None of those interviewed said they faced charges, and it appears their arbitrary arrest and detention is based on Law No. 17 of 2002 on Protection of Community, which allows for provisional detention without charge or trial for up to six months, if “there exist well-founded reasons to believe that the defendant may have committed a crime,” including “violating public morality.”

In 2020, Qatar assured prospective visitors that it will welcome LGBT visitors and that fans would be free to fly the rainbow flag at the World Cup football games.⁵⁶ Suggestions by officials that Qatar would make an exception to its abusive laws and practices for outsiders are implicit reminders that Qatari authorities do not believe that its LGBT citizens and residents deserve basic rights.

The repressive climate around free expression in Qatar, including around the rights of LGBT people, has made many people who may have experienced mistreatment afraid to be interviewed because of the risk of retaliation.

⁵⁶ “2022 World Cup: Qatar to allow LGBTQ displays, rainbow flags in stadiums,” *ESPN News*, December 10, 2020, <https://www.espn.com/soccer/fifa-world-cup/story/4258559/2022-world-cup-qatar-to-allow-lgbtq-displaysrainbow-flags-in-stadiums> (accessed October 25, 2022).

On May 20, at a news conference in Berlin, the Emir of Qatar, Sheikh Tamim bin Hamad al-Thani, responded to a question about the rights of LGBT visitors by repeating that, “We [Qatar] welcome everybody, but we also expect and want people to respect our culture.”⁵⁷

Qatar’s steady reference to “culture” to deny LGBT people’s rights deflects responsibility away from abusive state systems. “Culture” should not be used as a cover for discourse, practices, and legislation that have effectively excluded content related to sexual orientation and gender identity from the public sphere.⁵⁸

Individuals have told Human Rights Watch that the Qatari government surveils and arrests LGBT people based on their online activity. Qatari authorities also censor mainstream media reports about sexual orientation and gender identity. Journalists and printers operate under section 47 of the 1979 Press and Publications Law, which bans publication of “any printed matter that is deemed contrary to the ethics, violates the morals or harms the dignity of the people or their personal freedoms.” The private publishing partner of the *New York Times*, Dar Al Sharq, has repeatedly removed articles in the international print edition of the *New York Times* published in Qatar related to LGBT rights.

For more Human Rights Watch reporting on discrimination and violence against LGBT people, see:

- “Qatar: Security Forces Arrest, Abuse LGBT People,” October 24, 2022, <https://www.hrw.org/news/2022/10/24/qatar-security-forces-arrest-abuse-lgbt-people>
- Rasha Younes, “A World Cup of Shame: FIFA Fails LGBT Rights Test in Qatar,” *The Globe and Mail*, July 7, 2022, <https://www.hrw.org/news/2022/07/07/world-cup-shame-fifa-fails-lgbt-rights-test-qatar>
- Yasemin Smallens, “LGBT Qataris Call Foul Ahead of 2022 World Cup,” November 24, 2021, <https://www.hrw.org/news/2021/11/24/lgbt-qataris-call-foul-ahead-2022-world-cup>

⁵⁷ DW News (@DWNews), May 20, 2022, <https://twitter.com/dwnews/status/1527816696056008704> (accessed November 3, 2022).

⁵⁸ Rasha Younes, “Northwestern University’s Precarious Role Under Qatar’s Repressive Laws,” Human Rights Dispatch, February 6, 2020, <https://www.hrw.org/news/2020/02/06/northwestern-universitys-precarious-role-under-qatars-repressive-laws>.

- “Qatar: Censorship Ignores Rights, FIFA Rules,” August 3, 2018, <https://www.hrw.org/news/2018/08/03/qatar-censorship-ignores-rights-fifa-rules>

Restrictions on Freedom of Expression

Qatar’s Penal Code criminalizes criticizing the Emir, insulting Qatar’s flag, defaming religion, including blasphemy, and inciting “to overthrow the regime.” Qatar’s 2014 cybercrimes law provided for a maximum of three years in prison and/or a fine of 500,000 Qatari riyal (around US\$137,325) for anyone convicted of spreading “false news” (a term that is not defined) on the internet or for posting online content that “violates social values or principles,” or “insults or slanders others.”

In January 2020, Qatar amended its penal code to introduce a new article under the “Crimes against Internal State Security” section, imposing up to five years in prison and/or a fine of 100,000 Qatari riyal (around US\$27,465) for spreading rumors or false news “intended to harm national interests or incite public opinion or disturb the social or public order of the state.” The new text does not define who determines what is a rumor or “fake news,” how to make such a determination, or what standards are to be used in doing so.

In August and September 2021, newly introduced election laws that effectively disenfranchise thousands of Qataris from voting or running in Qatar’s first legislative elections provoked controversy and debate among Qataris on social media as well as small-scale demonstrations. Qatari authorities responded to the criticism by referring seven people for prosecution on charges of “spreading false news” and “stirring up racial and tribal strife.”⁵⁹ Informed sources told Human Rights Watch that Qatari authorities arrested and detained at least 15 people in the aftermath, some of whom remained detained without charge a month later.

Freedom of expression in Qatar is extremely restricted for citizens, and even more so for non-citizen residents, who are at risk of immediate and arbitrary deportation. In its 2021 report, six women told Human Rights Watch that they faced intimidation by government cyber security for their tweets or other online actions about women’s rights or other political issues, including through interrogations, being asked to sign pledges not to speak

⁵⁹ Government of Qatar, Ministry of Interior, (@MOI_Qatar), August 8, 2021, https://twitter.com/MOI_Qatar/status/1424449656512188426?s=20 (accessed November 3, 2022).

about these issues, and being asked to give officials access to their Twitter accounts or surrender their electronic devices to them. In addition, a few women said that they experienced problems trying to get a police clearance certificate, which they need in order to work or to study abroad and found out through contacts that these problems related to their online activities despite not being charged.⁶⁰

In May 2021, Qatari authorities forcibly disappeared a Kenyan migrant worker, security guard, and labor activist, Malcolm Bidali, detaining him in solitary confinement for a month, after which they conditionally released him back to his company's worker accommodations.⁶¹ On July 14, Qatar's Supreme Judiciary Council handed down a criminal order stating that Bidali had broadcast and published "false news with the intent of endangering the public system of the state" under article 6 of the controversial cybercrime law, arising purely from the exercise of his right to freedom of expression. The court ordered him to pay a fine of 25,000 Qatari riyal (approximately US\$6,800) and ordered the confiscation of his personal mobile phone and the blocking in Qatar of his Twitter and Instagram accounts through which "the crime was committed." On August 19, Human Rights Watch and other international organizations called on Qatari authorities to quash his conviction and to urgently reform its judicial processes, including the cybercrime law.⁶² Bidali left Qatar on August 16, 2021.

In April 2021, a Qatari court convicted Abdullah Ibhais, a Jordanian former employee of the Supreme Committee, of bribery and misuse of funds, and he faced a five-year prison sentence.⁶³ On December 15, 2021, an appeals court upheld his conviction, further revealing serious violations of his right to a fair trial, compounding the due process violations in his lower court trial. Ibhais has previously said that he believes the case was in retaliation for his internal criticism of the handling of a migrant workers' strike in Qatar in August 2019.

⁶⁰ Human Rights Watch, *"Everything I Have to Do is Tied to a Man": Women and Qatar's Male Guardianship Rules*, 2021.

⁶¹ "Qatar: Kenyan Labor Rights Activist in Solitary Confinement," Human Rights Watch news release, May 28, 2021, <https://www.hrw.org/news/2021/05/28/qatar-kenyan-labor-rights-activist-solitary-confinement>.

⁶² Amnesty International, Business and Human Rights Centre, FairSquare, Human Rights Watch, and Migrant-Rights.org, "Kenyan labour rights activist leaves Qatar after paying hefty fine for publishing 'false news,'" <https://www.migrant-rights.org/wp-content/uploads/2021/08/Malcolm-Bidali-Statement-8-19.pdf> (accessed November 2, 2022).

⁶³ "FIFA/Qatar: Last Chance to Ensure Fair Trial for Whistleblower," Human Rights Watch news release, February 2, 2022, <https://www.hrw.org/news/2022/02/02/fifa/qatar-last-chance-ensure-fair-trial-whistleblower>.

While Qatari authorities have indicated the resources and support for international press during the World Cup 2022,⁶⁴ media outlets have reported on restrictions including prohibition on filming at residential properties, private businesses, government buildings, universities, places of worship, and hospitals.⁶⁵

For more Human Rights Watch reporting on freedom of expression, see:

- “FIFA/Qatar: Last Chance to Ensure Fair Trial for Whistleblower,” February 2, 2022, <https://www.hrw.org/news/2022/02/02/fifa/qatar-last-chance-ensure-fair-trial-whistleblower>
- “Qatar: Kenyan Labor Rights Activist in Solitary Confinement,” May 28, 2021, <https://www.hrw.org/news/2021/05/28/qatar-kenyan-labor-rights-activist-solitary-confinement>
- “Qatar: 5-Year Prison Sentence Set for ‘Fake News,’” January 22, 2020, <https://www.hrw.org/news/2020/01/22/qatar-5-year-prison-sentence-set-fake-news>

⁶⁴ “SC Launches Qatar Media Portal Ahead of FIFA World Cup 2022,” *Qatar News Agency*, September 1, 2022, <https://www.qna.org.qa/en/News-Area/News/2022-09/01/0049-sc-launches-qatar-media-portal-ahead-of-fifa-world-cup-2022> (accessed November 8, 2022); “FIFA World Cup Qatar 2022: Qatar Media Portal,” Supreme Committee for Delivery and Legacy, <https://media.qatar2022.qa/> (accessed November 8, 2022).

⁶⁵ Shanti Das, “Qatar World Cup accused of imposing ‘chilling’ restrictions on media,” *Guardian*, October 15, 2022, <https://www.theguardian.com/football/2022/oct/15/qatar-world-cup-tv-reports-restrictions> (accessed November 8, 2022); “CPJ Safety Advisory: Covering the 2022 World Cup,” Committee to Protect Journalists, November 8, 2022, <https://cpj.org/2022/11/cpj-safety-advisory-covering-the-2022-world-cup/> (accessed November 8, 2022).

III. FIFA's Human Rights Commitments

When FIFA, the global football governing body, awarded its 2022 World Cup tournament to Qatar in 2010, it knew or should have known that the migrant workers building the massive infrastructure would face grave risks. Yet FIFA neither imposed labor rights conditions nor undertook effective human rights due diligence.

The international scrutiny and pressure from organizations like Human Rights Watch over the years has made human rights central to FIFA's operations.⁶⁶ In 2016, FIFA adopted the United Nations Guiding Principles on Business and Human Rights and enshrined its responsibility to respect human rights in article 3 of the FIFA Statutes.⁶⁷

In 2017, FIFA adopted a Human Rights Policy stating that human rights commitments are binding on all FIFA bodies and officials,⁶⁸ and announced that human rights requirements would be part of the consultation and bid process phases of the selection of the 2026 World Cup host. Bidding countries are now required to submit a human rights strategy in preparing for and hosting the tournament.”

FIFA also has human rights responsibilities to remedy abuses to which it has contributed, under the UN Guiding Principles on Business and Human Rights, and as recognized by FIFA's own policies.

Despite these improvements, FIFA has not demanded that the Qatar government should reform its laws to uphold human rights, including amending repressive laws on press freedom, LGBT rights, women's rights, and ending labor abuses.

⁶⁶ “FIFA: 2026 World Cup Bids Test Reforms,” Human Rights Watch news release, June 2, 2018, <https://www.hrw.org/news/2018/06/12/fifa-2026-world-cup-bids-test-reforms>.

⁶⁷ United Nations Office of the High Commissioner for Human Rights, *Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework* (New York and Geneva: United Nations, 2011) https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinessshr_en.pdf (accessed October 21, 2022); FIFA, *FIFA Statutes*, May 2021, <https://digitalhub.fifa.com/m/7e791c0890282277/original/FIFA-Statutes-2021.pdf> (accessed October 21, 2022), p. 11.

⁶⁸ FIFA, *FIFA's Human Rights Policy* (Zurich: FIFA, 2017), <https://digitalhub.fifa.com/m/1a876c66a3f0498d/original/kro5dqyhr1uhqy2lh6r-pdf.pdf> (accessed October 10, 2022).

FIFA has also ignored longstanding abuses of migrant workers detailed above, including an appalling number of unexplained deaths building US\$220 billion in stadiums and infrastructure, serious physical injuries, and widespread wage theft.⁶⁹ FIFA needs to fulfill its human rights responsibilities and provide remedy to migrant workers who suffered serious abuses or their families.

Citations from Key Elements of FIFA's Human Rights Policy

- Article 3: “In line with the UNGPs [UN Guiding Principles on Business and Human Rights], FIFA will exercise its leverage, and seek to increase said leverage where necessary, in connection with adverse human rights impacts arising through its business relationships. To this end, FIFA will explore and make use of all options available to it within the said relationships.”⁷⁰
- Article 4: “FIFA will strive to go beyond its responsibility to respect human rights, as enshrined in the UNGPs, by taking measures to promote the protection of human rights and positively contribute to their enjoyment, especially where it is able to apply effective leverage to help increase said enjoyment or where this relates to strengthening human rights in or through football.”⁷¹
- Article 11: “FIFA helps protect those who advocate respect for human rights associated with its activities and is committed to contributing to providing remedy where individuals have been adversely affected by activities associated with FIFA.”⁷²
- Article 11: “FIFA will respect and not interfere with the work of both human rights defenders who voice concerns about adverse human rights impacts relating to FIFA and media representatives covering FIFA's events and activities.... Where the freedoms of human rights defenders and media representatives are at risk, FIFA will take adequate measures for their protection, including by using its leverage with the relevant authorities.”⁷³

⁶⁹ Human Rights Watch, *Building a Better World Cup: Protecting Migrant Workers in Qatar Ahead of FIFA 2022* (New York: Human Rights Watch, 2012), <https://www.hrw.org/report/2012/06/12/building-better-world-cup/protecting-migrant-workers-qatar-ahead-fifa-2022>.

⁷⁰ FIFA, *FIFA's Human Rights Policy* (Zurich: FIFA, 2017), <https://digitalhub.fifa.com/m/1a876c66a3f0498d/original/kro5dqyhr1uhqy2lh6r-pdf.pdf> (accessed October 10, 2022), art. 3.

⁷¹ FIFA, *FIFA's Human Rights Policy*, art. 4.

⁷² FIFA, *FIFA's Human Rights Policy*, art. 11.

⁷³ Ibid.

- Article 5: “Discrimination is an issue in the world of football both on and off the pitch. FIFA strives to create a discrimination-free environment within its organisation and throughout all of its activities.... Article 4 of the FIFA Statutes prohibits discrimination of any kind against a country, private person or group of people on account of race, skin colour, ethnic, national or social origin, gender, disability, language, religion, political opinion or any other opinion, wealth, birth or any other status, sexual orientation or any other reason.”⁷⁴

Further, in November 2017, Federico Addiechi, FIFA’s head of sustainability and diversity told the *New York Times*: “If there are any cases of abuse, or even possibility of human rights defenders or journalists being forced into a difficult corner, then according to our statutes and human rights policy FIFA will intervene.”⁷⁵

⁷⁴ FIFA, *FIFA’s Human Rights Policy*, art. 5.

⁷⁵ Tariq Panja, “Ahead of World Cup, Fans Are Warned About Homophobia and Racism in Russia,” *New York Times*, November 28, 2017, <https://www.nytimes.com/2017/11/28/sports/soccer/russia-world-cup-fans.html> (accessed October 25, 2022).

IV. Compilation of Recommendations Human Rights Watch Has Made to FIFA and Qatari Authorities

Regarding Compensation of Migrant Workers

- Urgently commit to establishing a comprehensive remediation program to address abuses suffered by migrant workers in the preparation and delivery of the 2022 World Cup that remain outstanding, including deaths, injuries, wage theft and illegal recruitment fees.
- Set aside no less than US\$440 million, the amount of World Cup prize money, to fund remedy of such abuses, with the harms to be redressed and reparation measures to be offered being decided through a participatory process and subject to an independent evaluation.
- Expand and strengthen Qatar's existing compensation schemes and recordkeeping systems, and where needed to deal with a large number of past abuses, establish complementary effective mechanisms to remedy all unaddressed harms.

Regarding the Human Rights Situation in Qatar

- Reform human rights protections, including the elimination of abusive laws, should be permanent not simply for the World Cup, and affect Qatari citizens and residents, not only foreign visitors.
- Eliminate all discriminatory male guardianship rules and practices, pass anti-discrimination law to end discrimination in practice, and repeal laws and practices that limit women's civic participation to demand their own rights.
- Issue, and widely publicize, a moratorium on arrests and prosecutions for breach of offences relating to consensual sexual relations outside marriage, with a view to repealing such legal provisions altogether.
- Repeal all articles that criminalize consensual sexual relations outside of marriage including articles 281, 285, 288, and 296 of the Penal Code.
- Introduce legislation that protects against discrimination on the basis of sexual orientation and gender identity, online and offline. Freedom of expression and nondiscrimination based on sexual orientation and gender identity should be

guaranteed, permanently, for all residents of Qatar, not just spectators going to Qatar for the World Cup.

- Ensure that survivors of sexual and gender-based violence can access confidential, high-quality support services, including counseling, legal aid, health care, and shelter as appropriate.
- Ensure that all women can access sexual and reproductive health care without requiring a marriage certificate or reporting sexual violence to the authorities, and that they do not face being reported to the authorities. This should include testing and treatment for sexually transmitted infections, pregnancy, as well as emergency contraception and post-exposure prophylaxis for HIV. Ensure also that such service and treatment is accessible, e.g., ensuring that women can easily access emergency contraception (known as the ‘morning-after’ pill) from pharmacies. Ensure that police and prosecutors have gender-responsive training.
- Ensure that there are no undue restrictions on local and foreign journalists to report not only on World Cup matches and related activities and events but to investigate and report on social, economic, and political issues, should they wish to do so.

Regarding Labor Reforms in Qatar

- Dismantle the kafala system in its entirety, including by decriminalizing absconding and enforcing the reforms introduced to the sponsorship system, such as the ability to change jobs without requiring NOC or approved resignation letters from the original employer.
- Release data on migrant worker deaths from the past 12 years, broken down by age, gender, occupation, and cause of death; amend its law on autopsies to require medical examination and allow forensic investigations into all sudden or unexplained deaths, and pass legislation to require that all death certificates include reference to a medically meaningful cause of death.
- Build on good recruitment practices adopted by Qatari authorities to prevent worker-paid recruitment fees, including by increasing due diligence requirements, requiring companies to provide verification that they have paid such fees and to reimburse workers when they have not by expanding important initiatives like the Supreme Committee’s Universal Reimbursement Scheme.

- Improve the functioning of the Wage Protection System (WPS) by increasing the capacities of the WPS Unit, the Labour Relations department, and the Labour Dispute Resolution Committee so that they can more effectively monitor and resolve cases of wage abuses in a speedy and compassionate manner for workers.
- Strengthen the Worker's Support and Insurance Fund by expediting disbursement to eligible workers and reducing financial pressure on the fund by diversifying its source of funding and recovering wages from employers.
- Prosecute and implement significant penalties for complicit employers violating the law.
- Amend the labor law to guarantee workers' right to strike, free association and collective bargaining, including for migrant workers and domestic workers.
- Reform the 2017 Domestic Workers Law to provide domestic workers with rights equal to other workers under the labor law, including in relation to hours of work, overtime compensation, periods of daily and weekly rest, paid annual leave, and sick leave.

Regarding Future FIFA World Cup Events

- Significantly increase transparency and reporting of implementation of FIFA's human rights commitments. Transparency is essential to credibility, accountability, sustainability, and meaningful change.
- Enhance and strictly implement FIFA's human rights criteria for future events and strengthen its human rights due diligence processes.

For more information on FIFA's human rights policies, see:

- FIFA, FIFA's Human Rights Policy, May 2017, http://resources.fifa.com/mm/document/affederation/footballgovernance/02/89/33/12/fifashumanrightspolicy_neutral.pdf
- FIFA, Fact Sheet: FIFA's work on Human Rights, November 2016, http://resources.fifa.com/mm/Document/AFFederation/FootballGovernance/02/87/55/00/FIFABackgroundInfoonHumanRights_Neutral.pdf
- FIFA, *FIFA Statutes*, May 2021, <https://digitalhub.fifa.com/m/7e791c0890282277/original/FIFA-Statutes-2021.pdf>
- "Qatar: Joint Open Letter to Gianni Infantino Regarding Remedy for Labor Abuses Behind the 2022 World Cup," May 17, 2022,

<https://www.hrw.org/news/2022/08/26/qatar-joint-open-letter-gianni-infantino-regarding-remedy-labor-abuses-behind-2022>

IV. Human Rights Watch Media Contacts

In New York:

- Minky Worden (English, Cantonese, German): +1-917-497-0540 (mobile); or wordenm@hrw.org. Twitter: @MinkysHighjinks
- Michael Page (English): +1-646-630-5062 (WhatsApp); or pagem@hrw.org. Twitter: @MichaelARPage
- Katherine La Puente (Spanish): +1-347-573-3150 (mobile); or lapuenk@hrw.org. Twitter: @katslap

In London:

- Rothna Begum (English): +1-917-443-2221 (mobile); or begumr@hrw.org. Twitter: @Rothna_Begum
- Yasmine Ahmed (English): +44 (0) 753-1405-665 (mobile); or ahmedy@hrw.org. Twitter: @yasmine.ahmedoo1

In Amsterdam:

- Jan Kooy (English): +31-6-4209-1869 (mobile); or kooyi@hrw.org. Twitter: @Kooyjan

In São Paulo:

- Maria Laura Canineu (English, Portuguese): +55 11 997-977-695 (mobile); or caninem@hrw.org. Twitter: @mlcanineu

In Montevideo:

- Santiago Menna (Spanish): +1 646-276-2922 (mobile); or mennas@hrw.org. Twitter: @santiagomenna

In Berlin:

- Rasha Younes (English, Arabic): +1-646-276-4609 (mobile); or younesr@hrw.org. Twitter: @Rasha_Younes
- Wenzel Michalski (German, English): +49-151-419-24-256 (mobile); or michalw@hrw.org. Twitter: @WenzelMichalski

- Wolfgang Büttner (German, English): +49-171-80-22-683 (mobile);
or buettnw@hrw.org. Twitter: @w_buettner

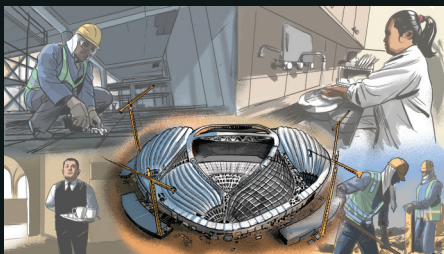
HUMAN RIGHTS GUIDE FOR REPORTERS

2022 FIFA World Cup in Qatar

This *Human Rights Guide for Reporters* covering the 2022 FIFA World Cup in Qatar looks beyond the action on the field to open a broader lens on human rights concerns surrounding Qatar's preparations for and hosting of the tournament. Human Rights Watch published findings about abuses of migrant workers in preparation for the delivery of the 2022 World Cup and the need to provide remedy, including financial compensation, for serious abuses such as deaths, injuries and wage abuses. The findings are summarized here.

The reporters' guide outlines the discrimination of women in Qatar; discrimination and violence, and repressive laws against LGBT people; restrictions on freedom of expression. FIFA is also a focus: the powerful international football association's approach to human rights has changed under pressure since Qatar won the bid to host the World Cup, including through the adoption of a Human Rights Policy. However, FIFA has unfulfilled commitments to remedy abuses of migrant workers and live up to its commitments on human rights.

The guide describes Human Rights Watch's concerns on the human rights issues in Qatar and summarizes our recommendations to FIFA. Human Rights Watch hopes this guide will be a useful tool for journalists interested in reporting on a wider range of issues in Qatar.



© 2020 John Holmes for Human Rights Watch