**Workers and FIFA in Qatar**

BY R A F I A Z A K A R I A 2021-03-24

IF you happen to be one of the many Pakistanis who work and live in the Gulf, say in Dubai or Doha or Sharjah, you know that changing jobs can be a hell on earth. Unlike, for example, the United States, where an H1B employment visa can be transferred from one employer to another, the kafala system tethers the employee to a single employer. If the kafala has to be transferred from one employer to another, the old employer must provide legal permission and attestation saying that the employee is permitted to change jobs.

The problem with this is obvious: it is impossible for an employee to leave a situation where there are adverse working conditions or inadequate pay, even when they have another offer on the table. Simply put, the old employers have no incentive to correct adverse working conditions or to increase wages, because they are never competing against other employers for good employees.

All that employers f aced with a request to provide permission have to do is refuse and the worker has to continue to work or return to their home country, a possibility that is not feasible for most employees.

Last September, Qatar became the first country to pass laws that would change this system.

According to a set of laws passed in September that are going into ef fect, foreign workers in Qatar will no longer be required to obtain a no-objection certificate f rom their current employer if they want to transfer their kafala to the new employer. This removes one of the biggest hurdles that foreign workers face while working in GCC countries, as the existing system ef fectively eliminates competition among employers to provide good working conditions for foreign workers in their employ.

In addition to the new kafala rules, Qatar, following the lead of the UAE, has also mandated a minimum wage of $275 a month for every worker whose contract has been signed after Aug 30, 2020. In addition to that, an employer must either provide room and board to the employee or pay them $213 a month. Unlike the kafala reform law, this provision is not quite so groundbreaking. The amountsspecified are far below the living wage required to obtain basic food and housing and manage life in Q atar. In reality, the skyrocketing costs of food and other substances, following the blockade of Qatar, mean that these amounts would not meet the basic requirements of most workers. They are also far below similar wage law minimums in effect in the United Arab Emirates.

Qatar must be congratulated for its kafala reform initiative. As human rights advocates and labour leaders have pointed out time and again, the kafala system amounts to a form of indentured servitude.In tethering employees to employers, unjust, coercive and abusive, it has long seen employees either bear the difficult conditions (including most often the non-payment of wages) or be returned home.

This latter option is not a possibility because many have incurred huge debts in order to get there in the first place. This has been the locus of interminable cycles of abuse for hundreds of thousands of foreign workers.

It is likely that the Qataris have been inspired to make these labour law changes owing to the scrutiny they have received and are likely to further encounter because they will host the FIFA World Cup next year. Just the other day, Amnesty International released an open letter to Mr Gianni Inf antino, the president of FIFA. The letter specifically expressed concern over the Qatari shura council`s intransigence over the kafala system and the change of employer. It also noted that even when labour reforms are made in Qatar they are rarely implemented.

The letter claimed that FIFA should have knownabout the rampant abuse of migrant workers in Qatar before they chose it as the venue for the event. Having done so despite this knowledge, it was now incumbent on FIFA to make every effort toensure thatfurtherabuse doesnottake place.

The letter from Amnesty International exposes the motivation behind Qatar`s changes to its kafala system. It is sad that it is pressure from FIFA, which is in turn f acing pressure f rom human rights groups like Amnesty international, that has motivated the actions. In the end, money talks and whatever amount of money the Qataris may stand to lose by implementing minimum wage laws and transferable Kafalas is less than what it would lose if the FIFA World Cup was cancelled or if f ans decided to conduct boycotts of the event because of publicised cases of migrant worker abuses.

At the same time, whatever their causes, the changes may spell hope for similar changes among Qatar`s competitors in the region. If human rights records are taken into account when venues for international sports events are being considered, the UAE and others in the region may also be pushed to make things better for those who toil on their land and yet lack fair wages and adequate lodging and food and water.

The international crowds that are expected to attend the FIFA World Cup are coming to have a good time. Nothing spoils a good time like the knowledge and observation of human beings treated like animals so that their rich overlords can make more money. Many in Qatar may be used to ignoring the abuse of migrant workers toiling in extreme heat and other terrible conditions, but FIFA fans are not so inured to human suffering. It is this knowledge that has prompted changes in the way things are done in Qatar. One can only hope that the government is not cruel enough to take back the reforms and return to the unjust system as soon as the FIFA World Cup is over. The writer is an attorney teaching constitutional law and political philosophy.

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