



# Leveraging the World Cup: Mega Sporting Events, Human Rights Risk, and Worker Welfare Reform in Qatar

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## Executive Summary

Qatar will realize its decades-long drive to host a mega sporting event when, in 2022, the opening ceremony of the Fédération Internationale de Football Association (FIFA) World Cup commences. By that time, the Qatari government will have invested at least \$200 billion in real estate and development projects, employing anywhere between 500,000 and 1.5 million foreign workers to do so. The scale of these preparations is staggering — and not necessarily positive. Between 2010 and 2013, more than 1,200 labor migrants working in Qatar’s construction sector died, with another 4,000 deaths projected by the start of the event. Foreign workers are subject to conditions of forced labor, human trafficking, and indefinite detention. Advocacy groups cite deplorable living and working conditions, coupled with lax legal protections for workers, as the main culprits. Absent significant improvements in worker welfare, Qatar’s World Cup will be remembered as a human rights tragedy.

This article examines whether it is possible for Qatar’s World Cup to forge a different legacy, as an agent of change on behalf of worker welfare reform. In examining the issue, the article takes a two-fold approach. First, it locates the policy problem of worker welfare abuses in the context of the migration life cycle. The migration life cycle represents the range of activities that mediate the relationship between an individual migrant and the labor migration system — from the time the migrant first considers working overseas to his employment abroad to his eventual return to the home country. An understanding of worker welfare abuses in Qatar does not begin or end with reports of migrant deaths. A much broader pattern of abuse exists that, if ignored, will undermine effective policy responses.

Second, the article frames worker welfare as a matter that lies at the intersection of business and human rights. Mega events are large-scale, internationally recognized activities that aim to promote regional development and to advance universal values and principles. They also represent an important collaboration between stakeholders across sectors. The UN Guiding Principles on Business and Human Rights, therefore,

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offer a framework for understanding how worker welfare reform might be in the interests of governmental and corporate actors alike.

Ultimately, this paper outlines four policy proposals that may be undertaken by countries of origin, nongovernmental organizations, international organizations, and Qatari employers: (1) the development of a list of labor-supply agencies committed to ethical recruitment practices; (2) the devising of low-interest, preferential loans for migrants considering employment in Qatar; (3) the establishment of a resource center to serve as a one-stop shop for migrant information and services; and (4) the creation of training programs to aid migrants upon their return home. These options are not meant to diminish the role of the Qatari government in reform efforts, and indeed, the state can — and should — take steps to improve worker welfare, including strengthening worker welfare standards, closing labor law loopholes, and bolstering law enforcement capacity. But these measures are not enough. Therefore, the above four policy proposals put forward a process-specific, rather than actor-specific, approach to reform aimed at capitalizing on the spotlight of the World Cup to bring about lasting, positive change in Qatar's migrant labor practices.

## I. Introduction

The announcement in late 2010 by the Fédération Internationale de Football Association (FIFA) to award Qatar — and the Arab world — its first World Cup was a seminal moment. It represented the culmination of decades of political and economic development that had positioned Qatar as a consequential geopolitical actor.

In the years ahead, Qatar will undertake infrastructure development on an unprecedented scale. World Cup competitions will take place in at least eight stadiums, most of them newly constructed for these specific games. Additionally, creation of a team base camp (TBC) village for the athletes, as well as lodging, leisure, sport, recreation, and tourism venues for the spectators, will be necessary. Plans are also underway to create a new airport, a rail network, and a metro system (Gibson 2012). In all, Qatar is expected to invest over \$200 billion in real estate and infrastructure projects (Menary 2015). These projects will require between 500,000 and 1.5 million foreign workers (Zegrea and Choufany 2012).

Much of Qatar's development has rested on the efforts of these migrants, imported primarily from South Asia and the Middle East, to fill its expanding construction and domestic worker sectors. Two years after FIFA's announcement, Qatar became the object of international criticism for the poor conditions in which its labor migrants live and work. Between 2010 and 2013, more than 1,200 labor migrants working in Qatar's construction sector died, with another 4,000 deaths projected by the start of the World Cup event in 2022 (Chen 2015). Not all of these deaths have occurred on World Cup sites, nor is it clear, given state restrictions on post-mortem data, the extent to which these figures can be attributed to construction-related incidents (DLA Piper 2014). What is clear, however, is that foreign workers are subject to conditions of forced labor, human trafficking, and

indefinite detention, and that, absent significant improvements in worker welfare, Qatar's World Cup will be remembered as a human rights tragedy.

What are the prospects for worker welfare reform in Qatar, given the prevailing tensions underlying the government's development objectives and its human rights obligations? And in what ways does the World Cup offer reform advocates an opportunity to balance these competing interests, positioning the World Cup as an agent of change?

To answer these questions, this paper focuses its analysis on migrants from the Qatar-Asia migration corridor who ultimately take up employment in Qatar's construction sector. Limiting this paper's scope to the above qualifications is appropriate for a couple of reasons. First, the Qatar-Asia migration corridor accounts for over 65 percent of Qatar's total migrant population (Table 1; Snoj 2014). More importantly, six countries — India, Nepal, the Philippines, Sri Lanka, Bangladesh, and Pakistan — are disproportionately represented in Qatar's construction and domestic worker sectors, where welfare abuses are most common. As such, this article defines the Qatar-Asia migration corridor in terms of one country of destination (COD), Qatar, and these six countries of origin (COOs), referring to this regional grouping as the Qatar-COO migration corridor.

**Table 1. Qatar's Expatriate Population by Country of Origin**

| Country of origin | Percent of total population of Qatar | Region         |
|-------------------|--------------------------------------|----------------|
| India             | 23.58                                | South Asia     |
| Nepal             | 17.3                                 | South Asia     |
| Philippines       | 8.65                                 | Southeast Asia |
| Bangladesh        | 6.49                                 | South Asia     |
| Egypt             | 7.78                                 | North Africa   |
| Sri Lanka         | 4.33                                 | Southeast Asia |
| Pakistan          | 3.89                                 | South Asia     |
| Sudan             | 1.82                                 | North Africa   |
| Jordan            | 1.72                                 | Middle East    |
| Indonesia         | 1.68                                 | Southeast Asia |
| <b>Total</b>      | <b>77.24</b>                         |                |

*Source:* Snoj 2014 (see text).

Second, construction, more than any other sector, is expected to experience a surge in foreign workers. Migrant construction workers face unique welfare abuses due to the extent of contracting and subcontracting services typically embedded in construction projects. Adding such complexity to these value chains increases the probability, magnitude, and intensity of welfare abuses experienced by this subset of the labor migrant population (Ruggie 2013). Additionally, with the construction sector almost entirely composed of males, focusing on this demographic allows for a more tailored analysis. Domestic workers,

many of whom are women, face a number of welfare abuses overwhelmingly proportioned to their gender, such as sex trafficking. At its current length, this article cannot do justice to such abuses.

The findings of this article are based on qualitative evidence drawn from three sources. At the outset, a documentary review was undertaken spanning the online and print literatures concerning labor migration, business and human rights, and mega events. Complementing this review were interviews with 18 leaders from think tanks and advocacy groups, governmental bodies, intergovernmental organizations, and corporations. A final source comes from fieldwork conducted in Qatar, during which visits to construction sites and labor camps as well as interviews with 15 camp residents provided supplemental perspectives.

The remainder of this article is organized into three sections. The first section defines the policy problem — namely, the factors that make possible worker welfare abuses in Qatar's construction sector — before introducing the concept of the *migration life cycle* to frame the array of abuses experienced by labor migrants across the Qatar-COO migration corridor. The next section explores the ways in which the World Cup can serve as a vehicle for political change when approached through the UN Guiding Principles on Business and Human Rights. The final section lays out potential recommendations directed at a range of stakeholders invested in Qatar's policies on migration and development.

## II. Worker Welfare

The Qatari state's long-term objective is to transform the small Gulf nation into an advanced country. As articulated in National Vision 2030 — a Qatari development plan launched in 2008 — the state plans to achieve this objective through investments in human, social, economic, and environmental development (Qatar MDPS 2008). At the heart of these efforts is the recognition that the country's rapid growth must not outpace its capabilities and that its development is largely dependent upon the size and quality of its migrant labor force. At times, however, development as a national interest is at odds with worker welfare as an ethical imperative.

This tension is on display in Qatar's preparations for World Cup 2022. Hence, the central policy challenge is to improve worker welfare by addressing existing abuses endemic to the migration life cycle linking Qatar to COOs.

### A. Elements of the Problem

The number of foreign workers migrating to the Arabian Gulf places it among the world's three most active destinations for labor migrants (Gardner 2012). In all, nearly 25 million expatriates are employed in Gulf Cooperation Council (GCC) countries, a figure that constitutes almost half of the total GCC population (Table 2).

Of course, this population imbalance is hardly new. Since the oil boom of the 1970s, Gulf states have relied on foreign workers, drawn primarily from Arab and Asian countries, to channel oil wealth into ambitious economic development projects. Over this period, however, Gulf states increasingly began to focus their short-term hiring on labor migrants

originating from Asian countries — the result, some argue, of state concerns that Arab migrants were more likely to settle permanently and were more prone to engage in political dissent over perceived unfair labor practices (Fargues 2011).

**Table 2. Population Figures for Gulf Cooperation Council Countries Based on Citizenship Status**

| Country              | Total population  | Citizen population | Citizens as percentage of total | Expatriate population | Expatriate population as percentage of total |
|----------------------|-------------------|--------------------|---------------------------------|-----------------------|----------------------------------------------|
| Bahrain              | 1,314,562         | 630,990            | 48                              | 683,572               | 52                                           |
| Kuwait               | 4,161,404         | 1,281,712          | 30.8                            | 2,879,692             | 69.2                                         |
| Oman                 | 4,149,917         | 2,323,954          | 56                              | 1,825,963             | 44                                           |
| Qatar                | 2,421,055         | 346,211            | 14.3                            | 2,074,844             | 85.7                                         |
| Saudi Arabia         | 30,770,375        | 20,708,462         | 67.3                            | 10,061,913            | 32.7                                         |
| United Arab Emirates | 8,264,070         | 950,368            | 11.5                            | 7,313,702             | 88.5                                         |
| <b>Total (GCC)</b>   | <b>51,081,383</b> | <b>26,241,697</b>  | <b>51</b>                       | <b>24,839,686</b>     | <b>49</b>                                    |

*Notes:* Figure for Qatar’s total population taken from Qatar MDPS 2016, with citizen and expatriate figures extrapolated from percentage estimation given by GLMM 2015. All other country figures obtained through GLMM, which reports census figures reported between 2010 and 2015.

*Sources:* Gulf Labour Markets and Migration 2015; Qatar MDPS 2016 (see text).

Today, labor migration and worker welfare standards exist in a complex system that props up the overall architecture of the migration life cycle linking Qatar to COOs. The benefits and costs of labor migration are a function of this complex system. Four elements, in particular, frame the “push-pull” factors driving this system.

### 1. DEMOGRAPHIC ELEMENT

The limited pool of nationals available in CODs has put pressure on Gulf states to import labor from abroad. In Qatar, the expatriate population is roughly six times the size of the national population (GLMM 2015; Qatar MDPS 2016). Furthermore, according to the Qatar Statistics Authority, 94 percent of the country’s working population are expatriates (“Report: Qatar Growing” 2012). If existing demographic trends are permitted to continue, Qatar will become younger, more male, more foreign, and more concentrated in the country’s urban centers of Doha and Al Rayyan (Chalabi 2013; “Report: Most Nationals” 2013).

Several factors underlie these demographic trends. The first, as described above, is the lofty goals that animate the Qatari state’s development strategy. These goals, particularly the

infrastructure planning now driving World Cup preparations, necessitate the importation of foreign workers, despite state recognition of the demographic challenges such actions invite. A second and closely related factor is the uneven implementation of workforce nationalization, often referred to as “Qatarization.” As the GCC states pursue nationalization policies with varying degrees of success, Qatar faces an uncompetitive national labor market in which 96 percent of nationals work in the public or mixed public and private sectors and in which demand for skilled national workers outpaces supply (Randeree 2012).

## 2. ECONOMIC ELEMENT

Citizens of COOs often view temporary jobs in the Gulf as lucrative opportunities to earn higher wages than would be possible in their home countries. And with the savings generated by these higher wages, labor migrants typically remit sizable portions of their earnings back to their families living in COOs. According to the Center for Global Development, in 2011 expatriates working in GCC countries remitted \$75 billion to their home countries (Clemens 2013). In Qatar alone, remittance outflows in 2009 totaled roughly \$9 billion, with just under half of that figure going to Asian countries (Endo and Afram 2011). Moreover, the impact of these remittance flows, in terms of economic growth and poverty reduction, can be tremendous: remittances from Nepali workers in Qatar amounted to over \$600 million, or 5 percent of Nepal’s GDP, in 2009 (Endo and Afram 2011).

Driving these economic gains abroad are economic shortcomings at home. Often, the labor markets of COOs are marked by an oversupply of labor and, therefore, staggering unemployment. Nepal, for example, suffers from widespread unemployment and poverty, motivating Nepali workers to seek job opportunities in the Gulf (Amnesty International 2011). It is precisely because of such high unemployment that some COO states, like the Philippines in the 1970s, institutionalized labor migration as a potential remedy to their countries’ economic stagnation (O’Neil 2004). The condition of COO labor markets — and the capacity of COO governments to affect them — has much to do with “pushing” labor migrants to seek jobs in the Gulf.

## 3. POLITICAL ELEMENT

The relationships between COOs and CODs, as well as those among COOs, have a bearing on the migration life cycle. As Martin (2012) notes, many worker welfare abuses take place beyond the reach of COOs, requiring active collaboration on the part of CODs. There also exists a power imbalance accompanying COO-COD interactions. This imbalance is evident, for example, in a 2013 incident tainting Qatar-Nepal relations. Notably, Nepal recalled Maya Kumari Sharma, its ambassador to Qatar, following the publication of her remarks in a *Guardian* article that compared Qatar to an “open jail” (Sharma 2013). Days later, in a joint press conference held by Nepali and Qatari officials, Nepali official Mohammed Ramadan spoke of his country’s labor migrants as “safe and fully respected” in Qatar (Doherty and Bakr 2013). Nepal, in other words, took a deferential position to the Qatari state, rather than seizing upon the momentum for reform of a system that exploits its nationals.

Nepal's decision to distance itself from Sharma's comments can also be attributed to the relationships among COOs — relationships that are at times competitive. The magnitude of remittance flows, and the broader economic interests at stake, may incentivize COOs to forego additional worker welfare protections or relax existing protections to increase their share of workers in GCC labor markets (Shaham 2008; ILO 2010). Worker welfare protections in the Philippines and Indonesia, for example, prompted Saudi Arabia to freeze its hiring of domestic workers from either country. Capitalizing on the opportunity, Nepal lifted its ban on domestic workers to GCC countries (ECOSOC 2013).

#### 4. LEGAL ELEMENT

Current worker welfare protections governing the Gulf-Asia migration corridor exist in a complex web of legal norms that are unevenly recognized and enforced by COOs and CODs. For the Qatar-COO corridor, in particular, the legal norms regulating worker welfare can be organized into three layers. The first layer represents legal norms codified in international law that might be said to define universal principles, whether or not a state has ratified the law (Abbott et al. 2000). This layer includes instruments as general as the Universal Declaration of Human Rights (UDHR) and as specific as the migrant-related conventions of the International Labor Organization (ILO). To be sure, the enforceability and efficacy of these instruments are not a given. The second layer entails bilateral agreements with COOs that are more specific to the migration life cycle linking Qatar to a COO. The enforceability and efficacy of these agreements, however, are also uncertain, especially as they often apply across less than the full migration life cycle (Zahra 2013; Battistella and Khadria 2011). The final layer of legal norms is composed of domestic laws, in particular Law No. 14 of 2004 Regulating Employment ("Labor Law"), Law No. 4 of 2009 Regulating the Entry, Exit, Residence, and Sponsorship of Expatriates ("Sponsorship Law"), and Law No. 15 of 2011 Combatting Trafficking in Human Beings (Zahra 2013). These laws — soon to be joined by Law No. 21 of 2015 Regulating the Entry, Exit, and Residence of Expatriates ("Law No. 21"), which became effective in December 2016 — define a range of worker welfare protections that are required of employers in Qatar that hire either national or expatriate workers.

In spite of these norms and regulations, a number of limitations remain. First, Qatar and its main COOs have not ratified the same instruments of international law. Such uneven adoption makes it difficult to follow and enforce common standards (Martin 2012). Second, to the extent facially useful law exists, both Qatar and COOs often lack the capacity or motivation to enforce it. Qatar's domestic laws, therefore, will continue to insufficiently address worker welfare abuses (HRW 2012).

#### *B. Migration Life Cycle*

Push-pull factors demonstrate the value of labor migration as a development tool for both Qatar and COOs. Amid these benefits, however, are abuses that often characterize the labor migrant experience. Here, the term *abuse* encompasses a range of conditions, from human rights violations in contravention of national and international laws, to poor living and

working standards that run counter to widely shared norms, to structural impediments, like misinformation, that expose labor migrants to unfavorable circumstances. Remedying these abuses, and the conditions that make them possible, is central to any effort to improve worker welfare.

**Table 3. Summary of Tasks, Stakeholders, and Abuses that Characterize the Migration Life Cycle**

| Recruitment         |                                                                                                                                                                          |                                                                                                                        |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| <b>Tasks</b>        | Contractor obtains MLSA permission to hire foreign worker<br>Contractor subcontracts hiring to PEA<br>PEA uses manpower agency/labor broker to identify aspiring migrant |                                                                                                                        |
| <b>Stakeholders</b> | MLSA<br>PEA<br>Labor broker                                                                                                                                              | Construction client<br>Manpower agency<br>Aspiring migrant                                                             |
| <b>Abuses</b>       | Corruption                                                                                                                                                               | Misinformation                                                                                                         |
| Deployment          |                                                                                                                                                                          |                                                                                                                        |
| <b>Tasks</b>        | Labor broker recruits deploying migrant to fill client opening<br>Deploying migrant obtains COO Ministry of Labor's permission to work                                   |                                                                                                                        |
| <b>Stakeholders</b> | MLSA<br>Qatar Ministry of Foreign Affairs<br>COO Ministry of Labor<br>PEA<br>Labor broker                                                                                | Qatar Ministry of Interior<br>Qatar Chamber of Commerce<br>COO Embassy in Doha<br>Manpower agency<br>Deploying migrant |
| <b>Abuses</b>       | High-interest loan<br>Forced labor                                                                                                                                       | False or substitution contract<br>Human trafficking                                                                    |



**Table 3. (Continued) Summary of Tasks, Stakeholders, and Abuses that Characterize the Migration Life Cycle**

| <b>Employment</b>   |                                                                                                                                                                                                                                                                                                                                                              |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Tasks</b>        | Ministry of Interior enforces labor laws                                                                                                                                                                                                                                                                                                                     |
| <b>Stakeholders</b> | <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">           MLSA<br/>Construction client<br/>COO embassy         </div> <div style="text-align: center;">           Qatar Ministry of Interior<br/>Employer/sponsor<br/>Qatari national         </div> </div> <p style="text-align: center;">Current Migrant</p> |
| <b>Abuses</b>       | <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">           Living conditions<br/>Indefinite detention         </div> <div style="text-align: center;">           Working conditions<br/>Irregular migration         </div> </div>                                                                               |
| <b>Return</b>       |                                                                                                                                                                                                                                                                                                                                                              |
| <b>Tasks</b>        | <p style="text-align: center;">MLSA issues exit visa to returning migrant</p> <p style="text-align: center;">Ministry of Interior polices irregular migration</p> <p style="text-align: center;">Returning migrant reintegrates into COO</p>                                                                                                                 |
| <b>Stakeholders</b> | <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">           MLSA<br/>Qatar's court system<br/>Employer/sponsor         </div> <div style="text-align: center;">           Qatar Ministry of Interior<br/>COO embassy<br/>Returning migrant         </div> </div>                                                 |
| <b>Abuses</b>       | Inhibited reintegration                                                                                                                                                                                                                                                                                                                                      |

A useful way to frame these abuses is in terms of the migration life cycle. The *migration life cycle* represents the range of activities that mediate the relationship between an individual migrant and the labor migration system from the time the migrant first considers working overseas to his or her employment abroad and eventual return to the home country. This

cycle consists of four phases: recruitment, deployment, employment, and return (Table 3). Worker welfare abuses may occur at any phase of the migration life cycle. Some abuses occur within a particular phase, while others span multiple phases or, alternatively, contribute to abuses in other phases. Using this frame, therefore, adds clarity to an otherwise complex set of abuses and, as is discussed later, offers multiple points for policy intervention. Additionally, this approach improves upon past approaches to worker welfare reform by examining the transnational and systemic nature of abuses rather than fixating on particular actors — for example, governments or corporations — or phases.

## 1. RECRUITMENT PHASE

The migration life cycle begins with the *recruitment phase*, during which a contracting or subcontracting firm operating in Qatar decides to fill an opening using a non-Qatari worker. Firms — which typically work on behalf of a much larger client, such as the Qatar Foundation, Qatar Rail, or Msheireb Properties — first seek authorization from the Qatari Ministry of Labor and Social Affairs (MLSA) to hire a certain number of workers from a particular country. After receiving authorization, firms subcontract the hiring process to a private recruitment agency, often referred to as a private employment agency (PEA). These PEAs are Qatari firms licensed by the MLSA and hired for the purposes of identifying foreign workers and shuttling them through the visa process in their home countries (Endo and Afram 2011).

From here, PEAs use COO-based recruiters called manpower agencies to identify aspiring labor migrants. *Aspiring migrants* are migrants who have an interest in seeking employment in Qatar but have not yet begun the process of obtaining a work visa from their home governments. While manpower agencies are tasked with locating, processing, and aiding aspiring migrants with the visa authorization process, many rely on labor brokers to locate aspiring migrants at the village level (Endo and Afram 2011).

Firms operating in Qatar often initiate the labor migration process in light of their clients' outsized construction projects and high demand for foreign workers. Alternatively, citizens of COOs who actively seek work opportunities in Qatar can initiate the process, though this occurs along a different pathway. Social networks, travel agencies, and government-to-government agreements are all options available to aspiring migrants hoping to secure a work visa, though the exact nature of each varies among COOs (Migrant Forum in Asia 2011). Many aspiring migrants, however, go through manpower agencies, with labor brokers as their primary points of contact. In this case, manpower agencies pool the names of aspiring migrants and give them to PEAs when a request for foreign workers is received.

## 2. DEPLOYMENT PHASE

Once the aspiring migrant commits to the visa authorization process, he becomes a *deploying migrant* and the *deployment phase* begins. Though visa authorization was already given by Qatar's MLSA, the migrant must also obtain authorization from his home country's relevant ministry, usually the labor ministry. This additional layer of oversight is the result of bilateral labor agreements concluded between Qatar and its main COOs and

Table 4. Institutional and Legal Frameworks for Labor Migrant Countries of Origin

|                         | India                                   | Nepal                                                                | Sri Lanka                                            | Bangladesh                                                               | Philippines                                                                                                           | Pakistan                                                                                                           |
|-------------------------|-----------------------------------------|----------------------------------------------------------------------|------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Core Laws</b>        | Emigration Act (1983)                   | Foreign Employment Act (2007); Foreign Employment Regulation (2008)  | Sri Lanka Bureau of Foreign Employment Act (1985)    | Emigration Ordinance (1982); Overseas Employment and Migrants Act (2013) | The Labor Code (1974); Migrant Workers and Overseas Filipinos Act (1995)                                              | Emigration Ordinance (1979); Emigration Rules (1979); Prevention and Control of Human Trafficking Ordinance (2002) |
| <b>Special Policies</b> | Bilateral Agreement (1985, 2007)        | Memorandum of Understanding (2005)                                   | Memorandum of Understanding (2008)                   | Bilateral Agreement (1988, 2008)                                         | Memorandum of Understanding (1997)                                                                                    | Bilateral Agreement (1992, 2008)                                                                                   |
| <b>Agencies</b>         | Ministry of Overseas India Affairs      | Ministry of Labor and Employment                                     | Ministry of Foreign Employment Promotion and Welfare | Ministry of Expatriates' Welfare and Overseas Employment                 | Department of Labor and Employment; Department of Foreign Affairs; Department of Health; Department of Social Welfare | Ministry of Overseas Pakistanis and Human Resource Development                                                     |
| <b>Sub-agencies</b>     | Overseas Indian Centres (in UAE and US) | Foreign Employment Promotion Board; Department of Foreign Employment | Bureau of Foreign Employment                         | Bureau of Manpower, Employment, and Training; Expatriates' Welfare Bank  | Overseas Workers' Welfare Administration; Philippines Overseas Employment Administration                              | Bureau of Emigration and Overseas Employment                                                                       |

requires that both countries manage the migration process (Table 4; Endo and Afram 2011). In turn, labor migrants are responsible for securing all necessary legal documents, including passports, visas, and foreign employment permits. From there, the process varies considerably across COOs. Deploying migrants, for example, may be required to participate in an interview with their home country's relevant ministry, during which time they sign an employment contract. Additionally, they may undergo a pre-departure medical exam and take part in a government-mandated briefing outlining their rights and responsibilities in the COD (Amnesty International 2011).

The visa authorization process is complicated and time-intensive, and as a result, most deploying migrants turn to labor brokers as a source of logistical support. Brokers, in turn, become responsible for preparing legal documents and updating deploying migrants on the status of their applications. In some cases, brokers even accompany deploying migrants to their interviews, medical exams, and pre-departure briefings (Amnesty International 2011).

As this process unfolds in the COO, a parallel process takes place in Qatar. The Qatari PEA is responsible for collecting passport copies and signed employment contracts from aspiring migrants and submitting them to the MLSA, after which the Ministry of Interior issues their work visas. The contracts and job openings are also screened by the COO embassies based in Doha as well as the Qatari Chamber of Commerce and its Ministry of Foreign Affairs. Only after these screenings are complete can the relevant COO ministries authorize the departure of deploying migrants, which comes in the form of a sticker placed in migrants' passports (Endo and Afram 2011). At this point, deploying migrants are given an offer letter by the PEA along with a contract stipulating the terms of the job in Qatar.

### 3. EMPLOYMENT PHASE

Upon arrival in Qatar, *current migrants* begin the *employment phase* during which they are legally subject to Qatari immigration laws — in particular, the 2004 Labor Law and the 2009 Sponsorship Law. The Labor Law includes a number of provisions regulating the recruitment and employment of foreign workers — from setting workplace standards for weekly hours and paid leave to mandating health and safety measures to safeguard against occupational hazards (HRW 2013). The Sponsorship Law, meanwhile, requires that current migrants have at all times a “sponsor,” oftentimes their employer, who assumes legal responsibility for their stay while in Qatar. The notion of sponsorship is at the heart of the Kafala system: a set of traditions, derived from the Bedouin principle of hospitality, which Arab states have long used to manage guest workers (Khan and Harroff-Tavel 2011). The Sponsorship Law, as such, enshrines some of these traditions in law by holding sponsors legally responsible for current migrants' entry into and exit from Qatar, and by requiring them to provide migrants with residence permits (HRW 2013). In practice, this means that current migrants may change employers only if their sponsors consent, and that migrants can leave the country only by obtaining an exit visa through their sponsors.

### 4. RETURN PHASE

Upon completing their contractual work period and obtaining an exit visa, current migrants enter the *return phase* of the migration life cycle, becoming *returning migrants* who must

reintegrate economically and socially into their home countries. Here, COO policies diverge considerably, with some countries, like the Philippines, providing substantial reintegration services, such as loans for migrants to begin small businesses, while other countries offer very little (Go 2012). The cyclical nature of the migration life cycle means that these same returning migrants may take up opportunities within their home countries or reengage with the labor migration process, once again becoming aspiring migrants.

### *C. Worker Welfare Abuses*

At various points in the migration life cycle, labor migrants are exposed to abuses that make possible the conditions of forced labor, human trafficking, and indefinite detention that are commonly referenced by media and human rights groups. These abuses, in part, are a function of deviations from the ideal process of labor migration described above. Of course, these abuses are also the result of inadequate or poorly enforced laws in both Qatar and COOs. As shown in Table 4, a number of factors — some resulting from structural factors, others from diverging stakeholder interests — conspire to create these abuses.

#### **1. RECRUITMENT ABUSES**

During the recruitment phase of the life cycle, two abuses are common. One potential abuse results from the corruption that often accompanies the management and distribution of visas. According to a labor migration specialist at the ILO (personal communication 2014), with manpower agencies in COOs relying so heavily on labor brokers to identify and to process aspiring migrants, a type of “auction” occurs: labor brokers bid on the right to secure a work visa, permitting manpower agencies — and the Qatari PEAs that contract with them — to pocket substantial sums prior to doing any work. This amount is later passed on as debt to the aspiring migrant to whom the visa is given, contributing to the debt burden that many labor migrants take on well before ever arriving in Qatar (Amnesty International 2011).

Such outcomes are unsurprising, given how little regulation exists at the broker level. In Nepal, for example, over 1,000 manpower agencies, all based in Kathmandu, were licensed to recruit in 2005. At the time, these agencies relied on some 25,000 to 30,000 brokers operating across the country (Verite 2012). Yet, as of 2013, only 500 brokers had actually registered with the Department of Foreign Employment, Nepal’s regulatory authority (Kern and Muller-Boker 2015). As a result, brokers are able to charge recruitment fees, well above the legal limit, to aspiring migrants without fear of legal punishment. These fees are in addition to the commissions that brokers receive from manpower agencies for providing them with the names of aspiring migrants (Migrant Forum in Asia 2011).

A second potential abuse is the bevy of misinformation given to aspiring migrants considering employment in Qatar. Two key sources of misinformation are labor brokers and returning migrants. Labor brokers, in the eyes of many aspiring migrants, are a trusted source for information on which CODs are best, which sectors are most lucrative, and what steps are needed to secure a work visa. Brokers operate at the village level, often knowing the aspiring migrant or his family well, and sometimes knowing, too, the COD

from personal experience (Asfar 2009; Amnesty International 2011). Yet, because brokers' income is dependent upon their ability to connect a job opening to an aspiring migrant, their incentive to provide false information about the COD and the available job is high.

Similarly, returning labor migrants who have just completed their temporary assignment in the COD often propagate, unknowingly or intentionally, inaccurate information. A demographer with extensive research experience on labor migrants in the Gulf (personal communication 2014) noted that some returning migrants exhibit an observable improvement in their standard of living, giving aspiring migrants the impression of CODs with "gold in the street." Other returnees, however, have been the victims of forced labor and would rather misrepresent their experiences abroad than admit their "failure" to family and friends (Asfar 2009). Aspiring migrants, in turn, are drawn to an image of Qatar that has little basis in reality.

## 2. DEPLOYMENT ABUSES

The deployment phase also carries with it a number of abuses. One set of abuses results from the labor brokers themselves. In light of the services they offer and the fees they charge, brokers often assist migrants, most of whom have limited financial means, with procuring loans. These loans, however, come with high interest rates, some as high as 36 percent, thus giving migrants little chance of paying off their debt even in the event that their Qatari job provides a reasonable wage (Amnesty International 2013; Jureidini 2014).

Additionally, before deploying migrants can depart their home countries for Qatar, they must have in hand a demand letter, which is similar to an employment agreement, describing the initial offer. Here, as one recruitment agency project manager (personal communication 2014) observed, manpower agencies and brokers will have deploying migrants pay a fee to receive their demand letters. This exchange occurs despite laws in Qatar prohibiting migrants from paying such fees as well as laws in COOs capping the amount that migrants have to pay. A 2011 study by the Qatar National Human Rights Committee, for example, noted that 53 percent of construction workers randomly surveyed in Qatar had paid fees of some sort (Amnesty International 2013). In addition to these factors, there exists an urban-rural divide that leads many migrants to take out additional loans to finance their travel to and stay in state capitals where key parts of the visa authorization process take place.

As a result, deploying migrants accrue considerable debt. According to one report, Bangladeshi migrants on average accrued just under \$2,500 USD and Nepalese migrants approximately \$1,200 USD of debt (Agunias 2012). These figures do not include interest rates attached to the repayment of these sums. Absent other sources of income, the jobs awaiting these migrants in Qatar, however much they stray from stated expectations, become their only means of paying down a growing debt burden. These circumstances trap migrants into a type of forced labor.

A similar trap is created by the widely reported problem of false or substitution contracts. False contracts are contracts that contain false information, such as inflated salaries or inaccurate job placements, but are nonetheless distributed to deploying migrants by brokers and manpower agencies (Yeager 2008). Substitution contracts, on the other hand,

are entirely new contracts with new terms that are given to migrants upon arrival to Qatar. These contracts are often quite different in the salary, benefits, and even work industries stipulated in the original contract. In both cases, brokers and manpower agencies use these tactics to circumvent — as is the case of Nepal — laws that require the COD job to pay a minimum wage or provide particular benefits to the deploying migrant (Amnesty International 2013). As such, that migrants are being transported overseas on the basis of deceptive or fraudulent claims — and subsequently being exploited for their labor once in Qatar — indicates the presence of human trafficking.

Also a problem during the deployment phase is the quality of pre-departure training. According to a demography expert familiar with labor migration across the Qatar-COO corridor (personal communication 2014), the mandatory trainings held in COOs just prior to their departure are largely superficial and provide aspiring migrants with very little information about Qatar's legal environment or the resources available to labor migrants. As Amnesty International (2013) observed in Nepal, as of 2011 there were 57 companies authorized to conduct pre-departure briefings, but random surveys of returning migrants revealed that some migrants had not known that pre-departure briefings existed, let alone were mandatory, while still others had simply skipped them, owing to poor monitoring by the government and intermediaries. The result has been that migrants, upon arrival in Qatar, know very little about their rights, the ways in which those rights might be threatened, and the resources available to seek a remedy.

### 3. EMPLOYMENT ABUSES

Over the past decade, abuses occurring during the employment phase — more so than any other phase — have caught the attention of states, intergovernmental organizations, and media and human rights groups calling for worker welfare reform. These abuses have been well-documented in recent reports by Human Rights Watch (2013), Amnesty International (2013 and 2016), the International Trade Union Confederation (2014), and the International Labor Organization (2016). At the heart of these abuses is the tension between the Kafala system and Qatar's 2004 Labor Law. Azfar Khan, a labor migration specialist with the ILO, states that the aim of the Labor Law was to balance the rights and obligations of employers and employees. Instead, he argues, that balance — and the legal enforcement of it — has been hampered by Qatar's continued reliance on the Kafala system, which “puts far too much power in the hands of the employer/sponsor” (Khan 2014).

As a result, current migrants face deplorable working and living conditions. In the construction sector, migrants may be forced to work well over 60 hours per week, be given an inadequate supply of water in 100-plus degree weather, be unnecessarily exposed to occupational hazards, and fail to receive the full regular or overtime wages due to them (Amnesty International 2013).

Their living conditions, meanwhile, are equally troubling. Sponsors often place construction workers in labor camps located on the outskirts of Qatari cities. These accommodations typically fit as many as 10 to 15 workers in a single room consisting of bunk beds and stone floors. Occupants have no privacy, must sometimes endure missing or non-functioning air conditioners, and in certain cases use their rooms as kitchens. In instances where separate

kitchens are available, their appearance is substandard. The same holds true for bathrooms, which are highly unsanitary. Reinforcing these abuses is the employer practice of passport confiscation, which, though illegal, routinizes these conditions as a facet of migrant life in Qatar (Amnesty International 2013). These working and living conditions — accompanied by local policies that subject construction sector workers to daily discrimination — have become the norm for migrants who either find their complaints consistently ignored or who fear reprisals from sponsors upon reporting such conditions.

Abuses of these types can cause migrants to leave their jobs without permission. Under the Sponsorship Law, sponsors are required to report such events — referred to as “absconding” — to the Ministry of Interior. Absconding can result in migrants being fined, deported, or even prosecuted on criminal charges (Amnesty International 2013). This is true even in instances where current migrants are in fact fleeing situations of abuse or nonpayment. In these cases, the investigative process of the Ministry of Interior’s Search and Follow-up Department (SFD), which enforces the law in matters of absconding, routinely ignores why absconded migrants chose to run away from their sponsors or employers (“MOI Rounds” 2013).

As runaways, migrants become irregular migrants who operate outside Qatari labor laws. Irregular migrants lack protections afforded to them under the Labor Law and are all the more likely to be drawn into conditions of forced labor, working for employers who can use the threat of an absconding report to coerce them into highly exploitative circumstances. If found or reported, an irregular migrant may be deported or indefinitely detained until a time at which the government has completed the necessary arrangements to deport him. In some cases, detention of irregular migrants has lasted as long as a year (Crepeau 2013). Such procedures add an additional layer to current migrants’ circumstances of forced labor, positioning them to take undesirable jobs due to crushing debt and then necessitating their stay due to the risks that accompany becoming an irregular migrant.

#### 4. RETURN ABUSES

Although acquisition of an exit visa may permit returning migrants to escape welfare abuses in Qatar, they still face another set of abuses upon return to their home countries. Chief among these, according to an ILO study on returning Sri Lankan migrants, are barriers to economic and social reintegration. Economically, this sample of returning migrants often assumed jobs that were unskilled in character, rarely requiring the use of skills acquired while working in the COD. Moreover, although 70 percent of the migrants had secured a job in their home countries within six months of their return, those jobs were of a quality and pay scale that indicated underemployment (ILO 2013b). Socially, returning migrants reported certain challenges when reintegrating with their families and communities, including a decline in the family’s economic situation as well as a tendency not to form partnerships with or participate in community organizations (ILO 2013b). In both instances, migrants have rarely sought out sources of external support to help with the reintegration process, an apparent reflection of the limited professional support services available to them or a cultural context not conducive to seeking out such services.



### III. Mega Events

A sentiment commonly expressed by FIFA and Qatari officials alike is that the 2022 World Cup will serve as an agent of change in Qatar, one that will accelerate the undertaking of appropriate labor reforms. Thus, Qatar's World Cup chief, Hassan al Thawadi, called the event a "catalyst to accelerate positive initiatives" that will result in "meaningful progress" for worker welfare (Gibson 2014). Similarly, Theo Zwanziger, former member of FIFA's executive committee, called any decision to strip Qatar of hosting privileges "counterproductive," drawing attention away from human rights violations that will otherwise still exist (Stavis 2014).

Of course, these statements are largely conjecture. It is unclear if a mega event, like the World Cup, can indeed drive policy concessions in Qatar and, if so, along which causal pathways.

To better understand the pathways that might lead to positive labor reform, this article presents a theory of change organized around the UN Guiding Principles on Business and Human Rights (the "Principles"). The Principles, which were endorsed by the UN Human Rights Council in 2011, aim to enhance "standards and practices with regard to business and human rights so as to achieve tangible results for affected individuals and communities" (Ruggie 2011). More specifically, they clarify the responsibilities of states and business enterprises engaged in activities that threaten internationally recognized rights. At their core are three pillars defined, in 2008, by the UN "Protect, Respect, and Remedy" Framework (IHRB 2011):

1. The state obligation to *protect* against human rights abuses committed by third parties.
2. The corporate responsibility to *respect* human rights by performing due diligence.
3. The victim's access to effective *remedy* through judicial and non-judicial means.

The Principles, on their face, have little to say about migrant rights, only mentioning migrant workers in passing as a category of victim potentially in need of additional attention. When applied to World Cup 2022, however, the Principles highlight the risks that the Qatari state and corporations invite in the absence of sufficient rights protections. These risks are consequential, primarily because the World Cup is a public-private collaboration that attracts international attention. State and corporate inattention to worker welfare abuses, therefore, is tantamount to a poorly devised risk management strategy. In addition, the failure of either sector — public or private — to follow through on its human rights commitments has implications for the other sector.

#### A. Duty to Protect

The state duty to protect human rights is defined by two foundational principles. The first is state protection against human rights abuses within its territory by preventing, investigating, punishing, and redressing such abuses (Ruggie 2011). Reiterating this duty is important in a context where private actors, and not necessarily states, are responsible for the brunt of rights abuses being committed. Even so, by fact of these abuses occurring *within* states, those states become complicit, either directly when such abuses are attributable to them,

or indirectly when they fail to take steps to address them. In Qatar, ongoing reports of worker welfare abuses are linked to corporations — some Qatari, others joint venture — that ultimately shape workers' living and working conditions. This foundational principle, therefore, locates these corporations and the abuses committed under their watch within the purview of state obligation.

A second foundational principle is state recognition that the extraterritorial activities of local companies may also infringe upon human rights (Ruggie 2011). Existing human rights law does not extend state obligation to these activities. As such, states themselves are responsible for setting expectations by defining and publicizing the laws and practices that local businesses are subject to, even when operating beyond their home countries. For Qatar, setting expectations is especially important vis-à-vis recruitment agencies. As Qatari companies, these agencies engage in business activities abroad that may directly violate or indirectly contribute to rights abuses.

These two foundational principles give rise to two areas in which public-private collaborations, such as World Cup 2022, place pressure on the Qatari state to discharge its human rights obligations and, in turn, take an active role in improving worker welfare. Broadly, these areas might be categorized as “reputational risks” associated with possessing a poor human rights record. More specifically, though, these pressure points concern national competitiveness and security.

## 1. NATIONAL COMPETITIVENESS

In its annual *Global Competitiveness Report*, the World Economic Forum (WEF) (2015) defines competitiveness as “the set of institutions, policies, and factors that determine the level of productivity of a country.” Productivity is based on a number of metrics, but two in particular, institutions and labor market efficiency, are relevant to the discussion on World Cup 2022. *Institutions* refer to the legal and administrative framework that structures interactions among individuals, businesses, and governments (Schwab and Sala-i-Martin 2015). This framework considers both public and private institutions: public institutions in terms of government efficiency, levels of corruption, and susceptibility to undue influence (among other factors), and private institutions in terms of corporate ethics and accountability. *Labor market efficiency*, meanwhile, considers how effectively workers are allocated across an economy and whether they are incentivized to be productive (Schwab and Sala-i-Martin 2015). The flexibility of the market and the use of talent are thus critical.

According to WEF, Qatar is the most competitive economy in the Middle East and the 14th most competitive in the world, owing in large part to the strength of its institutions and the presumption of an efficient labor market (Schwab and Sala-i-Martin 2015). Failure to address worker welfare abuses, therefore, undermines perceptions of Qatari institutions and, with it, national competitiveness.

First, continued worker welfare abuses demonstrate the limited capacity of Qatari institutions. Promoting accountability, legal certainty, and transparency as well as enforcing regulations in a consistent and coherent manner — these indicators, according to the UN Guiding Principles, are part and parcel of a state's duty to protect against rights abuses (Ruggie 2011). These indicators also reflect a state's institutional quality. As such, Qatar's

inability to maintain its commitments to national and international law, including human rights law, suggests a state with limited institutional strength.

Second, the perception of capacity-limited institutions sends the wrong signal to foreign companies seeking to do business in Qatar. As the Guiding Principles make clear, states must set expectations for whether and how they intend to meet their human rights commitments. This is particularly important for businesses that require a certain level of legal certainty and regulatory predictability to conduct operations. Hence, state uncertainty in this realm exposes businesses — at least, those that are human rights-conscious — to unwanted risks that might hurt their bottom line.

This dynamic was apparent in January of 2014 when Verisk Maplecroft, a UK-based global risk and strategic consulting firm, downgraded Qatar to an “extreme risk” country in its Working Conditions Index. The downgrade came in response to the “hazardous and sometimes deadly conditions” facing labor migrants in the construction sector. Lizabeth Campbell, a director at the firm, paired the downgrade with an observation: “These disasters have prompted serious questions regarding corporate responsibility, which have forced this issue high up the risk register for many multinational companies” (Verisk Maplecroft 2014). This perception, in turn, challenges Qatar’s continued ability to attract the foreign firms so critical to executing its development objectives.

Third, Qatar’s development objectives do not exist in isolation but, rather, are in competition for resources with other GCC countries. Dubai, for example, was awarded the right to host World Expo 2020, another prominent mega event. Given the coincidence of Dubai’s Expo and Qatar’s World Cup, as well as both countries’ heavy reliance on foreign capital for development and foreign workers for manpower, continuation of worker welfare abuses in Qatar may jeopardize its ability to attract the firms and workers needed to complete its ambitious infrastructure projects (Kovessy 2013). This is especially true as reports of Dubai’s human rights record, according to one migrant worker welfare specialist (personal communication 2014), indicate improvements in its labor environment. Absent improvements in its own reputation, Qatar may find it increasingly difficult, over the next six years, to make good on its World Cup vision.

## 2. NATIONAL SECURITY INTERESTS

In pursuit of their national interests, states typically exercise power to shape the behavior of other actors. Some states operationalize their power through bullying, others through buying, and still others through persuading (Nye 2009). Many use a combination of all three. How these tactics are used for larger foreign policy ends, according to Joseph Nye, might be described as a state’s hard power or soft power strategy. Hard power, which is dependent on a country’s economic and military might, refers to a state’s ability to coerce or buy. Soft power, by contrast, concerns a state’s ability to attract — that is, to achieve its interests by persuading other actors to favor those interests as well (Nye 2004). Both strategies have implications for national security, depending on a country’s stock of hard and soft power resources as well as its ability to deploy those resources toward particular ends.

Qatar's national security strategy, in the eyes of many observers, is one predicated on soft power. Mehran Kamrava, an academic at Georgetown University's Doha campus, describes Qatar's influence as a "subtle power" — one that is "rooted in a combination of contextual opportunities and calculated policies" meant to augment its influence over others (Kemrava 2013). The origins of this strategy lie in the experiences of the small Gulf states during Iraq's 1990 invasion and occupation of Kuwait. The event, in the eyes of Qataris like Sheikh Hamad bin Khalifa al-Thani, then the son of the ruling emir (and later, head-of-state when Qatar was named World Cup host), demonstrated the country's vulnerabilities — namely, its modest military force and its proximity to the Iran-Iraq-Saudi Arabia rivalry. The event also showed Qataris the importance of securing powerful international partners, like the United States, that would support the country in times of crisis (Ulrichsen 2012). The result was Qatar's pursuit of a soft power strategy aimed at creating interdependencies and cultivating its "brand" as a modern and peace-loving state — a brand that might earn it "friends when in need" (Dorsey 2013). This brand, Shadi Hamid argues, is critical to Qatar's ability to "leave its mark on the region's politics" and, in turn, bolster its national security (Siegal 2013).

Of course, Qatar's brand — and its broader soft power appeal — rests on several pillars. These include its activism in regional diplomacy, its messaging through Al Jazeera, its cultural diffusion via museums, and its research and innovation capacity vis-a-vis Education City. All of the above, according to Collins (2012), is meant to "demonstrate a desire to balance Arab traditions and Western modernization." As such, ongoing worker welfare abuses are likely to tarnish brand Qatar, particularly by undermining its diplomatic pull.

As a 2012 *Gulf News* report details, Qatar's efforts in the area of conflict mediation are considerable and include forging agreements between Eritrea and Yemen (1996), Yemen and its Houthi rebel movement (2007), rival Lebanese factions (2008), Sudan and Chad (2009), and feuding Palestinian factions (2012), among others (Seale 2012). The breadth of Qatar's diplomatic undertakings, meanwhile, has earned it "an extensive and baffling diversity of friends." These include security ties with the United States, commercial activities with Iran, a nascent diplomatic dialogue with Israel, and cozy relations with Islamist groups like Hamas and the Muslim Brotherhood (Collins 2012).

But reports of continued worker welfare abuses, including the deaths of hundreds of Indian and Nepali workers, threaten to undermine Qatar's influence in the diplomatic realm. One threat comes from worsening relations with members of the European Parliament — the legislative body of the European Union — that has been critical of the pace of Qatari labor reforms. Over the span of five months, the body passed an emergency resolution condemning the abuse of construction workers, held a hearing during which parliamentarians spoke of the need to reform the Kafala system, and soon after sent a delegation to meet with Qatari authorities and push for substantial reform of existing sponsorship laws (European Parliament 2013; Khatri 2014; Kovessy 2014a; European Parliament 2014).

A second threat arises from the impact of worker welfare abuses on Qatar's foreign policy priorities — that is, the Qatari state's unexpected need to shift attention away from regional matters and onto its human rights record. Qatar's once dominant role in the region has given

way to a string of failures — Egypt, Libya, and Syria chief among them.<sup>1</sup> Compounding these failures was the decision by Saudi Arabia, Bahrain, and the United Arab Emirates (UAE), in 2014, to withdraw their ambassadors from Doha in response to perceived Qatari meddling in their internal affairs (Dickinson 2014). Diplomatic relations were later restored. Initially, however, rather than mending these relationships or resurrecting its role as regional mediator, the Qatari state focused its energies on recasting its human rights image. This was evident in Emir Sheikh Tamim bin Hamad al Thani's decision, in February 2014, to restructure the Qatar 2022 Supreme Committee by replacing its board of directors with members of his own cabinet while he stayed on as chair (Dorsey 2014; Scott 2014). As a result, the small Gulf state increasingly ceded ground to Saudi Arabia, which, according to political analyst Ayed al Manna, “regained its role” in regional politics (Agence-France Presse 2014).

A third threat is the possibility of ongoing rights abuses creating a negative legacy for World Cup 2022 — and what that could mean for Qatar's sports diplomacy. According to Kedar Pavgi and Nakul Kadaba (2012), the primary aim of Qatar's endeavors in global sport has been to position the country as a “leading power broker for business, diplomacy, and foreign affairs between Western and Eastern states.” Put differently, hosting major international sporting events permits Qatar to reconcile its small stature — in a region of more considerable powers — with its grand ambitions, demonstrating to a global audience its aptitude for accommodating capitalist interests and Islamic values. In turn, Qatar's investments in global sport, from its sponsorship of top European clubs to its hosting of the 2006 Asian Games, have buttressed its diplomatic brand, allowing it to forge financial and political alliances, such as those with France, and to play a mediator role during the Arab Spring (Amara 2013). Hence, to host a World Cup, with all the attention that brings, that is widely perceived as corrupt and dismissive of labor migrants' welfare would be to undermine Qatar's diplomatic activism and, with it, its ability to cultivate friends when in need.

### *B. Responsibility to Respect*

Of the foundational principles listed in the UN Guiding Principles on Business and Human Rights, five are particularly relevant to the corporate responsibility to respect human rights. The first two of these five define what responsibility means and identify the human rights that businesses must safeguard. Principle 11, for example, states that business enterprises should respect human rights by recognizing this responsibility as a “global standard of expected conduct” that exists “over and above” state laws (Ruggie 2011). Principle 12 defines human rights as those internationally recognized rights included in the Universal Declaration of Human Rights (UDHR); the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social, and Cultural Rights (ICESCR); and the International Labor Organization's eight core conventions (Ruggie 2011). These two principles are particularly important in the Qatari context, as Qatar has not ratified the ICCPR, the ICESCR, or three of the ILO's eight core conventions. Even so,

<sup>1</sup> Qatar actively supported Mohamed Morsi and the Muslim Brotherhood in Egypt, Islamist militias in Libya, and a number of opposition factions in Syria — moves that sowed greater instability in those countries and eventually resulted in diminished Qatari clout with their ruling regimes (Shapiro 2013).

contractors are responsible for these rights because they exist independent of legal liability and enforcement (Ruggie 2011). Hence, they should avoid infringing on these rights as well as address the adverse impacts of any rights they do violate.

The next three foundational principles outline the more particular responsibilities attached to a respect for human rights. Principle 13 defines respect as encompassing both a business's direct activities as well as its relationships with other entities in its value chain. In other words, whether a business directly causes adverse rights impacts or whether a trading partner causes adverse impacts, the primary business is still responsible for preventing or mitigating these harms (Ruggie 2011). Building on the concept of value chains, Principle 14 specifies that both the primary business and the partnering entity should respect human rights. The way each should do so, however, differs depending on their proximity to the abuse (Ruggie 2011). As such, respect is at times a capacity issue that varies from business to business and from relationship to relationship. Finally, Principle 15 asks that businesses adopt "policies and processes" to show that they are indeed respecting human rights (Ruggie 2011). These include a policy commitment, due diligence systems to identify and account for rights abuses, and remediation processes to aid affected individuals or communities.

Although these five principles call on business enterprises, such as foreign companies and recruitment agencies operating in Qatar and COOs, to respect human rights, they are non-binding. What makes them consequential, however, is their location in a larger risk management system. In this context, rights abuses expose complicit companies to a variety of risks — reputational, legal, and strategic — that can erode their business value and hurt their bottom line if neglected (BHRI 2010). For corporate actors, therefore, these risks are pressure points that, under the spotlight of World Cup 2022, may motivate behavioral change.

## 1. REPUTATIONAL RISK

Business brands, according to the World Intellectual Property Organization (2013), serve as a "guide for consumers and a means for companies to build a reputation and an image in the marketplace." Increasingly, due to the widespread availability of information and the pace of technological change, brands have become companies' most valuable intangible assets (Abraham et al. 2012). Perceptions of human rights abuses, therefore, weigh heavily on a company's reputation and, as a result, its brand. Rights violations threaten company share price, are often difficult to refute, and, even when proven to be false, still leave a mark on a business's brand that takes time to undo. Human rights due diligence thus offers companies an opportunity to head off these reputational challenges with the intention of preserving customer loyalty as well as lucrative governmental and commercial opportunities that are based on contracts with strict human rights criteria (Amis, Brew, and Ersmarker 2005).

In Qatar, ongoing worker welfare abuses, particularly those linked to forced labor and human trafficking, bear serious consequences for contracting companies' brand value. Nicholas McGeehan states that construction firms in Qatar "cannot afford not to be there but it's also an unregulated market that poses reputational risks" (Hurst 2013). For example, CH2M Hill, an American firm contracted by the Qatar 2022 Supreme Committee for Delivery and Legacy (Q22) to oversee its construction projects was singled out by Human

Rights Watch in 2012 (HRW 2012) and by the International Trade Union Confederation (ITUC) in 2015 (ITUC 2015), as well as in numerous newspaper articles and in a petition entitled “Free Qatar’s Modern Slaves,” which to date has garnered over 828,000 signatures (AVAAZ 2016). CH2M Hill has come under scrutiny because of its oversight position, and because one of its divisions, the UK engineering firm Halcrow, conducted work in Lusail City, where workers reported instances of withheld pay, confiscated passports, and forced labor (Pattison 2013). As Michael Stephens of the Royal United Services Institute has observed, even if these reported abuses were the result of an individual foreman, CH2M Hill cannot “abdicate responsibility because [it plays] a large role in setting the gold standard for labour rights” (Hurst and Withers 2013). These abuses, in line with UN Guiding Principle 13, have led activists to call on CH2M Hill to take a more proactive role in ending worker exploitation across its value chain. Other contracting companies will similarly be scrutinized — and their brands similarly tested — over the next six years.

## 2. LEGAL RISK

Certain countries present unusually substantial and uncertain legal risks for multinational companies (Institute of Business Ethics 2012). In such environments, which include those in which executive authority is vested primarily in a single individual or family, the extent to which host country laws are enforced is often unclear, and, as a result, companies are more prone to treat their legal obligations like optional guidelines (Amnesty International 2013). Doing so, however, runs the risk of violating home country laws — those laws enacted by the countries in which these multinational companies are incorporated or headquartered — including those laws that prohibit human rights violations. One consequence is company exposure to litigation. In addition to the potential for reputational risk, litigation may mean increased exposure to the costs of legal services, as well as to the costs of out-of-court settlements and adverse court judgments. Extraterritorial suits for human rights violations have already taken place in the United States, the United Kingdom, Canada, Belgium, and Australia (Amis, Brew, and Ersmarker 2005). Another consequence of legal risk is exposure to criminal penalties. In the area of labor migrant recruitment, companies and individuals found to be complicit in forced labor or human trafficking are subject to criminal sanctions, including, in the case of individuals, imprisonment (Verite and Manpower Group 2012). The goal of due diligence, in these cases, is to assess which human rights violations a company is most susceptible to, in light of home country laws, and to prevent or mitigate them accordingly.

Legal risk is a growing concern for companies operating in Qatar, where the Labor Law, when enforced, imposes civil (\$824 to \$82,000 in fines) and criminal (six months to 15 years in prison) penalties on individuals complicit in forced labor and human trafficking (Amnesty International 2013). This is especially true for the UK construction firms operating in Qatar, including, among others, G&T, Aecom, Buro Happold, Grimshaw, and Paul Dollin. According to a 2013 report in *Building*, a UK periodical on the construction industry, British attorneys were examining the legal liabilities of these firms if found in breach of Qatari labor laws. Echoing the message of UN Guiding Principle 13, Daniel Leader of the UK law firm Leigh Day points out that construction firms “need to be sure of the way they are operating with regard to their own workforce but also be alive to the behaviour of subcontractors” (Hurst 2013). As such, his firm is offering its services,

on a conditional fee basis, to labor migrants and families based in Qatar whose rights have been violated by UK construction firms. These legal risks will only grow as the pace of infrastructure development quickens with the development of eight stadiums now underway.

### 3. STRATEGIC RISK

Complicity in human rights abuses may deny businesses a range of opportunities that can strategically position them ahead of their competitors. One opportunity is the competitive advantage businesses gain by building a base of knowledge and experience in human rights due diligence. Such a base permits businesses to enter new markets, like those in the GCC, where rights abuses exist but where the expertise to address them is still lacking (Amis, Brew, and Ersmarker 2005). A second opportunity arises when businesses are able to leverage their human rights practices to attract top talent in their industry. A 2005 paper by the International Business Leaders Forum found that companies with stronger rights records observed a 45 percent increase in unsolicited job applications, while companies with poorer rights records exhibited a decline in applications (Amis, Brew, and Ersmarker 2005). This advantage is all the more important in the GCC context, where the presence of foreign firms continues to increase, along with their need for top talent. A final opportunity comes in the form of productivity gains. Businesses with strong human rights cultures are associated with more productive workers who aid profitability, as well as with fewer workplace accidents, strikes, bottlenecks, and delays that cut into their bottom lines (Amis, Brew, and Ersmarker 2005; BHRI 2010). Ignoring these opportunities by neglecting human rights, therefore, risks leaving value on the table.

That companies in Qatar should capitalize on these opportunities is a point not lost on observers of Qatar's World Cup preparations. A migrant worker welfare specialist based in Qatar (personal communication 2014) cited Shell, which had built a 53,000-person accommodation for workers just outside Doha and instituted a worker grievance mechanism similar to a union, as an example of a company that had invested in labor rights and, in turn, was witnessing productivity gains. Similarly, James Ryan of FSI Worldwide (FSI), a UK-based ethical recruitment agency, noted that, in his firm's experience, productivity was positively linked with satisfying working and living conditions (personal communication 2014). Such a model should be attractive to states and companies with limited human rights expertise. From FSI's modest beginnings placing Nepali ex-Gurkhas in the security industry in Iraq and Afghanistan, to its expansion into other sectors like construction and other markets like the UAE, FSI's growth demonstrates the opportunities available to firms that embrace the corporate responsibility to respect human rights. FSI's model is now considered a best practice by the ILO, and the agency is one of many recruitment agencies that may be included in a Qatar Foundation initiative to create and disseminate a list of preferred recruitment agencies to contractors (ILO 2013a).

## IV. The Qatari Record

Worker welfare abuses implicate far more than Qatar's human rights record — at stake, too, is its development trajectory. Whether for this reason or others, the Qatari government



Table 5. Migration-related Reforms Announced by Qatari Authorities

| Announcement date | Reform categories                                                                                                                                                        |                                                                                                                                                            |                                                                                                                                                   |                                                                                                          |                                                                                                                         |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
|                   | Immigration procedures                                                                                                                                                   | Occupational standards                                                                                                                                     | Accommodations                                                                                                                                    | Grievance mechanisms                                                                                     | Law enforcement                                                                                                         |
| February 2014     |                                                                                                                                                                          | Tightening occupational safety standards for workers and raising penalties for non-payment of wages                                                        | Planning and constructing new worker accommodations, including 25,000 bed complex at Al Baraha and 6,000 worker facility in Barwa Recreation City | Hiring legal experts and creating educational materials and hotlines accessible in South Asian languages | Increasing number of trained labor inspectors by 25 percent and conducting over 11,500 random spot checks of workplaces |
| May 2014          | Amending transfer rules so that workers can change employers after completion of existing contracts or, in the case of open-ended contracts, after five years of service | Increasing penalty for confiscation of worker passports five-fold and circulating model contracts for employers to use when drafting employment agreements | Strengthening worker accommodation standards and formulating more severe penalties for violations                                                 | Launching electronic system to field worker complaints                                                   | Expanding size of inspection staff by additional 60 investigators                                                       |
|                   | Instituting automated "Metrash2" system for granting workers exit visas after 72 hour grace period                                                                       | Requiring direct bank transfers of wage payments and raising penalties incurred for late payments                                                          | Developing new accommodations to house 200,000 additional workers                                                                                 |                                                                                                          |                                                                                                                         |
|                   | Replacing employer financial liability for workers with process governed by state's civil and commercial laws                                                            | Prohibiting workers from laboring in sun during hours of 11:00 AM to 3:00 PM from mid-June through end of August                                           |                                                                                                                                                   |                                                                                                          |                                                                                                                         |

Sources: MLSA 2014; DLA Piper 2014; Qatar Ministry of Interior 2014; Kovessy 2014b; Black, Gibson, and Booth 2014; Qatar-based academic (personal communication) 2016 (see text).

has undertaken a series of reforms over the past few years aimed at improving living and working conditions for its migrant population. These reforms have followed two parallel tracks. One track is that taken by the country's frontline ministries for labor migration — namely, the MLSA and the Ministry of Interior (Table 5). The first set of reforms, a response to growing criticism from official bodies like the European Parliament, was published in a February 2014 statement in *The Guardian* (MLSA 2014); just months later, a second set, coinciding with the release of a government-commissioned study by the law firm DLA Piper, was announced by Qatari officials during a press conference (DLA Piper 2014; Ministry of Interior 2014; Kovessy 2014b). Animating both sets of reforms, as Qatari officials (personal communication 2014) have intimated, is the state's goal of replacing the Kafala system with a process premised on employment contracts and overseen by the Ministry of Interior (Black, Gibson, and Booth 2014). Complementing these ad hoc measures, more broadly, were multilateral ones, such as Qatar's adoption of the 2014 GCC Human Rights Declaration, that aim to reconcile the UDHR with the region's cultural and religious particularities.

A second track is that pursued by the World Cup's largest client organizations, notably the Qatar Foundation, a private nonprofit responsible for administering Education City, and the Q22, the organizing committee charged with overseeing World Cup preparations. Both clients, currently responsible for the development of eight World Cup sites, have created worker welfare standards to clarify the obligations assumed by contracting parties (Qatar Foundation 2013; Q22 2014). These standards include measures spanning recruitment, employment, accommodations, and transportation and have been embedded in all subsequent contracts tendered by these clients (Jureidini 2014). Where the track one reforms cut to the very viability of the migration system, the track two reforms largely concern management of that system.

Although these measures appear promising on their face, it is not clear whether they will translate into tangible changes in workers' lives, especially in a timeframe that will accommodate the growing pace of construction efforts in Qatar. It is also not clear if these reforms are genuine or, rather, merely lip service aimed at pacifying the chorus of critics calling on FIFA to strip Qatar of its hosting rights. Indeed, when Amnesty International researchers "confronted [Qatari officials] with . . . evidence of human rights abuses" — evidence that had been collected from February 2015 to February 2016 — "the government's response was apathetic at best" (Amnesty International 2016a, 4, 73).

Drawing on interviews with a number of experts familiar with Qatar's capacity and motivation to undertake reforms, this author is pessimistic about the prospect for effective reform of Qatar's migrant labor law. In terms of "huge reforms" on the horizon, as one Q22 official put it (personal communication 2014), the Qatari government has long promised such changes without fully delivering. A project manager at one recruitment agency (personal communication 2014) noted that he had long heard rumors of major reforms to the Kafala system, but observed official government pronouncements to be routinely delayed and, once made, often lacking in substance. His observation is confirmed by the new evidence from Amnesty International (2016) that uncovered widespread and continuing abuses — chief among them, squalid accommodations and confiscation of passports without penalty — tied to the Khalifa International Stadium site.

Underscoring the above is the government's long-stalled effort to pass and implement its February 2014 reforms. The reforms, initially set to be implemented in March, and then May, drew little support from Qatar's business community and Shura Council (legislative body) and were delayed indefinitely (Walker 2015). Only in December 2015, ultimately, were the reforms signed into law as Law No. 21 of 2015 Regulating the Entry, Exit, and Residence of Expatriates. Yet, those reforms fell far short of the MLSA and Ministry of Interior's initial promises. For example, when Law No. 21 finally takes effect in December 2016, most "migrant workers will still be required to obtain their sponsor's approval to change jobs or to leave the country" (Amnesty International 2016a, 67).<sup>2</sup> Law No. 21 would even "prevent workers who might be victims of abusive practices from freeing themselves from these situations" (ILO 2016). It is true that Law No. 21 contains language prohibiting passport confiscation. However, so does the current law, the 2004 Labor Law, and that law has essentially been enforced only in the breach (ILO 2016). Indeed, the ILO has found that "in small enterprises . . . employers [have] systematically confiscated [worker] passports" (ILO 2016), while the findings of Amnesty International suggest that the practice is common at larger companies as well (Amnesty International 2016a, 39). Given that Law No. 21 expressly creates an apparently wide loophole "allow[ing] employers to retain the passport or travel document of any employee, with their consent" (Amnesty International 2016a, 74), the problem of passport retention is unlikely to improve much under that law, even assuming stricter enforcement.

A similar level of skepticism is warranted regarding the impact of the worker welfare standards. First, although the standards have been adopted by a number of major clients, including Msheireb Properties, Qatar Rail, Q22, and the Qatar Foundation, there remain other major construction clients, like Doha Port and the Civil Aviation Authority, that have not adopted them. Second, the standards devised by the Qatar Foundation and Q22, while largely similar in makeup, differ in some key respects — such as the grievance mechanisms to which workers can turn — leaving company auditors as well as employees with an inconsistent baseline against which to scrutinize labor practices across contracts and construction sites. Third, these standards only apply to contracts going forward, which means that contractor practices giving rise to hundreds of migrant deaths since 2012 will be allowed to continue until the work previously contracted for is completed. In fact, Q22, which expects to have some 50,000 construction workers on its projects over the next six years, only had 38 construction workers, through 2014, protected by its welfare standards (personal communication 2014). And fourth, auditing of construction sites and worker accommodations will depend on the MLSA's uncertain ability to handle the hundreds of thousands of labor migrants projected to arrive in the country over the next several years.

With respect to the fourth point, it is relevant to note that, in the case of Q22's construction sites, "the present administration of the Standards is failing" (Amnesty International 2016a, 66). Although the size of the labor inspection force has increased in recent years, a "relatively small number of violations [have been] detected in comparison to the large number of migrant workers in the country" (ILO 2016). The problem of inadequate enforcement is particularly acute for workers at smaller companies (ILO 2016; Amnesty International

<sup>2</sup> Law No. 21 does not apply to domestic workers (ILO 2016), and even as to migrant construction workers, it significantly relaxes sponsorship requirements only for those workers who have "reach[ed] the end of a fixed term contract" or who "have completed five years of work" (Amnesty International 2016a, 67).

2016a, 65). For those workers — and for workers at larger companies as well — an over-reliance on self-reporting severely limits the utility of the worker welfare standards. As Amnesty International has noted in this very context, self-reporting “is a poor enforcement tool,” as “companies that abuse human rights are often willing to make false claims in self-reporting processes” (Amnesty International 2016a, 65-66). This self-reporting problem is not cured by the existence of three separate bodies charged with validating the self-reports, for the first body itself relies on unverified information provided by companies; the second had, as of March 2016, never met; and the third, the MLSA, suffers from documented “weaknesses in the inspection and enforcement process” (Amnesty International 2016a, 65-66).<sup>3</sup>

In light of these facts, the current slate of reforms frequently prescribed by civil society groups and seemingly endorsed by Qatari bodies is unlikely to substantially improve worker conditions. On the one hand, the framing of the policy problem — often in terms of the intrinsic value of human rights commitments — is largely disconnected from Qatar’s development strategy and priorities. On the other hand, the method of execution — placing the onus for change on the Qatari government — misses other dimensions of the problem, motivating Qatari institutions to stall, if not avoid change altogether. A new approach, therefore, is in order.

## V. Conclusion and Recommendations

As the preceding analysis demonstrates, worker welfare reform is not an enterprise that the Qatari government can take up alone, even if it were so inclined. Certainly, the Qatari government has primary responsibility for remedying ongoing abuses and, therefore, should take the lead in creating an environment that supports workers’ human rights. This may include, among other things, increasing the capacity of labor inspection forces so that the current over-reliance on self-reporting by employer is eliminated, closing the loophole that allows employers to retain a migrant’s passport upon that migrants’ consent, and developing worker welfare standards that have the force of law and that apply to all construction workers. Still, the scale of the problem and the urgency of the moment require that other organizations offer their services in a manner that can alleviate the suffering experienced by labor migrants across the migration life cycle. Timely and feasible solutions, in other words, stem from collaborative efforts that draw upon the energy and expertise of multiple stakeholders capable of advancing labor protection in ways that the Qatari state cannot or will not do.

This article recommends the adoption and implementation of four policy proposals by other stakeholders, each targeting a particular phase of the migration life cycle. Together, these four proposals provide a novel approach to preventing worker welfare abuse. The value of these policy options lies in their ability to satisfy three overarching considerations: (1) Does the option align with the mission and values of key stakeholders; (2) Can the option

<sup>3</sup> FIFA recently announced an intention to create an oversight body of its own. While the announcement was characterized by Amnesty International as a “small [sign] of progress” (Amnesty International 2016b), Human Rights Watch greeted the announcement more skeptically, with its Director of Global Initiatives stating that, “[b]y announcing a new body to protect workers, FIFA gets to look like they’re taking the issue seriously — without having to put any pressure on the Qataris to actually take it seriously” (Worden 2016).

be implemented in light of these stakeholders' core capabilities; and (3) Does the option have enough support from a critical mass of stakeholders to be implemented and sustained? What follows is a description of each option and the context in which each is warranted.

First, Qatari construction clients, like the Qatar Foundation, should create a Preferred Suppliers List — consisting of recruitment agencies engaged in ethical recruitment practices — that can be referenced by Qatar-based contractors seeking manpower. Such a measure is consequential in an environment where contractors and subcontractors face increasing pressure to address worker welfare abuses committed at any point along their value chains. This pressure includes admonitions to discontinue relationships with corrupt recruitment agencies or unregulated labor brokers. Yet, contractors and subcontractors, lacking knowledge of industry leaders that employ responsible practices, may be unable to make this change without further guidance.

As such, Qatari clients should conduct due diligence on recruitment agencies operating in Qatar and COOs that employ ethical recruitment practices. Additionally, they should limit eligibility for inclusion in the list to those firms that have a record of placing aspiring migrants (1) in concrete and specific jobs, (2) at responsible companies, (3) with suitable working and living conditions, and (4) via clear and dependable contracts (Verite and Manpower Group 2012).

The second recommendation is that COO-based governmental and nongovernmental institutions should make available low-interest, preferential loans to help deploying migrants finance the costs of the deployment phase. In the absence of Qatari companies covering migrants' visa costs, labor brokers will remain a key source of financing. Poor record keeping and high-interest rates, however, make these loans particularly burdensome for deploying migrants, who often assume high levels of debt and, as a result, are forced to commit to jobs in substandard conditions simply to pay down these debts. This debt burden is the primary cause of conditions of forced labor.

COO governments and commercial banks, in turn, should develop loan schemes specific to labor migrants, such as “pre-departure,” “housing,” or “small business” loans, recognizing that the economic benefits of debt reduction outweigh the losses incurred by extending low-interest loans (Asfar 2009). One option that may be worth considering is to devise loans whose repayment schemes are based on the remitted portions of salaries and whose penalties, in case of default, are reasonable.

Third, international organizations — most appropriately, the International Organization for Migration (IOM) — should establish a Migrant Resource Center (MRC) in Doha to provide information, counseling, and legal services to labor migrants. Although state and nongovernmental organizations are beginning to invest in programs that provide aspiring migrants with information and services in their home countries, those programs, in general, are inadequately used and poorly constructed. Compounding the problem is the fact that few such programs exist for migrants once they arrive in Qatar. IOM and other actors have experience establishing MRCs as “one-stop-shops” for delivering information and services to migrants, albeit primarily in their home countries (IOM 2012). Increasingly, however, MRCs are being set up in CODs, including Bahrain and the UAE.

An MRC in Doha would be responsible for creating and distributing informational resources on in-country laws, health and safety risks, money transfer mechanisms, and other sources of support. It could also offer job search and training programs as well as general subject workshops in areas such as project development and financial management (Tacon and Warn 2009). More innovatively, it could serve as a congregation site for members of diaspora communities, enabling migrants to build social networks and develop community initiatives and activities. And, if resources permitted, it could provide legal and counseling services to migrants to aid them in navigating Qatar's legal system and to cope with the psychological aspects of migration (e.g., separation from family).

Finally, governmental institutions of COOs should conduct reintegration workshops for returning labor migrants. Upon return to their COOs, labor migrants face a number of social and economic barriers when reintegrating into their home communities. Some governmental programs exist that facilitate this reintegration, such as the Filipino government's provision of small business loans and skills training to returning migrants (Go 2012). Select IOM country offices, meanwhile, provide returning migrants with counseling, medical checks, transportation, and grants, among other services, as part of the Assisted Voluntary Return and Reintegration (AVRR) program, a product of the 2002 Bali Process on human trafficking and transnational crime (IOM 2012). Both forms of assistance, however, are small in scale and encompass few COOs. More importantly, these actors often place greater emphasis on pre-departure services than reintegration services, overlooking critical migrant needs at the end of the migration life cycle.

Governmental agencies of COOs, therefore, should provide reintegration training that includes, among other services, skill development, financial literacy, repatriation assistance, and individual and family counseling. They could partner with existing in-country organizations, such as MRCs, unions, or civil society groups that have the infrastructure to host training workshops. And given the resource-constrained environments in which they operate, they should target returning migrants as possible worker welfare counselors who can carry out reintegration trainings.

Reform of Qatar's construction sector requires that stakeholders adopt comprehensive, sustainable, and pragmatic measures to improve worker welfare. The above four options attempt to do so by crafting approaches that focus on abuses particular to the construction sector, make the best use of actors' core capabilities, and emphasize each option's probability of success and size of impact on migrant lives. Indeed, as reform advocates seize the present moment in which international scrutiny resulting from the World Cup affords them considerable leverage, they must craft an agenda that aligns business interests with rights considerations — if they are to remedy the abusive practices tarring so grand an event.

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