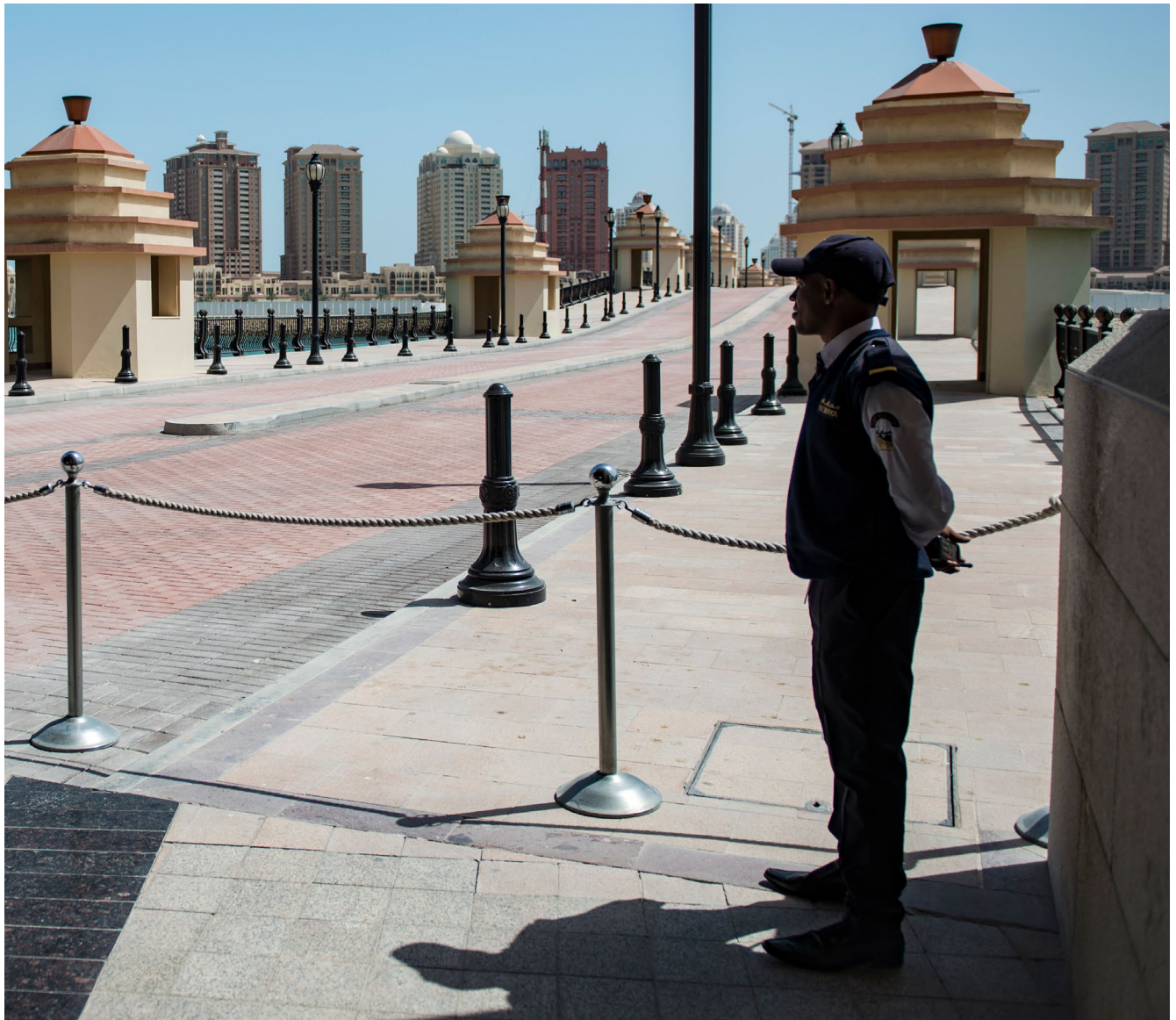




‘THEY THINK THAT WE’RE MACHINES’

FORCED LABOUR AND OTHER ABUSE OF MIGRANT WORKERS IN
QATAR’S PRIVATE SECURITY SECTOR

AMNESTY
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CONTENTS

1. EXECUTIVE SUMMARY	4
2. METHODOLOGY	10
3. BACKGROUND	12
UNFINISHED PATH TO REFORM	12
QATAR'S PRIVATE SECURITY SECTOR	13
4. CONDITIONS AMOUNTING TO FORCED LABOUR	15
EXCESSIVE WORKING HOURS	16
DENIAL OF REST DAYS AND ARBITRARY PUNISHMENTS	17
NO RESPITE	20
TOOLS OF CONTROL: ABUSIVE RECRUITMENT PRACTICES, PASSPORT CONFISCATION, AND RESTRICTIONS ON CHANGING JOBS	21
PHYSICAL AND PSYCHOLOGICAL IMPACT OF ABUSE	24
INTERNATIONAL LAW AND STANDARDS ON FORCED LABOUR	24
5. OTHER LABOUR AND HUMAN RIGHTS ABUSES	27
DISPROPORTIONATE AND ARBITRARY PENALTIES FOR 'MISDEMEANOURS'	27
INADEQUATE OVERTIME PAY	29
DANGEROUS WORKING CONDITIONS	32
SUBSTANDARD ACCOMMODATION	34
DISCRIMINATION	35
6. HUMAN RIGHTS OBLIGATIONS AND RESPONSIBILITIES	38
QATAR'S HUMAN RIGHTS OBLIGATIONS	38
SECURITY COMPANIES' RESPONSIBILITIES	40
FIFA AND THE SUPREME COMMITTEE'S RESPONSIBILITIES	41
7. CONCLUSION AND RECOMMENDATIONS	47
RECOMMENDATIONS	48

1. EXECUTIVE SUMMARY

“Our motto is ‘as long as you are not dead’ you can get through anything.”

Emmanuel, a former guard and then safety officer with a large private security firm in Qatar.

Caleb* was just 24 years old when he arrived in Qatar in 2016, one of hundreds of thousands of people who migrated to Qatar after the country was awarded the right to host the 2022 football World Cup. When he saw a job advertisement for security guards in Qatar, he jumped at the opportunity. Caleb raised USD 900 to pay a recruitment agency in Kenya and then set off. “When you decide to leave your country, you are going to try and look for the best for your life”, he told Amnesty International.

The reality of life as a migrant worker in Qatar was far worse than he expected, an experience shared by so many others. Caleb has been exploited and abused by one of Qatar’s largest private security companies that has provided guards for some of the country’s highest profile projects, including international football tournaments. With deployments including an international hotel chain, government ministry and the FIFA Club World Cup, Caleb worked 12 hours a day, every day for over a year without a day off, and today lives in a cramped room shared by nine other guards sleeping in bunk beds. His colleagues also told Amnesty International how their company makes them work excessive hours, threatens workers with large salary deductions if they want to take a rest day, will fine them huge amounts for mistakes at work, and makes them work outside without shelter in the searing heat.

The plight of migrant construction workers across Qatar has been well documented over many years. While these people make up a large part of the workforce, they are not alone in their struggle for labour rights in the country. Now, with World Cup stadiums virtually complete, focus must turn to all those who will provide the services essential for the tournament.

Amongst them are the tens of thousands of people employed in Qatar’s private security sector. In this report, Amnesty International shows how – despite important reforms of the *kafala* sponsorship system since 2017 – migrant workers across this sector continue to be subjected to serious labour abuses that in some cases amount to forced labour.

Methodology

Amnesty International interviewed 59 guards and other security workers employed or formerly employed in eight private security companies operating in Qatar. Most recently, between April 2021 and February 2022, Amnesty International conducted in-depth interviews with 34 current and former guards and safety officers from these eight companies. These interviews built on research that began in 2017, when Amnesty International started to document the cases of 25 employees from one of the companies who were facing serious labour abuses in Qatar. Pseudonyms have been used for all the men and women interviewed to protect them from reprisals. The organization also collected documentary evidence such as employment contracts, photographs and video footage, and reviewed and analysed secondary sources, including Qatari laws and FIFA policies, as well as media and academic reports. Amnesty International wrote to Qatar’s Ministry of Labour and two of the private security companies employing people featured in the report, seeking information, and sharing the findings of the research. The organization also engaged in correspondence with FIFA and the Supreme Committee for Delivery and Legacy (the Supreme Committee),

Qatar's World Cup organizing body. This report builds on Amnesty International's extensive body of research and campaigning on the situation of migrant workers in Qatar since 2012.

Guards interviewed by Amnesty International worked for companies that have provided services for renowned sports and leisure facilities, international hotel chains, major transport infrastructure projects, government ministries and sites and a range of other projects and sites that will be essential for the 2022 FIFA World Cup. At least three of the eight companies have provided services for major football tournaments including the 2020 (delayed to 2021) FIFA Club World Cup, 2021 FIFA Arab Cup, the 2019 Arabian Gulf Cup, and World Cup stadiums, such as Al Janoub and Khalifa International.

Patterns of abuse

The accounts of the workers that Amnesty researchers interviewed reveal a wide range of labour abuses taking place in all eight companies. Amongst these are excessive working hours, lack of rest days, and arbitrary or disproportionate financial penalties, as well as underpayment of overtime work, potentially dangerous working conditions, substandard living conditions and discrimination on the basis of race, nationality, and language. The workers' stories also highlight the appalling consequences of such treatment, with guards describing their physical and psychological exhaustion, their suffering, and their anguish.

Despite this, many guards feel they have no choice but to stay in order to support their families back home and to clear debts incurred to pay recruitment agents. Emmanuel told Amnesty International:

"I need, as a father, to support my daughter who is now in nursery. My family needs money. So, when you are humiliated, you are treated badly, you cannot complain because you have people who look up to you. So, you end up saying 'I will keep quiet. Our motto is 'as long as you are not dead' you can get through anything."

In particular the report finds that the two key elements of forced labour as internationally defined – involuntary work and threat of penalty – appear to be present in the operations of six of the companies. Their widespread presence demonstrates that Qatar is failing to meet its obligations under the International Labour Organization (ILO) Convention on Forced Labour to "suppress" the use of forced labour in all its forms as soon as possible, and "ensure that penal sanctions are strictly applied on those who imposed forced labour".

The presence of labour abuse on sites and tournaments connected to FIFA also indicates that FIFA and its World Cup partners failed to put in place adequate processes to identify, prevent and mitigate in a timely manner the labour abuses prevalent in the private security sector, despite a number of important initiatives aimed at improving workers' welfare.

Excessive working hours and denial of rest days: conditions amounting to forced labour

More than 85% of security guards interviewed by Amnesty International over the last year said they had frequently worked up to 12 hours a day, and over 80% said their employers had regularly denied them or their colleagues a weekly rest day during their employment. As a result, many had ended up working 84 hours each week, going months or even years without a break in breach of Qatar's 2004 Labour Law.

Rashid from Uganda had guarded public parks in Qatar for almost two years when interviewed. He described how he'd become accustomed to the excessively long days:

"Working 12 hours here is like normal. You are like a programmed computer; you just get used to it. You feel it is normal, but it's not really normal."

Three guards said their company sometimes made them work "double shifts". For example, Zeke from Uganda worked in 2021 at the delayed FIFA Club World Cup 2020 checking accreditation passes at Education City Stadium. To complete the week's training required before the event, he said he worked his regular 12-hour shift during the day and was then immediately driven to an eight-hour training session in the evening. He told Amnesty International that he would then report back to work at 5am after four hours sleep: "They think that we're machines," he said.

Half of the workers, including guards from six companies, said that those who dare to take their rest day against the wishes of their employer risk punitive deductions of between one- and six-days' basic pay from their already meagre basic monthly salary, which tends to be no more than Qatar's minimum wage of QAR 1,000 (USD 275).

Guards in six of the companies also said that when they inevitably felt unwell, the company could dock their wages if they took the day off sick, even if they had worked non-stop for months. For example, Jacob guarded a high-profile sports and leisure facility in Doha. In 2021, he took two consecutive days off work from his company – the first to receive his Covid-19 vaccine, the second because the side effects left him too

unwell to work. When he received his salary for that month, he noticed that two-and-a-half days' pay had been deducted. He said that the company would not provide any explanation for the deduction.

He explained:

"When you claim sickness... they will say 'go, go, go, or we will penalize you and mark you as absent'. Sometimes you are just tired, you worked a month and had no day off and you just want to rest".

Denying employees their right to rest by imposing or threatening financial penalties if they do not report to work on their weekly rest day, or compelling them to work even when unwell, can amount to forced labour under the ILO Convention on Forced Labour.

Edson, a former guard, said of his employer:

"They would say 'we don't have enough security, so you have to work'. We didn't have any option. If your supervisor says go to duty you have to go, or they cut your salary."

This was reflected in most of the interviews:

- Matthew, from Kenya, told Amnesty International in early 2022 that he couldn't remember when he'd last had a day off, having been deployed to an international supermarket chain in Doha since 2020.
- Abdul, from Bangladesh, who worked as a security guard from 2018 to mid-2021, said he did not have a single day off for three years.
- Ben, from Uganda, said he worked his first 18 months without a day off after joining a security company at the end of 2019.
- Salim, from Uganda, said that he had also worked for nearly three years without a day off after he first joined his company in 2015 and worked on a large transport infrastructure project.

Rest is a fundamental human right under the International Covenant on Economic, Social and Cultural Rights (ICESCR), yet security companies are treating it as a privilege to be granted or denied at will. Moreover, the enduring employer-worker power imbalance – which is facilitated by lingering aspects of Qatar's inherently abusive sponsorship system and the fact that many migrant workers still pay extortionate recruitment fees – puts guards at huge risk of punishment if they challenge their supervisor's decisions, no matter how illegal they are. As Lawrence, from Kenya, said: *"You cannot complain. If you do, you are terminated and deported."*

Inadequate pay, excessive and arbitrary penalties

Although Qatar introduced a new monthly minimum wage in 2021, half of the security companies are still not paying overtime at the rate required by law, meaning they are in some cases cheating guards out of hundreds of riyals each month considering the number of hours worked.

Further, half of the security guards interviewed said their employers would deduct large sums from workers' salaries as punishment for various 'misdemeanours' at work, including not wearing their uniform properly or leaving their post to use the toilet without someone to cover for them. The deductions ranged on average from QAR 50-500 (USD 14-137), between just over one- and 13- days' basic pay.

In one case, a guard was fined the equivalent of six days' wages for studying to obtain a health and safety training certificate in his spare time. Joseph told Amnesty: *"They wanted to deport me. They told me, 'you should be sleeping when you are not working'. They deducted my money 300 riyals (USD 62)."*

Threats to health and safety

Working such long hours for such long periods without proper rest exacts a terrible toll on the physical and mental health of migrant workers in the private security sector. Florence, from Uganda, described how she felt when the company made her work 16-hour days:

"My body was so painful, I cannot even express it. You feel sick, fatigue. You feel like you don't want to talk to anyone."

15 guards from five companies described the difficult and potentially dangerous conditions they or their colleagues face in Qatar. They said they had been deployed outside, in intense heat, sometimes even in the summer months. Emmanuel, who for around three years was deployed by his company to an international hotel chain to patrol the swimming pool, car park and beach, said:

“Even when it is very hot, sometimes the Qatar laws say no one is allowed to work outside... but security [guards], where are we supposed to go?”

Substandard living conditions

Like many other migrant workers in Qatar, employees of private security companies endure substandard accommodation, despite the government issuing clear guidelines on living conditions. Eighteen of the guards across five companies told Amnesty International that their accommodation was overcrowded and unsanitary, variously describing it as “dirty”, “congested” and “appalling”. They reported that on average, their rooms slept six to 10 workers in bunk beds. Zeke, said:

“I don't use the toilets at the accommodation – you can get disease. I only use the toilet at work. Sanitation is very bad.”

Guards from two companies said that their companies were forced to improve their living quarters since Qatari authorities and World Cup organizing partners inspected some sites. This clearly demonstrates that significant change is possible if inspections and enforcement measures are undertaken effectively. However, many workers employed by both these security companies and others investigated by Amnesty International continue to live in overcrowded and unsanitary conditions that breach Qatari law and international standards.

Discrimination

More than a third of guards across five security companies told Amnesty International that management from their companies treat employees differently depending on their nationality, race and language, including in terms of their pay and working conditions, and the locations to which they are deployed. Asher, who was stationed at various sites up until 2021, including a tourist attraction and the offices of a sporting body, said:

“They pay us by nationality. You may find a Kenyan is earning 1,300, but the same security from the Philippines gets 1,500. Tunisians, 1,700. Pay is according to nationality.”

Musa, a security guard until 2021, described how he and other sub-Saharan African colleagues would usually be deployed to locations with harsher working conditions, such as those requiring them to work outside in the heat: *“Black people are always the ones outside. The working conditions are not cool.”* But, he said, his complaints to the company would fall on deaf ears: *“[W]e tell them we are facing discrimination, they say ‘what is discrimination?’.”*

Such differential treatment breaches Qatari law and international law and standards and echoes the findings of the UN Special Rapporteur on contemporary forms of racism following her visit to the country at the end of 2019.

Human rights obligations and responsibilities

Amnesty International's research found that all of the eight private security companies employing guards featured in this report have in some way failed to meet their responsibility to respect human rights under international standards and have breached various provisions of Qatari law. Further, the organization's research shows that the Qatari authorities, FIFA and its World Cup organizing partners have failed to take the sufficient measures required to prevent a wide range of human rights abuses, including forced labour.

As the state, Qatar is ultimately responsible for the protection of migrant workers' rights. Since 2017, the government has taken steps towards meeting this obligation, enacting crucial reforms to its labour system, meaning migrant workers now no longer legally need their employer's permission to change jobs or leave the country. It has also taken measures to protect workers' wages, including by introducing a new non-discriminatory mandatory minimum wage; improving workers' access to justice; streamlining the recruitment process for workers from certain countries; and protecting workers from the health impacts of heat stress.

The introduction of labour reforms and other measures has improved the conditions for some parts of Qatar's workforce. However, the experiences of migrant workers in private security companies documented in this report, and the degree of consistency about the patterns of treatment reported, indicates that abuses in this sector remain systemic and structural. Fundamentally, labour abuses have been allowed to continue and flourish due to the government's failure to adequately address the challenges, properly enforce laws and regulations – including those which predate the reforms – and consistently hold perpetrators of abuse to account. Urgent action is required by the Qatari authorities to address this, or abuse will remain pervasive in the private security sector, and beyond.

In response to Amnesty International's allegations, Qatar's Ministry of Labour said in March 2022 that such reports of abuse "do not represent underlying issues with the robust system Qatar has introduced", and that the prevalence of rule-breaking by companies is in decline.

In 2014, the Supreme Committee introduced the Workers' Welfare Standards to raise the standards of working and living conditions for construction workers on FIFA World Cup tournament sites. More recently, these protections have been expanded to workers who will service the World Cup and, together with FIFA, the Supreme Committee has embarked on other initiatives, in particular for hotel staff. However, despite the inherently risky nature of the private security sector in Qatar, and the well-documented prevalence of labour abuse in the country over many years, too little has been done, too late, to prevent the labour abuses experienced by security guards.

FIFA and the Supreme Committee are aware of their human rights responsibilities and have taken steps to try to meet them. For example, through audits they identified some of the issues in this report and took some action to mitigate adverse human rights impacts. They have disengaged from two of the companies which were providing security to World Cup sites, after they say they did not show sufficient willingness to improve standards. It is unclear whether the disengagement was undertaken responsibly and whether the decision to do so was carefully weighed against the possible adverse human rights impacts on workers that could result from it.

However, neither FIFA nor the Supreme Committee conducted adequate due diligence before contracting with the three private security companies highlighted in this report and they both failed to identify in a timely manner the full range of abuses experienced by workers in order that they be effectively addressed and remedied. As a result, by the time some abuses had been identified, FIFA and its organizing partner had already benefitted from these companies' services. They were therefore directly linked to and in some cases contributed to the harms suffered by guards in these companies. They are still contracting with one of the companies, and therefore may still be directly linked or contributing to further abuse. Unless they take urgent action to strengthen their due diligence it is highly likely this will continue during the World Cup tournament itself.

In response to Amnesty International's allegations, the Supreme Committee acknowledged that "irrespective of regulations or monitoring systems" some contractors may try to "bypass" these, and affirmed its commitment to address and rectify breaches.

With the world's biggest footballing competition just around the corner, the services of private security companies across Qatar will be in increasingly high demand to meet the tournament requirements, and the businesses stand to profit vastly. This must not come at the further expense of the rights of migrant workers, who have already struggled for too long. Amnesty International is therefore urging:

Qatar's authorities to:

- Take urgent measures to ensure all private security companies pay their employees in full and allow all employees weekly rest days, without threat of penalty.
- Investigate labour abuses in the private security sector, publish the findings, and provide workers with redress.
- Commit to and urgently publish a detailed action plan with timelines on how it will effectively tackle forced labour practices in the private security sector, including how it will strengthen labour inspections, investigate potential forced labour cases, and penalize abusive employers.
- Effectively implement all labour reforms introduced to date and enforce the 2004 Labour Law.

FIFA and the Supreme Committee to:

- Further strengthen their human rights due diligence processes, giving particular attention to inherently risky industries such as the private security sector.
- Press Qatar to urgently implement all its labour reforms to date and effectively enforce the Labour Law.

Private security companies in Qatar to:

- Comply with Qatari law and international law and standards, including by immediately ending all practices amounting to forced labour.

- Immediately ensure all employees are provided a regular weekly rest day without threat of penalty; are paid in full in line with Qatari law; and are not subjected to arbitrary or disproportionate sanctions.

2. METHODOLOGY

This report is based on research on Qatar's private security sector conducted over several years. Most recently, between April 2021 and February 2022, Amnesty International conducted in-depth interviews with 34 current and former guards and safety officers from eight private security companies. The majority come from Uganda and Kenya, with others from Bangladesh and Pakistan. These interviews built on research that began in 2017, when Amnesty International started to document the cases of 25 employees from one of the companies ("Company A") who were facing serious labour abuses in Qatar. The abuses documented in this report occurred between 2017 and 2022.

All interviews were conducted remotely over secure messaging apps in English and Arabic. At the time of writing more than half of the workers were still employed in Qatar, most by security companies. The others had returned to their home countries or did so after they were interviewed. Pseudonyms have been used for all the men and women interviewed to protect them from reprisals.

Given the difficulty of accessing migrant workers in Qatar, the interview sample for this report does not claim to be statistically representative of all employees of security companies in Qatar. It does, however, include a mix of workers in different situations that allows conclusions to be drawn about a significant number of serious and commonly experienced abuses.

Amnesty International collected documentary evidence related to the allegations made by these employees, including employment contracts, job offer letters, security passes, a salary deduction notification, a termination letter, and photographs and video footage of workers' accommodation. The organization also reviewed and analysed a number of secondary sources. These included Qatari laws, in particular laws no. 15 of 2011 and no. 14 of 2004, as well as FIFA's human rights policy and the joint World Cup Qatar 2022 Sustainability Strategy, the Supreme Committee's Workers' Welfare Standards, and reports by media and non-governmental organizations.

Amnesty International has decided not to publicly name any of the eight security companies, out of a concern that doing so may inadvertently worsen the situation for their current employees. There is a risk that high profile clients may respond by immediately disengaging from these companies in order to avoid negative publicity that could result from being associated with them, rather than engaging in adequate mitigating strategies and rectification plans. Such an approach could well result in employees' contracts being terminated. In this report we therefore refer only to companies as 'Company A', 'B', 'C' etc. Amnesty International has however provided company details to the Ministry of Labour, as well as to FIFA and the Supreme Committee for Delivery and Legacy where appropriate, and urged them to further investigate, and ensure accountability and remedy for workers.

Amnesty International documented serious abuses in Company A in 2017 and 2018. It first wrote to the company's management and Qatar's Ministry of Administrative Development, Labour and Social Affairs (MADLSA, now the Ministry of Labour) in 2018, raising concerns about the treatment of employees and seeking their response to the allegations. Based on this, MADLSA informed Amnesty it had reached out to Company A and subsequently confirmed that it had met with both the management and its employees. Later in 2018, Amnesty International met both Company A and MADLSA during a research mission to Doha, where they further discussed the labour abuses identified. In September 2021 Amnesty International wrote again to Company A, and in January 2022 to a second company (Company B), bringing the latest allegations to each company's attention, but did not receive a reply from either. Amnesty International also reviewed the websites of the other six companies featured in the report.

On 15 March 2022, Amnesty International shared the findings of its latest research into the private security sector with the Ministry of Labour. Amnesty International also engaged in detailed correspondence with

World Cup 2022 organizing bodies. The complete responses from FIFA and the Supreme Committee for Delivery and Legacy (Supreme Committee) can be found [here](#) and [here](#). Correspondence from the Qatar government can be found [here](#).

This report builds on Amnesty International's extensive body of research into the situation of migrant workers in Qatar since 2012, including:

- *The dark side of migration: Spotlight on Qatar's construction sector ahead of the World Cup* (2013)
- *The ugly side of the beautiful game: Exploitation of migrant workers on a Qatar 2022 World Cup site* (2016)
- *Reality check: The state of migrant workers' rights with four years to go until the Qatar 2022 World Cup* (2019)
- *All work, no pay: The struggle of Qatar's migrant workers to get justice* (2019)
- *'Why do you want to rest?' Ongoing abuse of domestic workers in Qatar* (2020)
- *Reality Check 2020: Countdown to the 2022 World Cup – migrant workers' rights in Qatar*
- *'In the prime of their lives' Qatar's failure to investigate, remedy and prevent migrant workers' deaths* (2021)
- *Reality Check 2021: A year to the 2022 World Cup – the state of migrant worker's rights in Qatar.*¹

Amnesty International would like to express sincere thanks to all those who chose to share their story despite the risks associated with doing so. Some had raised their concerns within their companies, but their efforts had proved largely fruitless.

Amnesty International urges all parties concerned to ensure that no employee faces reprisals. Any reprisal would be contrary to international human rights law and standards.²

¹ *The dark side of migration: Spotlight on Qatar's construction sector ahead of the World Cup* (Index: MDE 22/010/2013) 18 November 2013, <https://www.amnesty.org/en/documents/mde22/010/2013/en/>; *The ugly side of the beautiful game: Exploitation of migrant workers on a Qatar 2022 World Cup site* (Index: MDE 22/3548/2016), 30 March 2016, <https://www.amnesty.org/en/documents/mde22/3548/2016/en/>; *Reality check: The state of migrant workers' rights with four years to go until the Qatar 2022 World Cup* (Index: MDE 22/9758/2019), 5 February 2019, <https://www.amnesty.org/en/documents/mde22/9758/2019/en/>; *All work, no pay: The struggle of Qatar's migrant workers to get justice* (Index: MDE 22/0793/2019), 16 September 2019, <https://www.amnesty.org/en/wp-content/uploads/2021/05/MDE2207932019ENGLISH.pdf>; *'Why do you want to rest?' Ongoing abuse of domestic workers in Qatar* (Index: MDE 22/3175/2020), 20 October 2020, <https://www.amnesty.org/en/documents/mde22/3175/2020/en/>; *Reality Check 2020: Countdown to the 2022 World Cup – Migrant Workers' Rights in Qatar* (Index: MDE 22/3297/2020), 18 November 2020, <https://www.amnesty.org/en/documents/mde22/3297/2020/en/>; *'In the prime of their lives': Qatar's failure to investigate, remedy and prevent migrant workers' deaths* (Index: MDE 22/4614/2021), 26 August 2021, <https://www.amnesty.org/en/wp-content/uploads/2021/08/MDE2246142021ENGLISH.pdf>; *Reality Check 2021: A year to the 2022 World Cup – The state of migrant worker's Rights in Qatar* (Index: MDE 22/4966/2021), 16 November 2021, <https://www.amnesty.org/en/documents/mde22/4966/2021/en/>

² The right to communicate with international human rights bodies, including non-governmental organizations, is articulated in Article 5(c) and 9(4) of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

3. BACKGROUND

UNFINISHED PATH TO REFORM

In less than eight months, an estimated 1.2 million football fans, journalists and players will descend on Qatar as the much-anticipated 2022 FIFA World Cup gets under way, the first to be held in the Middle East.³

Since 2010, when FIFA awarded Qatar the rights to host the tournament, there has been increasing scrutiny of the treatment of the millions of migrant workers whose labour is essential to its successful delivery. Coming largely from South and South-east Asia, and increasingly from East Africa, these men and women arrive in Qatar seeking “greener pastures”, to earn a decent living to support themselves and their families. But as numerous reports have illustrated, once in Qatar the experience of thousands of these people have been a far cry from the glamour of the newly built stadiums and five-star hotels. Indeed, their lives have been defined by unpaid wages, appalling working and living conditions, and tight restrictions on movement under the abusive *kafala* sponsorship system.

In 2017, following a stream of reports of labour abuse and three years after workers’ groups lodged a complaint at the International Labour Organization (ILO) accusing Qatar of failing to comply with its obligations under the forced labour convention,⁴ Qatar signed an agreement with the ILO. This committed it to a three-year, wide-ranging reform process.⁵ Since then, Qatar has introduced potentially transformative legal and policy changes. These include removing the legal requirement for workers to obtain their employer’s permission to change jobs or leave the country, introducing a mandatory minimum wage for all⁶ and new legislation to better protect workers from the impacts of heat stress,⁷ and the establishment of new labour committees to improve workers’ access to justice.⁸ Since 2019 it has also opened Qatar Visa Centres in Bangladesh, India, Nepal, Pakistan, the Philippines and Sri Lanka to facilitate the migration process for workers from these countries.⁹

While these reforms and initiatives have the potential to transform the lives of Qatar’s migrant workforce, Qatar has so far failed to effectively implement and enforce them. As a result, as Amnesty International has documented, labour abuse and exploitation remain rife, and many abusive employers continue to act with impunity.¹⁰

³ Doha News, *Qatar to attract over 1.2 million visitors for FIFA World Cup 2022*, 24 October 2021, <https://www.dohanews.co/qatar-to-attract-over-1-2-million-visitors-for-fifa-world-cup-2022/>

⁴ See: *Complaint alleging non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution*, 16 March 2015, Appendix I, p.3, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_348745.pdf

⁵ Technical cooperation programme agreed between the Government of Qatar and the ILO (2018–20), 2017, p.31, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_586479.pdf

⁶ See: <https://www.migrant-rights.org/wp-content/uploads/2020/08/Qatar-Labour-Reforms-Ministry-of-ADLSA-statement-and-background-information.pdf>

⁷ See: ILO, *New legislation in Qatar provides greater protection to workers from heat stress*, 27 May 2021, [https://www.ilo.org/beirut/projects/qatar-office/WCMS_794475/lang-en/index.htm#:~:text=DOHA%2C%20QATAR%20\(ILO%20News\),which%20outdoor%20work%20is%20prohibited.](https://www.ilo.org/beirut/projects/qatar-office/WCMS_794475/lang-en/index.htm#:~:text=DOHA%2C%20QATAR%20(ILO%20News),which%20outdoor%20work%20is%20prohibited.)

⁸ ILO, *Qatar’s Labour Dispute Resolution explained – a guide for workers*, 2021, https://www.ilo.org/beirut/countries/qatar/WCMS_773305/lang-en/index.htm; See also: Amnesty International, *All work, no pay: The struggle of Qatar’s migrant workers to get justice* (Index MDE 22/0793/2019), 16 September 2019.

⁹ ILO, *Progress report on the technical cooperation programme between the Government of Qatar and the ILO*, 2021, para.15, https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/---ilo-qatar/documents/publication/wcms_832122.pdf

¹⁰ For further details of Qatar’s reforms, and analysis of their implementation, see: Amnesty International *Reality Check 2021: A year to the 2022 World Cup*; and The Building and Woodworkers International, *Dribble or goal: Tracking the score for decent worker legacy in Qatar*, July 2021, <https://www.bwint.org/cms/dribble-or-goal-bwi-pushes-for-proposals-to-complete-labour-reforms-in-qatar-2379>

WORLD CUP WORKERS

While FIFA is ultimately responsible for delivery of the 2022 World Cup, the Supreme Committee for Delivery and Legacy (Supreme Committee) is the Qatari body overseeing all construction and infrastructure for the tournament.¹¹ Since 2014, workers helping to deliver these projects – such as those developing the eight stadiums – have enjoyed better living and working conditions thanks to the Supreme Committee’s Workers’ Welfare Standards, a set of labour standards and protections which are included in contracts awarded to companies working on World Cup sites.¹²

As of mid-2021, Qatar’s migrant worker population stood at 2.1 million and this is increasing.¹³ At the height of World Cup construction, the Workers’ Welfare Standards applied to around 30,000 workers.¹⁴ While the total number of workers benefiting from the standards since their inception will inevitably be considerably higher, it will nonetheless be a small minority of Qatar’s total migrant work force in that period.

In apparent recognition of how essential Qatar’s service and hospitality sector, including hotels, transport and security, will be for the tournament, and the responsibility that World Cup organizers have towards the welfare of those working in it, in 2020 FIFA and the Supreme Committee pledged to expand the scope and application of the Workers’ Welfare Standards beyond those in construction to service workers involved in delivering the World Cup.¹⁵ (See chapter 6 for further discussion on this).

QATAR’S PRIVATE SECURITY SECTOR

Tens of thousands of people work in Qatar’s private security sector, with publicly available information indicating that more than 12,000 people are employed by just four of the companies investigated for this report.¹⁶

Ensuring the safety and security of all those attending and participating in the World Cup will be a mammoth task for the government, FIFA and all involved in the tournament preparations. At the 2018 World Cup in Russia, around 14,500 private security guards were deployed.¹⁷ Although it is unclear how many and from where guards will be sourced for the Qatar 2022 World Cup, it is clear that the country already depends heavily on its migrant security guards and this need will only increase when the competition kicks off.

Private security businesses in Qatar typically operate as “labour supply” companies, providing manpower on a contractual basis to scores of clients across the country on both short- and longer-term bases. As such, the workers that Amnesty International interviewed had been deployed to more than 40 different locations between them, during their employment in the sector for various periods since 2016.

Each contracting client requires different working days and hours of their security guards. While salaries and benefits differ between workers, for a 48-hour working week many security guards earn the basic minimum wage of QAR 1,000 (about USD 275) per month – around USD 1.32 per hour – in one of the world’s wealthiest countries.¹⁸

Like all migrant workers in Qatar, security guards are prohibited from forming or joining trade unions.¹⁹ This means they cannot organize or collectively bargain for improvements to their pay and working and living conditions. Since 2019, Qatar has allowed the formation of joint committees in workplaces with more than 30 employees. These committees include representatives of both the company and its workforce and aim to create space for the discussion of work-related issues and prevention and resolution of conflicts in the

¹¹ Supreme Committee, *Frequently Asked Questions*, <https://www.qatar2022.qa/en/about/faq>

¹² Supreme Committee, *Our Standards*, <https://www.workerswelfare.qa/en/our-legacy/our-standards>

¹³ Qatar Planning and Statistics Authority, *Labor Force Sample Survey: The second quarter April – June 2021*, https://www.psa.gov.qa/en/statistics/Statistical%20Releases/Social/LaborForce/2021/LF_Q2_2021_AE.pdf

¹⁴ Supreme Committee, *Our Workers*, <https://www.workerswelfare.qa/en/our-workers>

¹⁵ See: Supreme Committee, *Workers’ Welfare*, <https://www.workerswelfare.qa/en/workers-welfare>

¹⁶ Estimation based on publicly available information about four of the companies. Amnesty International was not able to find accurate data on the workforce of the other companies so the total number is likely to be significantly higher. The Guardian estimated that there are a total of approximately 40,000 security guards in Qatar, employed by 74 private security companies. See: The Guardian, *Migrant guards in Qatar ‘still paid under £1 an hour’ ahead of World Cup*, 1 June 2021, <https://www.theguardian.com/global-development/2021/jun/01/migrant-guards-in-qatar-still-paid-under-1-an-hour-ahead-of-world-cup>

¹⁷ Tass, *About 14,500 security guards, 16,500 stewards to ensure security at 2018 FIFA World Cup*, 3 October 2017, <https://tass.com/sport/968754>

¹⁸ For an insight into some migrant workers’ perspectives on the minimum wage rate, see: <https://www.migrant-rights.org/2020/10/minimum-wage-maximum-adjustment/>

¹⁹ Article 116 of the Labour Law only allows Qatari workers the right to form workers’ associations or trade unions.

workplace.²⁰ However, as of December 2021, they represented just 30,000 employees in 32 companies.²¹ They are also seriously flawed. Crucially, workers cannot set them up without prior approval from their employers, and the joint committees do not offer the vital protections that independent trade unions would otherwise offer.²²

Without the protection of collective organization, speaking out in Qatar can carry significant risks. Blogging under the pseudonym of “Noah”, Malcolm Bidali, a Kenyan former security guard in Qatar and labour rights activist, sought to shed light on the working and living conditions he and his colleagues experienced in Qatar.²³ In a clear example of the limitations on freedom of expression in Qatar, Qatari authorities forcibly disappeared Malcolm Bidali on 4 May 2021, holding him in solitary confinement for a month and denying him access to legal counsel.²⁴ On 14 July, the Supreme Judiciary Council fined him under the controversial cybercrime law for publishing “false news with the intent of endangering the public system of the state”. The criminal order was passed without Malcolm Bidali being formally charged, brought before a court or informed of the criminal charges he faced. He left Qatar on 16 August after paying the heavy fine.²⁵ Speaking after leaving, Malcolm Bidali said: “I’m extremely fortunate to have gotten out (relatively) unscathed, given the selection of charges levelled against me. Outrageous charges, and an even more outrageous fine, for simply sharing our lived experiences and pointing out shortcomings of the specific entities responsible for workers’ welfare, none of which translates to ‘misinformation’.”²⁶

²⁰ ILO, *Workplace cooperation in Qatar: Joint committees*, 29 November 2020, https://www.ilo.org/beirut/projects/qatar-office/WCMS_762455/lang-en/index.htm

²¹ ILO, *Progress report on the technical cooperation programme between the Government of Qatar and the ILO*, 2021, para.45, https://www.ilo.org/wcmsp5/groups/public/-arabstates/-ro-beirut/-ilo-qatar/documents/publication/wcms_832122.pdf

²² For further analysis of the joint committees, see: Amnesty International, *Amnesty International, Reality Check 2021: A year to the 2022 World Cup*, Pp. 32 -34.

²³ See: Migrant-Rights.org, <https://www.migrant-rights.org/author/noah/>; and <https://twitter.com/NoahArticulates>

²⁴ Amnesty International, *Qatar: Kenyan labour rights activist in solitary confinement*, 28 May 2021, <https://www.amnesty.org/en/latest/news/2021/05/activist-malcolm-bidali-in-solitary-confinement-in-qatar/>

²⁵ Amnesty International, *Joint Statement: Kenyan labour rights activist leaves Qatar after paying hefty fine for publishing “false news”*, 19 August 2021, <https://www.amnesty.org/en/documents/mde22/4626/2021/en/>

²⁶ Amnesty International, *Joint Statement: Kenyan labour rights activist leaves Qatar after paying hefty fine for publishing “false news”*

4. CONDITIONS AMOUNTING TO FORCED LABOUR

“We work January to January, Sunday to Sunday. No day off... If you absent yourself, they will deduct two or more days’ [wages] for being absent. Even if we informed them we were in hospital... Never a day off like stipulated in the contract or in law... They give a reasoning that we are working eight hours, so why do we need rest? But even if you are working 12 hours, they don't give an off day and they deduct money [if you take one].”

Godfrey, a Ugandan guard who was deployed to a high-profile sports and leisure facility for five years.²⁷

Guards, supervisors and safety officers (from herein referred to as ‘guards’) employed by private security companies commonly told Amnesty International that they regularly worked excessively long shifts and were denied their weekly rest days, often for months and sometimes even years at a time. They reported that taking a day off could result in salary deductions. In some instances, workers risked being taken off shifts and stopped from working for a period, which meant they would not be paid. Repeated attempts to take a legally entitled day off without permission could even end in contract termination, guards said.

Amnesty International’s research indicates that two key elements of forced labour as internationally defined – involuntary work and threat of penalty – are present in the operations of six of the companies employing guards in this report.²⁸ Penalties include cuts in wages for not reporting to work on mandatory rest days, which can be applied at the company’s discretion and lack clarity and transparency in the way they are imposed. Migrant workers in Qatar are still heavily dependent on their employers, which make employees additionally vulnerable to pressure from their supervisors, who can exact work under the threat of punishments.

These patterns of company practices breach both Qatari law and international law and standards and, in some cases, amount to forced labour.

²⁷ Remote interview, April 2021.

²⁸ The ILO’s 11 indicators for forced labour are: abuse of vulnerability; deception; restriction of movement; isolation; physical and sexual violence; intimidation and threats; retention of identity documents; withholding of wages; debt bondage; abusive working and living conditions; excessive overtime. See: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_203832.pdf

[BOX]

WHAT IS FORCED LABOUR?

"[A]ll work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily." – ILO Convention 29 on Forced Labour, Article 2(1)

The ILO estimates that there were **24.9 million people** in forced labour globally in 2017.²⁹

Although people often associate forced labour with physical violence, it is frequently exacted through more subtle and insidious means, with the withholding of wages, or the threat of this, being the most common form of coercion experienced by people forced to work.³⁰

Forced labour is nearly always related to limitations on the rights of workers to form and join trade unions and to engage in collective bargaining – fundamental freedoms that are prohibited in Qatar.³¹

[END BOX]

EXCESSIVE WORKING HOURS

"From the day I started in Qatar, to the day I left, I worked 12 hours [each day]."

Leo, a former guard on a major transport infrastructure project.³²

Qatar's 2004 Labour Law states that a basic working week is 48 hours, based on an eight-hour working day, six days a week. Workers are permitted to work no more than 12 additional hours a week, meaning a total maximum working week of 60 hours. Assuming that the provision for a weekly rest day is respected, this should mean an average working day of no more than 10 hours, or the provision of two days off if shifts are 12 hours in length.³³

More than 85%, or 29 of 34, of the security guards interviewed by Amnesty International over the last year said that they had frequently had to work 12 hours a day during their employment. Often having to report to duty every day (see below), this meant many regularly worked 84 hours each week. This was reported by guards in seven of the companies. In addition, many said that their travel to and from work sites often takes an hour or more each way.

Milton, a Kenyan guard who worked for a private security company at a hotel until 2021, described an average day:

*"I wake up around 5am. I spend some time [getting ready] and by 6.30am I should be ready for the bus. Around 7.20am I am starting at the workplace. From 7.30am to 7.30pm I work, but there might be delays, 10 minutes or so handing over. Roughly I get back to the accommodation around 8pm... sometimes every day for a month without a day off. Even for two months I have worked without a day off."*³⁴

Rashid from Uganda had worked in Qatar for almost two years when interviewed. He described how he'd become accustomed to the excessively long days:

*"Working 12 hours here is like normal. You are like a programmed computer; you just get used to it. You feel it is normal, but it's not really normal."*³⁵

²⁹ See: <https://www.ilo.org/global/topics/forced-labour/lang-en/index.htm>

³⁰ ILO, *Ending forced labour by 2030: A review of policies and programmes*, 2018, Pp. 38 - 39, https://www.ilo.org/wcmsp5/groups/public/-/-ed_norm/-/-ipec/documents/publication/wcms_653986.pdf

³¹ ILO, *Ending forced labour by 2030*, p.75.

³² Remote interview, September 2021.

³³ According to article 73 of the Labour Law (Law No. 14 of 2004), "The maximum ordinary working hours shall be forty-eight hours per week at the rate of eight hours per day." Article 74 continues, "the workers may be required to work additional hours to the working hours specified in the preceding article provided that the actual working hours per day shall not exceed ten hours". Further, Article 76 of the Labour Law specifies that the provision of article 73 does not apply to cleaning and security staff but will instead be specified in a ministerial decision. However, the relevant Ministerial Decision, the Minister of Civil Service Affairs and Housing Decree No. (11) of 2005 on categories and businesses excluded from the provisions related to working hours, states that the maximum normal working hours should be 48 hours per week, with no more than 12 additional hours per week. This means that workers falling under the categories covered in the decision should work no more than 60 hours per week.

³⁴ Remote interview, June 2020.

³⁵ Remote interview, January 2022.

Three guards employed by one company said that they had had to work double shifts of up to 16 hours a day without proper rest, sometimes consecutively.

31-year-old Salim from Uganda, who was employed as a guard between 2016 and 2021, described working double shifts, including while deployed to the 10-day FIFA Club World Cup tournament in 2019.³⁶ He said the work involved guarding fan zones and the football teams' training grounds for eight hours during the day, then working an eight-hour night shift at another location overnight.³⁷

Zeke, who still works in Qatar, was deployed at the FIFA Club World Cup 2020 (delayed to February 2021) on Education City Stadium, where matches will be played during the 2022 World Cup. He explained that in order to complete the week-long training required before the event, he was driven to an eight-hour evening training session immediately after his regular shift. He said:

"Imagine working a 12-hour shift then being driven to the training centre, then you do training for eight hours. All night. Then you report to work at 5am - you get four hours sleep and you train the whole week. They think that we're machines."³⁸

Florence came to Qatar in 2016 to support her parents and sisters. For much of her employment she has been deployed at a sports complex in Doha. Florence told Amnesty International that for a month in 2020, she had to work double shifts when she was deployed to work eight hours in one location before being taken to another location for a second eight-hour shift immediately after.³⁹ She said that she wasn't paid adequate overtime for the hours because during this period her company had unilaterally reduced workers' salaries by 12% due to Covid-19.⁴⁰

DENIAL OF REST DAYS AND ARBITRARY PUNISHMENTS

"They would give you a day off, but they would punish you indirectly. You will regret doing it when you see your salary. They will deduct you in a way that makes you not do it again. You go for one off day, but when you check the difference between yourself and a guy who didn't take an off day you will see that they deducted 100 riyals... I tried it and then I stopped. I realized what they are doing, and I never took a day off again." Lawrence, former security guard.⁴¹

Guards in seven of the companies repeatedly complained to Amnesty International about the lack of rest days. The vast majority – 28 out of 34 – said that their employers had regularly denied them or their colleagues a weekly rest day during their contract periods. As a result, they had worked seven days a week, often for months and sometimes years – in one case three – without a break, in breach of Qatar's Labour Law and international law and standards.⁴² Most faced the near impossible choice of working without rest days or having their already-low monthly income reduced or worse, losing their job and being deported. Such treatment can amount to forced labour as defined by ILO Convention 29.⁴³

For many guards, whether they enjoy a weekly day off or not depends on the location or client they are deployed to. Those without an allocated rest day are often expected to report for duty every day of the week.⁴⁴ In these cases a guard can only get a rest day with the express permission of their employers. But guards interviewed by Amnesty International said that this is often denied, with supervisors telling workers that they have insufficient employees to provide cover (known as a "reliever").⁴⁵ Half of the workers, including guards from six of the eight companies, said if they take a day off without permission, they risk having their pay cut by the equivalent of between around one- and six- days' basic wages.⁴⁶ Such high

³⁶ Remote interview, July 2021.

³⁷ Remote interview, May 2021. Salim said that usually he would be paid only a small additional amount for doing a double shift. However, for each day he worked at the FIFA Club World Cup, he said he earned a "bonus" of QAR 100 (USD 27).

³⁸ Remote interview, May 2021.

³⁹ Remote interview, May 2021.

⁴⁰ Amnesty International has on file an internal company memorandum confirming this salary reduction.

⁴¹ Remote interview, September 2021.

⁴² Interviews conducted remotely between April 2021 and February 2022.

⁴³ The convention defines forced labour as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily." ILO Convention 29 on Forced Labour, Article 2(1).

⁴⁴ Interviews conducted remotely between April 2021 and February 2022.

⁴⁵ Interviews conducted remotely between April 2021 and February 2022.

⁴⁶ Interviews conducted remotely between April 2021 and February 2022. Average daily pay for basic working hours is QAR 38 per day according to the minimum wage. Workers said the penalties given ranged from approximately QAR 50 -250 (USD 14 - 69).

deductions appear to be in breach of Qatar's Ministry of Civil Service Affairs and Housing Decree 7 of 2005.⁴⁷

Further, most of the security guards - 27 out of 34 from seven companies – Amnesty International interviewed earned only the minimum basic monthly wage for a 48-hour week. First introduced in November 2017, this was set at QAR 750 (around USD 200) until March 2021 when the government increased it to QAR 1,000 (USD 275).⁴⁸ However, as we explain in chapter 5 below, some security companies are not paying overtime at the rate required by law, meaning they are cheating guards out of hundreds of riyals each month considering the number of hours worked. Given their already-low salaries and the fact that many had been promised better terms and conditions of employment when they accepted their job, guards told Amnesty that even in the rare instances they are permitted to take a rest day, they simply cannot afford to lose out on the additional pay and so feel they must work.⁴⁹ As Rashid said: "If you rest, you do not get paid".⁵⁰

Jacob, a Ugandan guard who used to work for a security company guarding access roads and receiving deliveries at Khalifa International Stadium, told Amnesty International:

"You cannot take your day off. If you take it, [the company] doesn't count it as if it was 50 riyals [around a day's pay]. They mark you as 'absent without reason' and they could penalize you for 100 or 200 riyals."⁵¹

Nelson, a Kenyan guard who worked for another private security company until mid-2021, said:

"If you take the day off [without permission] they might deduct 200 riyals, and they might keep you in the room [not working] for one month. I've seen that happen to my workmates. If they give you permission, they will take 50 riyals."⁵²

As a result of such practices, guards feel they have no option but to report to work on their day off or not even request time off, for fear of finding themselves out of pocket. They can easily end up working seven days a week, every week, for months and even years without a day off. This was reflected in most of the interviews:

- Abdul from Bangladesh, who worked as a security guard from 2018 to mid-2021, said he did not have a single day off for three years.⁵³
- Salim, from Uganda said that he had also worked for nearly three years without a day off after he first joined his company in 2015 and worked on a large transport infrastructure project.⁵⁴
- Ben from Uganda, who joined a security company at the end of 2019, said he worked his first 18 months without a day off.⁵⁵
- Matthew, a Kenyan guard deployed to an international supermarket chain in Doha since 2020, told Amnesty International in early 2022 that he couldn't remember when he'd last had a day off.⁵⁶

Caleb, another Kenyan guard who worked at both the FIFA Club World Cup in 2019 and the Arabian Gulf Cup tournament the same year, said that his company denied him any day off during his first year of employment. He added: "You are new, and it is survival of the fittest."⁵⁷ It was only when his company later deployed him to an international hotel chain that they gave him a regular weekly day off. This, he said, was only possible because the hotel management had requested from his company additional guards specifically to ensure that all workers on its site could rotate and have rest days.⁵⁸

Edson, from Uganda said he was deployed until 2020 at a sporting facility where his company would afford him rest days occasionally, but they would not grant him permission easily and it always came at a price:

⁴⁷ A sanctions table annexed to the decree states the penalty for "missing work without a reason" is non-payment of that day's wages plus deduction of a quarter day's wages for a first offence, rising by increments to non-payment of that day's wages plus deduction of two days' wages for a fourth offence, <https://www.almeezan.qa/ClarificationsNoteDetails.aspx?id=2873&language=ar>

⁴⁸ ILO, *Qatar's new minimum wage enters into force*, 19 March 2021, https://www.ilo.org/beirut/projects/qatar-office/WCMS_775981/lang-en/index.htm.

⁴⁹ Interviews conducted remotely between April 2021 and February 2022.

⁵⁰ Remote interview, January 2022.

⁵¹ Remote interview, September 2021.

⁵² Remote interview, September 2021.

⁵³ Remote interview, September 2021.

⁵⁴ Remote interview, July 2021.

⁵⁵ Remote interview, April 2021.

⁵⁶ Remote interview, January 2022.

⁵⁷ Remote interview, May 2021.

⁵⁸ Remote interview, May 2021.

"At times [it was] every two months, at times every three months. You had to fight for it. Sometimes... they want to take you [to work] for more like 16 hours, and of course you are a human and you need to rest, but if you hesitate, they will definitely [deduct] – they see you as big headed and they chop your salary."

Workers should not have to request a day off. Article 75 of Qatar's Labour Law is clear that everyone is entitled to one full, paid rest day each week. This reflects international law and standards – rest is a fundamental human right.⁵⁹

By requiring supervisors to grant permission to individual workers, the security companies are treating rest as a privilege rather than a legal right, helping them to maintain and even deepen the excessive power they hold over their workforce.

The employer-worker power imbalance – which continues to be facilitated by lingering aspects of Qatar's inherently abusive *kafala* sponsorship system – means that workers face huge personal risks, including possible contract termination and deportation, if they challenge their supervisors' decisions, no matter how illegal or egregious they may be. Lawrence told Amnesty, *"You cannot complain – if you do you are terminated and deported. I came to see it as a game of death... In a game of death someone will set you free but then they send shooters [to shoot you down]."*⁶⁰

Matthew explained:

*"It's complicated because when you fight for your rights, they terminate you... or [make you] sign a new contract which says, 'whenever I miss duty the company will terminate me and I'll pay the ticket [home] by myself, no benefits'."*⁶¹

In this context, they may not be offering themselves for work voluntarily and are effectively being forced to work or face the very real risk of a financial penalty or worse. Such conditions would qualify as forced labour as defined under international law. For example, Joseph, a 38-year-old from Uganda who was a guard until 2020, regularly worked 12 hours a day, seven days a week on a major transport infrastructure project. He told Amnesty International:

*"They are forcing us to work because they are complaining that they do not have enough manpower... It happened to me before – I asked for an off day and they refused so I didn't have an option, I went to work."*⁶²

Rashid went to Qatar in early 2020 when he couldn't find work in Uganda after leaving school. He paid around USD 1,500 to a recruitment agent for a job in a private security company. Contrary to what he said his contract pledged, he worked 12 hours every day of the week:

*"I got used to it and I would work for a long time without a day off – like five months. It's because when you get a day off you are not paid and when you take a day off, they might deduct double... It happened to me. I asked and they told me not to take an off, that there were no guards... I insisted and took it off because I wasn't feeling well. They sent me a report and said they would deduct some money from me. It was double the amount they should have. Around 100 riyals. It was maybe six or seven months that I had worked without a day off."*⁶³

These guards are in Qatar to work and earn money to support not just themselves but also their families back home. Often earning little more than one US dollar an hour, and having paid recruitment fees to get their job, workers said they had little choice but to continue working without rest.

Emmanuel from Uganda explained: *"We come from very poor countries, very poor families... Some things we see here as normal because we have no option. I need as a father to support my daughter who is now in nursery. My family needs money."*⁶⁴

These experiences reflect those of the 25 workers in Company A who were interviewed by Amnesty International in 2017-18. All these workers reported that supervisors had told them they only had the right to two rest days a month and this was also stated in a job offer letter seen by Amnesty International.⁶⁵ Half of

⁵⁹ The Labour Law requires the day to be for at least 24 consecutive hours, ideally on a Friday, though this can differ for shift workers such as security guards. See also: Article 7(d) of the International Covenant on Economic, Social and Cultural Rights (ICESCR); and Committee on Economic, Social and Cultural Rights General comment No. 23 (2016) on the right to just and favourable conditions of work (article 7 of the International Covenant on Economic, Social and Cultural Rights), para.39 – 40, available at: <https://www.refworld.org/docid/5550a0b14.html>

⁶⁰ Remote interview, September 2021.

⁶¹ Remote interview, January 2022.

⁶² Remote interview, July 2021.

⁶³ Remote interview, January 2022.

⁶⁴ Remote interview, May 2021.

⁶⁵ On file with Amnesty International.

the workers said that they were regularly denied even these two days' rest a month, often because of lack of cover. While workers who were asked to work on their rest day were paid some overtime, this was not at the legal rate, and they were not given an alternative rest day. Two guards said they had been working for more than ten months without taking a day off.⁶⁶

Security company contracts and job offer letters reviewed by Amnesty International state various working hours and are often – perhaps intentionally – vague.⁶⁷ None of the contracts or offer letters seen by the organization explicitly specifies the right to a paid rest day every week. Only one stated how much guards would be paid for work performed above 48 hours each week – and the rate was below the legal rate.⁶⁸

Qatar's Supreme Committee for Delivery and Legacy has also identified excessive working hours and denial of days off as salient issues within security companies providing services to World Cup sites. In 2020, an audit conducted at the Supreme Committee's request found ongoing compliance issues on these sites and raised concerns about the working conditions of workers employed by security contractors.⁶⁹ The audit found that "70% of major and critical non-compliances on excessive working hours, or lack of rest days this year were raised at contractors either specialising in security or with a security team" and advised that these breaches of the Workers' Welfare Standards "must be closely monitored and remediated" as the lead up to the tournament sees an increased demand for security and other hospitality services.⁷⁰

Further, in response to Amnesty International's request for information on how the World Cup organizers have engaged with three of the security companies featured in this report, the Supreme Committee confirmed that its audits and inspections had identified excessive working hours in two of the companies, and lack of rest in one of them.⁷¹ As a result they say it says it has taken a range of enforcement measures including reporting the companies to the Ministry of Labour (company and government responses are discussed further in chapter 6).⁷²

NO RESPITE

Qatari law requires that employees prove their illness from day one of absence with a note from a doctor approved by their employer,⁷³ or be penalized for "missing work without a reason".⁷⁴ In sectors where employees are working regular hours with adequate rest, and countries where everyone can easily access a health practitioner, this request may be justifiable. However, in a sector like that of private security in Qatar, where workers are being repeatedly and consecutively denied their regular weekly rest day, and in a country where migrant workers face considerable barriers to accessing healthcare, such a stringent legal requirement appears disproportionate and allows abusive employers to further punish workers.⁷⁵ This was echoed by guards from six companies, who said that they often felt they had no choice but to report to work even when they were ill or physically exhausted, or face a salary cut.⁷⁶

⁶⁶ Interviews conducted remotely and in person in 2017 and 2018.

⁶⁷ On file with Amnesty International.

⁶⁸ Amnesty International also reviewed job offer letters from two different security companies dated end of 2018 and 2019 respectively. These explicitly stipulate that the employee will be required to work 12 hours per day. One of the letters states that the employee will be entitled to just two days off per month. If the terms and conditions in the subsequent contract were the same, the contracts themselves would breach Qatari law.

⁶⁹ Impactt, *Annual External Compliance Report of the Supreme Committee for Delivery & Legacy's Workers' Welfare Standards Building a legacy: laying the foundation*, 2020, <https://impacttlimited.com/wp-content/uploads/2020/07/IMPA09-2020-Qatar-Annual-Report-v12-Digital.pdf>

⁷⁰ Impactt, *Annual External Compliance Report of the Supreme Committee for Delivery & Legacy's Workers' Welfare Standards Building a legacy: laying the foundation*, 2020, p.7,

⁷¹ Letter from the Supreme Committee dated 22 February 2022. On file with Amnesty International.

⁷² Letter from the Supreme Committee dated 22 February 2022. On file with Amnesty International.

⁷³ Article 82 of Law no. 14 of 2004 (Labour Law).

⁷⁴ Table of penalties annexed to the Ministry of Civil Service Affairs and Housing Decree 7 of 2005, available at: <https://www.almeezan.qa/ClarificationsNoteDetails.aspx?id=2873&language=ar>

⁷⁵ For discussion on the challenges migrant workers face in accessing healthcare in Qatar, see: Center for International and Regional Studies (CIRS) at Georgetown University in Qatar and World Innovation Summit For Health (WISH), *Improving Single Male Laborers' Health in Qatar*, Pp. 7-8,

https://repository.library.georgetown.edu/bitstream/handle/10822/1056859/PolicyBrief_ImprovingSingleMaleLaborersHealthInQatar2019_Spread.pdf?sequence=1&isAllowed=y

⁷⁶ Penalties reported ranged from one to six days' basic pay. Interviews conducted remotely between April 2021 and January 2022.

"When you claim sickness, they say 'we want a doctor's letter with a leave note'. When you tell them you are not going to work, they will not accept and just cut 50 riyals. They will say 'go, go, go, or we will penalize you and mark you as absent'. Sometimes you are just tired, you worked a month and had no day off and you just want to rest. But you need a medical report with a doctor saying you have a day off."

Jacob, a guard from 2016 to 2021.⁷⁷

Ben said that in early 2021, having worked 18 months straight without a rest day, he was ill so stayed in the workers' accommodation for a day. He said his supervisor "reacted badly", saying there was not enough manpower for him to take the day off sick and giving him a verbal warning. He was docked QAR 95 (USD 26) – around two days' wages – for his absence. He asked for a copy of his payslip, but the foreman refused, saying only that one day's deduction was for being off sick, and the second was for failing to follow instructions. The foreman told him to sign a disciplinary violation slip stating that he hadn't followed instructions, but not stating the fine.⁷⁸ Ben said he refused but the deduction was made anyway.⁷⁹

In 2021, Jacob took two consecutive days off work from his company – the first to receive his Covid-19 vaccine, the second because the side effects left him too unwell to work. When he received his salary for that month, he noticed that QAR 95 (USD 26) had been deducted. He said that the company would not provide any explanation for the deduction.⁸⁰

TOOLS OF CONTROL: ABUSIVE RECRUITMENT PRACTICES, PASSPORT CONFISCATION, AND RESTRICTIONS ON CHANGING JOBS

Many people migrating to Qatar for low-paid jobs have to pay fees to agents in their home countries in the process of being recruited. Most have to borrow money or take out loans to pay these costs, with many incurring high interest, only adding to their indebtedness.⁸¹ Recruitment agents and agencies also use deception to compel workers to take jobs in Qatar by promising higher salaries or better working conditions.⁸² Such practices exacerbate workers' vulnerability, which can be exploited by unscrupulous employers.

28 of 34 of workers interviewed by Amnesty International said they had paid large fees to agents in their home countries in the process of being recruited, ranging from around USD 900 to nearly USD 3,000 –

⁷⁷ Remote interview, May 2021.

⁷⁸ On file with Amnesty International.

⁷⁹ Remote interview, April 2021.

⁸⁰ Remote interview, May 2021.

⁸¹ A 2021 study by UNIGlobal Union into recruitment practices within G4S Qatar found that 39 out of 40 guards interviewed had paid recruitment fees, with the average payment being USD 1,525. See: UNIGlobal Union, *Diligence is Due: The exploitation of migrant workers through G4S Qatar's unfair recruitment practices*, December 2021, p.6, https://media.business-humanrights.org/media/documents/Diligence_is_Due_-_Final_Report_December_2021_mDSklVvk.pdf; Human Rights Watch also found that 72 out of 93 migrant workers interviewed for a 2020 report had paid recruitment fees to secure their job in Qatar. Human Rights Watch, *"How Can We Work Without Wages?" Salary Abuses Facing Migrant Workers Ahead of Qatar's FIFA World Cup 2022*, 24 August 2020, <https://www.hrw.org/report/2020/08/24/how-can-we-work-without-wages/salary-abuses-facing-migrant-workers-ahead-qatars> For an in-depth look at the recruitment process see: See: Amnesty International, *Nepal: Turning people into profits: Abusive recruitment, trafficking and forced labour of Nepali migrant workers* (Index: ASA 31/6206/2017), 6 June 2017; and FairSquare Projects, *The Five Corridors Project: Nepal – Qatar*, 2021, <https://fivecorridorsproject.org/nepal-qatar>; and Migrant-Rights, *Recruitment to the Gulf: Challenges and Solutions*, <https://www.migrant-rights.org/campaign/migrant-worker-recruitment-to-the-gulf-challenges-and-solutions/>

⁸² See: *Nepal: Turning people into profits: Abusive recruitment, trafficking and forced labour of Nepali migrant workers* (Index: ASA 31/6206/2017), 6 June 2017, Pp.52 – 57; Human Rights Watch, *"How Can We Work Without Wages?" Salary Abuses Facing Migrant Workers Ahead of Qatar's FIFA World Cup 2022*,

between three and ten times the current monthly minimum wage. It took guards months and sometimes more than a year to repay this debt after they arrived in Qatar.⁸³

As a result, these workers are highly dependent on their employers for income, making it difficult for them to leave their job even when terms and conditions are not as they expected, or to challenge poor working conditions and risk being sacked. As Emmanuel said:

“When you are selected the company will send you air ticket and visa. This is like they bought you. But back home we also have to pay for this. The employer, when you arrive, feels he has an entitlement because he bought your ticket and visa. He thinks he owns you.”⁸⁴

The payment of fees during the recruitment process breaches international labour standards, which prohibit workers from being “charged directly or indirectly, in whole or in part, any fees or costs for their recruitment”.⁸⁵ It also breaches Qatar’s Labour Law.⁸⁶

For more than half of the guards interviewed, the pay and working conditions they found on arrival in Qatar were not as they had been promised – either verbally or in writing by the company or recruitment agents acting on its behalf. Some said they were made to sign new contracts when they arrived in the country.⁸⁷

After 33-year-old father Jackson struggled to find work in Kenya, he decided to move to Qatar, having been “lured by the salaries”, he said. He accepted a job as a security guard and signed an offer letter before leaving for Doha:

“They promised I would work for eight hours, but I was working 12 hours there and you don’t even get overtime pay. When I got my first salary, I was shocked because it was less than my contract said.”⁸⁸

Florence had paid nearly USD 1,700 to a recruitment agent who promised that she would receive a monthly salary of QAR 2,200 (USD 604) as a guard in Qatar. When she arrived, she said the company gave her a new contract with a monthly total salary of just QAR 1,650 (USD 453) including overtime. She said she had little choice but to accept it because of the debt she had incurred to pay the recruitment fees. She added:

“[The salary] is really not fair. Sometimes we work 12 hours. It depends on the location they send you to. I used to work in a mall, and I worked 12 hours and they still paid me the same as when I worked eight hours.”⁸⁹

Another practice used by employers to maintain control over their workforce is that of passport retention. Guards from four of the private security firms told Amnesty International that their employer would confiscate workers’ passports, sometimes for up to the first two years of their contract or until the worker is permitted holiday leave to travel home. For example, Jacob said his employer retained his passport between 2016 and 2019,⁹⁰ while Eric who is deployed at a luxury hotel said his employer held his passport for around seven months when he joined the company in 2021 before returning it at the end of the year.⁹¹

Retention of identity documents is an indicator of forced labour if workers cannot gain access to them on demand and if they feel leaving their job could risk them losing the documents.⁹² Qatar’s Sponsorship Law allows passports to be held by the employer but only if the worker requests this in writing, and the employer must then return the passport to the worker on request.⁹³ Ugandan guard Zeke however told Amnesty International: *“The government said all passports should be returned to the owners, but these companies don’t comply to the laws passed.”⁹⁴*

⁸³ Interviews conducted remotely between April 2021 and February 2022.

⁸⁴ Remote interview, May 2021.

⁸⁵ ILO General Principles and Operational Guidelines for Fair Recruitment; ILO’s Definition of Recruitment Fees and Related Costs, which is to be read in conjunction with the ILO General Principles, defines “recruitment fees” and “related costs” as “any fees or costs incurred in the recruitment process in order for workers to secure employment or placement, regardless of the manner, timing or location of their imposition or collection.”

⁸⁶ Article 33 prohibits those recruiting employees from abroad from receiving “from the worker any sums representing recruitment fees or expenses or any other costs”.

⁸⁷ Interviews conducted remotely between April 2021 and February 2022.

⁸⁸ Remote interview, October 2021.

⁸⁹ Remote interview, May 2021.

⁹⁰ Remote interview, February 2022.

⁹¹ Remote interview, February 2022.

⁹² ILO, *Indicators of forced labour*, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_203832.pdf

⁹³ Article 8 of Law No 21 of 2015. Article 39(1) of this law states that breach of article 8 carries a maximum penalty of QAR 25,000 (USD 6,866).

⁹⁴ Remote interview, February 2022.

Further, while migrant workers are no longer legally required to obtain a No-Objection Certificate (NOC) from their employer to change jobs, 13 security guards described to Amnesty International the barriers that continued to stand in the way of them or their colleagues moving employer.⁹⁵ In particular, workers reported company representatives refusing to sign or stamp employees' resignation letters (as requested by some new employers); attempting to delay the transfer process, including by claiming they had "lost" documents; and adjusting the working hours and locations of employees in a way that restricted their ability to apply for other jobs.⁹⁶

In some cases, workers said that private security companies penalize employees for seeking to change jobs. Nathan, a former guard, said that when he submitted his resignation letter to his employer in January 2021, instead of accepting his notice, the company immediately terminated his contract, telling him that he should stop working five days later and would not receive his outstanding salary and end of service benefits. Nathan had found a new employer, but the process to transfer his sponsorship took almost six months. Before the labour ministry had approved his transfer, Nathan learned that his company had filed an "absconding" case against him. In mid-2021, Nathan said he was summoned by Qatar police's Central Investigation Department and detained for three weeks before being deported to Kenya without the chance to challenge the decision.⁹⁷

Musa, a guard in another company, similarly found himself facing an "absconding" charge when he resigned in mid-2021 after the job turned out to be not as promised. He was still living in the company accommodation when the "runaway" charge was brought against him. *"They don't know my pain,"* he told Amnesty International, *"They don't know what I sold to come here."*⁹⁸

A HISTORIC PROBLEM

Amnesty International's previous research into Company A found the company was using tactics like these in 2017 to prevent workers securing alternative employment in Qatar. In December that year, Amnesty International was made aware of a wave of mass redundancies by Company A, with hundreds of workers losing their jobs and effectively being forced to leave the country. According to the workers, they were asked to report to the company's office only to be told that the company was ending their employment with immediate effect. They were asked to pack their belongings and return to their home countries within days. Workers believed that the dismissals were linked to the company's loss of contracts. Amnesty International received the names of 145 workers who had been dismissed in this way, but workers said that the true total was much higher.⁹⁹

Although Company A paid workers their salaries and booked their tickets home, workers complained to Amnesty International about being forced to leave the country and denied the opportunity of staying in Qatar to find alternative employment. Two said that company representatives threatened them with arrest and deportation if they refused to leave Qatar.

While some workers accepted the offer made by the company and agreed to go back home, many refused to sign their termination letter and instead requested that Company A provide an NOC to allow them to move to new jobs in Qatar without returning home. Company A refused, including during a meeting with a group of workers on 11 January 2018 that was held as part of mediation attempts led by the National Human Rights Committee. During these negotiations, company representatives made it clear that they were not willing to let workers transfer to another job. This highlighted that under Qatari law at the time, only workers who had completed their five years of service were allowed to change jobs without the permission of their employer. As for the rest, which was the case for most of the dismissed workers, Company A simply did not wish to give them NOCs.

In late January 2018, the labour ministry also met the company's owner, who reportedly promised to give NOCs to dismissed guards who had not yet left the country. Amnesty International understands that by the end of 2018, seven guards had been given an NOC and six had been given lower paid cleaning jobs in another part of the company.

⁹⁵ For further discussion of the hurdles migrant workers in Qatar continue to face when changing employers, see: Amnesty International, Amnesty International, *Reality Check 2021: A year to the 2022 World Cup*, Pp. 8 – 25.

⁹⁶ Interviews conducted remotely between April 2021 and February 2022.

⁹⁷ Remote interview, September 2021.

⁹⁸ Remote interview, September 2021.

⁹⁹ Interviews conducted remotely and in person in 2017 and 2018.

PHYSICAL AND PSYCHOLOGICAL IMPACT OF ABUSE

“I am a human being... you deserve to be treated fairly”

The toll on migrant workers of forced labour and other serious labour abuses in Qatar’s security sector can be acute, with workers reporting physical and psychological exhaustion and anguish.

Florence described how she felt when the company made her work 16-hour days:

“[I]t was really... terrible. My body was so painful, I cannot even express it. You feel sick, fatigue. You feel like you don’t want to talk to anyone. Every time I would I come home I would just take a shower and go straight to bed, not talk to anybody because I had to wake up and do the same thing over and over. I was so tired, so pissed off, so hungry. As if someone forced me to go work... I wanted to take a rest and they say ‘no, once you start you are not supposed to stop, you are supposed to finish till the end’... You end up sick. I don’t know how to express it, is not good for anyone.”¹⁰⁰

Juma, who is deployed to a client at the airport, told Amnesty International that his company was “treating us like slaves”:

“I am a human being... You have to be respected, work in a fair environment, you deserve to be treated fairly.”¹⁰¹

Emmanuel, said:

“[W]hen you are humiliated, you are treated badly, you cannot complain because you have people who [rely] on you. So, you end up saying ‘I will keep quiet’. Our motto is ‘as long as you are not dead’ you can get through anything”.¹⁰²

INTERNATIONAL LAW AND STANDARDS ON FORCED LABOUR

Denying employees their right to rest by imposing or threatening financial penalties if they do not report to work on their weekly rest day or compelling them to work even when unwell can amount to forced labour under international law and standards.

Qatar is a state party to the ILO Convention 29 on Forced Labour, which defines forced labour as encompassing two key elements: work that the person has not offered themselves for voluntarily and which is extracted under threat of a penalty.¹⁰³

The ILO has emphasized that “menace of penalty” refers not only to penal sanctions but also to various forms of coercion, such as threats, violence, retention of identity documents, confinement or non-payment of wages.¹⁰⁴

FORCED LABOUR:

“[A]ll work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”

ILO Convention 29 on Forced Labour, Article 2(1)

The ILO Committee of Experts on the Application of Conventions and Recommendations has stated that a penalty “need not be in the form of penal sanctions, but might take the form also of a loss of rights or privileges”.¹⁰⁵ Further, the Committee of Experts highlighted, “An external constraint or indirect coercion interfering with a worker’s freedom to “offer himself voluntarily” may result not only from an act of the authorities, such as a statutory instrument, but also from an employer’s practice, e.g. where migrant workers

¹⁰⁰ Remote interview, May 2021.

¹⁰¹ Remote interview, January 2022.

¹⁰² Remote interview, May 2021.

¹⁰³ Article 2(1) of the ILO Forced Labour Convention, C29, 28 June 1930, available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029

¹⁰⁴ ILO Toolkit on Developing National Action Plans on Forced Labour, Tool No.2: Forced labour and related concepts, 2020, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_762168.pdf.

¹⁰⁵ International Labour Conference, 1979 General Survey of the Reports relating to the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1975, (No. 105), Report of the Committee of Experts on the Application of Conventions and Recommendations, 65th Session, Geneva, 1979, Report III, para. 21, [https://www.ilo.org/public/libdoc/ilo/P/09661/09661\(1979-65-4B\).pdf](https://www.ilo.org/public/libdoc/ilo/P/09661/09661(1979-65-4B).pdf)

are induced by deceit, false promises and retention of identity documents or forced to remain at the disposal of an employer”.¹⁰⁶

The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), both of which Qatar ratified in 2018, also contain provisions to ensure that labour is performed freely.¹⁰⁷ However, forced labour is not explicitly defined in Qatari law, although elements of it are outlawed in the Penal Code¹⁰⁸ and it is listed among the acts that fall under the prohibition on human trafficking as defined in Qatar’s Anti-Trafficking law.¹⁰⁹

By ratifying the ILO Convention on Forced Labour, Qatar undertook to “suppress” the use of forced labour in all its forms as soon as possible, and to “ensure that penal sanctions are strictly applied on those who imposed forced labour”.¹¹⁰ Further, Qatar must take effective measures to prevent and eliminate forced labour, to protect people from these practices and provide access to justice for victims.¹¹¹ This includes taking steps to increase the capacity of and strengthen its inspection mechanisms so that it can adequately detect forced labour in all sectors, increasing protection of workers against abusive and fraudulent recruitment practices, and addressing the root causes of forced labour and factors that increase the risks of such abuse.¹¹²

In 2017, Qatar established the National Committee for Combating Human Trafficking,¹¹³ which aimed to institute “concepts for preventing, suppressing and combating human trafficking” and move towards ensuring compliance with international law and standards.¹¹⁴ In 2021, the Committee published a handbook aimed at increasing understanding of forced labour and human trafficking among law enforcement officers. It also committed, among other things, to developing a national action plan, publishing an annual report on the state’s efforts to combat human trafficking, and coordinating efforts to protect and support its victims.¹¹⁵

Qatar’s 2011 anti-trafficking law stipulates that forced labour – which is listed as a type of human trafficking – carries a maximum seven-year prison sentence and a fine of up to QAR 250,000 (USD \$68,662), rising to 15 years and a fine of up to QAR 300,000 (USD \$82,395) if the victim was “a female, a child, an incapable person or a person with disabilities”, or if the offence resulted in death, amongst other aggravating factors.

¹¹⁶

While the 2021 United States Trafficking in Persons (TiP) report 2021 notes that these are sufficiently stringent penalties, it also highlights that Qatar only reported its first conviction for forced labour under the law in 2020.¹¹⁷ Another forced labour case was dropped in return for the victim accepting financial compensation, the report states.¹¹⁸ The Qatar government states that in 2021, the authorities received 37 complaints of human trafficking, with 35 of those progressing to the courts, but did not make clear what the

¹⁰⁶ International Labour Conference, 2007 General Survey of the Reports relating to the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1975, (No. 105), Report of the Committee of Experts on the Application of Conventions and Recommendations, 96th Session, Geneva, 2007, Report III, paras 38-40, www.ilo.org/public/english/standards/relm/ilc/ilc96/pdf/rep-iii-1b.pdf

¹⁰⁷ Article 8(3)(a) of the ICCPR and article 6 of the ICESCR.

¹⁰⁸ Articles 318 – 322 of the Penal Code.

¹⁰⁹ Article 2 of Law No. 15 of 2011 on Combating Trafficking in Human Beings, <https://antislaverylaw.ac.uk/wp-content/uploads/2019/08/Qatar-Trafficking-in-Persons-Law-English.pdf>

¹¹⁰ Article 1 and 25.

¹¹¹ Article 2 of ILO Convention 105 on the Abolition of Forced Labour, to which Qatar is a state party. Available at: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312250:NO

¹¹² Article 2 of ILO Protocol of 2014 to the Forced Labour Convention.

¹¹³ See:

<http://www.ahtnc.gov.qa/Documents/%D9%82%D8%B1%D8%A7%D8%B1%20%D9%85%D8%AC%D9%84%D8%B3%20%D8%A7%D9%84%D9%88%D8%B2%D8%B1%D8%A7%D8%A1%20%D8%A8%D8%B4%D8%A7%D9%94%D9%86%20%D8%A7%D9%84%D9%84%D8%AC%D9%86%D8%A9%20%D8%A7%D9%84%D9%88%D8%B7%D9%86%D9%8A%D8%A9%20%D9%84%D9%85%D9%83%D8%A7%D9%81%D8%AD%D8%A9%20%D8%A7%D9%84%D8%A7%D9%95%D8%AA%D8%AC%D8%A7%D8%B1%20%D8%A8%D8%A7%D9%84%D8%A8%D8%B4%D8%B1.pdf>

¹¹⁴ See: <http://www.ahtnc.gov.qa/en/Pages/default.aspx>

¹¹⁵ National Committee for Combating Human Trafficking, *Our Fight Against Forced Labour and Trafficking for Labour Exploitation in Qatar*, July 2021, p.23, https://www.ilo.org/wcmsp5/groups/public/-arabstates/-ro-beirut/documents/publication/wcms_815515.pdf

¹¹⁶ Article 14 – 15 of law no. 15 of 2011 on Combating Trafficking in Human Beings

¹¹⁷ Two Pakistani citizens received 10-year prison sentences and fine of 200,000 QAR (USD \$54,950) each, and both will be deported upon release. US Department of State, *2021 Trafficking in Persons Report: Qatar*, <https://www.state.gov/reports/2021-trafficking-in-persons-report/qatar/>

¹¹⁸ US Department of State, *2021 Trafficking in Persons Report: Qatar*.

verdicts or sentences were handed down in these cases, and how many relate to forced labour specifically.¹¹⁹

The TiP report notes that the Qatar government “did not routinely investigate crimes such as employer passport retention, withholding of wages, labor violations, and complaints of abuse as potential trafficking crimes” and that in fact the authorities had “reportedly arrested, detained, and deported potential trafficking victims for immigration violations, prostitution, or fleeing their employers or sponsors, including in cases where victims have been compelled to do so.” It further emphasizes the inadequacy of Qatar’s existing judicial processes to be able to effectively enforce the labour law and prosecute trafficking crimes, noting that the government’s “primary solution for resolving labor violations continued to be a transfer of employer sponsorship, mandated back payment of wages, fines, and blacklisting of companies”.¹²⁰

The cases documented in this report, and the government’s response to these allegations, suggest that they are still not taking sufficient action to end forced labour. While recent prosecutions for trafficking are a step in the right direction, Qatar is still not consistently holding abusive employers – including those subjecting their employees to forced labour – to account. This undermines the labour reforms it has introduced since 2017 and allows labour abuse to continue to flourish. The Qatari authorities must end the culture of impunity that continues to prevail in the country if they are going to effectively tackle forced labour and protect all migrant workers.¹²¹

¹¹⁹ Background information provided by the GCO to Amnesty International, 22 March 2022. On file with Amnesty International. The 2021 TiP report also refers to other convictions Qatar made based on forced labour indicators in the Penal Code, labour law and residence laws, including cases involving violence against domestic workers and passport confiscation, but says that the government only issued financial penalties in these cases, rather than custodial sentences.

¹²⁰ US Department of State, *2021 Trafficking in Persons Report: Qatar*, <https://www.state.gov/reports/2021-trafficking-in-persons-report/qatar/>

¹²¹ For more information on the challenges facing migrant workers seeking justice and remedy for labour abuses in Qatar, including an assessment of the country’s Committee for the Settlement of Labour Disputes which were established in 2017 to deal with workers’ complaints, see: Amnesty International, *All work, no pay: The struggle of Qatar’s migrant workers for justice*, 2019; and Amnesty International, *Why do you want to rest? Ongoing abuse of domestic workers in Qatar*, 2020.

5. OTHER LABOUR AND HUMAN RIGHTS ABUSES

DISPROPORTIONATE AND ARBITRARY PENALTIES FOR ‘MISDEMEANOURS’

Half of the security guards interviewed by Amnesty International from six companies said their employer deducted arbitrary or disproportionate amounts from workers’ salaries as a penalty for various ‘misdemeanours’ at work.¹²² These included fines for not wearing their uniform properly, not shaving and leaving their post to use the toilet without someone to cover for them. The penalties ranged from QAR 50-500 (USD 14-137) on average.¹²³

Joseph, a guard until 2020, said:

“They could deduct your salary if you did anything wrong. Like, I was in uniform, and it was very hot, so I removed my tie, and I was deducted 50 riyals. The foreman deducted the money.”¹²⁴

Nathan, who arrived in Qatar to work for another company in early 2020, said he quickly learned that the smallest mistake could cost him dearly when he was fined QAR 500 (USD 137) – half his basic monthly salary – for not tucking his shirt in properly after he finished in the bathroom during his first month there.¹²⁵

Rashid said that the same company would similarly deduct hefty amounts for wearing incorrect uniform:

“Based on the salary we earn, for a small mistake it is a lot of money. I was fined 500 riyals before – there was a whistle that goes round the armpit, and I didn’t have it that night. You can challenge [the fine] but... chances are you are not forgiven.”¹²⁶

Many security guards talked of their ambition to obtain health and safety training certificates, qualifications that might help them get better paid jobs as safety officers in Qatar. However, studying in their spare time could result in penalties, as Joseph found out:

“One of my friends told the boss that I was studying and the company said, ‘you shouldn’t be studying, your visa is a work visa’. They wanted to deport me. They told me, ‘you should be sleeping when you are not working’. They deducted my money 300 riyals.”¹²⁷

Workers complained about the power that supervisors had over them. Emmanuel, a guard until late 2021, described what happened when he was deployed to an educational institution:

“They use those eight hours [on shift] to mistreat and humiliate you. If you want to go to the toilet you have to call your supervisor. You can call him at 9am and he comes only at 10am. You cannot leave your location. In case of any mistake [the client] gives huge penalties.”¹²⁸

¹²² Interviews conducted remotely between April 2021 and February 2022.

¹²³ Interviews conducted remotely between April 2021 and February 2022.

¹²⁴ Remote interview, July 2021.

¹²⁵ Remote interview, September 2021.

¹²⁶ Remote interview, January 2022.

¹²⁷ Remote interview, July 2021.

¹²⁸ Remote interview, May 2021.

Joshua from Kenya said the threat of penalty loomed large over he and his colleagues:

“Myself, I never got any deductions but there were always threats of deductions if something went wrong... People used to be very fearful.”¹²⁹

Workers from two of the companies reported that the fine for using a mobile phone on duty or failing to have the correct ID could be up to QAR 2,000 (USD 550).¹³⁰ According to a 2021 memorandum between one company and its employees deployed to guard a high-profile sports and leisure facility, a guard could be fined QAR 1,000-2,000 or terminated from the project for:

- receiving money from visitors or staff
- receiving food from visitors
- forming friendships with visitors or staff
- talking privately with visitors or staff about personal issues
- receiving personal items from visitors.¹³¹

A similar memorandum for the same project circulated to the company's staff and seen by Amnesty International confirmed that employees can similarly be penalized by up to QAR 2,000 or terminated if caught using a mobile phone, sleeping on duty, leaving their post or being “careless on duty”.¹³²

Florence, who has worked as a guard on this project on and off since she arrived in Qatar more than five years ago, explained:

“Using your mobile, it is just not allowed. They say it is an abomination. Or if you are sleeping on duty or leave your post to go to the toilet without a reliever, they will cut 1,000 riyals. You are earning 1,650 and they will cut you 1,000. It's gone, no arguments about it.”¹³³

Guards from across the security companies also said that their employers would not usually explain salary deductions and it was near impossible to successfully challenge any unfair penalties.¹³⁴ Some told Amnesty International that they were never given payslips, making it even more difficult to identify and dispute such deductions.¹³⁵

Zeke, who was previously deployed to the same project, explained:

“Sometimes if you have penalties they have to deduct [from your salary]. But they don't communicate – they don't communicate until you ask why your salary is lower.”¹³⁶

“When you make a mistake, they never give you a chance to explain yourself. They just go ahead and deduct your salary, so it's hard. They trust those in charge more and don't give room for explanation.”

[Joyce, a current guard]¹³⁷

Juma, conveyed the powerlessness he and his friends felt when faced with exorbitant arbitrary fines:

“I have a friend, we are working in the same location... He had an emergency so he called his family, but the supervisor would not allow him – the situation was critical, [his family] needed him at the time, so he was caught using his mobile and he was forced to write a statement and charged 1,500 riyals. There is no way to challenge it. Yes, we know the rules, and what the labour law says, but how can you challenge this? You are not in a position to do so.”¹³⁸

Such arbitrary and excessive penalties breach Qatari law. The Labour Law states that companies must have regulations in place specifying the penalties that can be issued against workers for differing violations, and the procedures for doing so. These regulations must be approved by Qatar's labour ministry and published in a public space so that all workers are aware of the range of penalties. The law also states that a worker

¹²⁹ Remote interview, July 2021.

¹³⁰ Interviews conducted remotely between April 2021 and February 2022.

¹³¹ On file with Amnesty International.

¹³² On file with Amnesty International.

¹³³ Remote interview, May 2021.

¹³⁴ Interviews conducted remotely between April 2021 and February 2022.

¹³⁵ Interviews conducted remotely between April 2021 and February 2022.

¹³⁶ Remote interview, May 2021.

¹³⁷ Remote interview, July 2021.

¹³⁸ Remote interview, January 2022.

should be penalized no more than five days' wages (around QAR 190 for many of the workers interviewed for this report) for any such violation.¹³⁹

However, the table of penalties issued alongside Qatar's Ministry of Civil Service Affairs and Housing Decree 7 of 2005 lists 37 sanctions that companies are permitted to impose under the law, including many that appear arbitrary and excessive in themselves.¹⁴⁰ For example, the first time an employee is 15 minutes late to work without a valid excuse, they can be instantly deducted a quarter of that day's wages if the delay interrupted the work of others. The second time, a full day's pay can be deducted. By the fourth incident, the worker can be docked three full days' wages. Similarly, disobeying work orders can lead to an instant penalty of a day's pay, rising to four days' pay, according to the table. "Quarrels with colleagues" can incur up to five days' pay deduction.¹⁴¹

Of the listed "violations", 36 instantly incur a financial penalty, with only one requiring the company to issue a written warning on the first occasion. *"Punishments were always financial"*, said one guard.¹⁴² Given the low wages of many migrant workers in Qatar, the discretion supervisors have to issue penalties and the difficulty guards have in challenging them means that this approach to sanctions is extremely punitive and risks pushing workers into even greater financial precarity.

INADEQUATE OVERTIME PAY

On top of having to work excessive, exhausting hours, and in spite of the government's introduction of an increased minimum wage, some security guards are still not being paid adequately, with companies appearing to be finding ways to undermine the new law, particularly when considering the amount of overtime performed.¹⁴³

On 20 March 2021, Qatar brought into force a new, mandatory, non-discriminatory, monthly minimum wage of QAR 1,000 (USD 275) basic salary plus no less than QAR 300 (USD 82) food allowance and QAR 500 (USD 137) accommodation allowance if these are not otherwise provided by the employer.¹⁴⁴ This replaced the November 2017 minimum wage of QAR 750. The Minimum Wage Commission is meant to review the new rate at least annually.¹⁴⁵

According to Qatari law, any time worked over 48 hours a week must be paid at a rate of 125% of the base rate, increasing to 150% if the overtime is undertaken on a weekly rest day. Critically, overtime on a rest day must also be compensated by an alternative day off.¹⁴⁶ As such, minimum hourly rates (excluding food and accommodation allowances) should be calculated as:

- QAR 4.81 (USD 1.32) per hour based on a standard six-day working week of 48 hours.
- QAR 6.01 (USD 1.65) per hour for overtime on regular workdays.
- QAR 7.21 (USD 2.00) per hour for overtime on a rest day.

However, security guards from five of the companies said that when they or their colleagues worked overtime – either on their regular work day or on their weekly rest day – their companies had failed to compensate them in line with Qatar's Labour Law and the minimum wage in place at the time.¹⁴⁷ Guards in four of these companies said this remained the case even since the new law came into effect.

¹³⁹ Articles 58 and 59 of Labour Law no. 14 of 2004.

¹⁴⁰ Table of penalties annexed to the Ministry of Civil Service Affairs and Housing Decree 7 of 2005, available at: <https://www.almeezan.qa/ClarificationsNoteDetails.aspx?id=2873&language=ar>

¹⁴¹ Table of violations and penalties, <https://www.almeezan.qa/ClarificationsNoteDetails.aspx?id=2873&language=ar>

¹⁴² Remote interview, February 2022.

¹⁴³ The Guardian, *Migrant guards in Qatar 'still paid under £1 an hour' ahead of World Cup*, 1 June 2021, <https://www.theguardian.com/global-development/2021/jun/01/migrant-guards-in-qatar-still-paid-under-1-an-hour-ahead-of-world-cup>

¹⁴⁴ ILO, *Qatar's new minimum wage enters into force*, 19 March 2021, https://www.ilo.org/beirut/projects/qatar-office/WCMS_775981/lang-en/index.htm. Migrant rights organizations have raised concerns that the minimum wage rates are not sufficient to cover the high cost of living in Qatar. See: <https://www.migrant-rights.org/2020/09/qatar-kafala-reforms-come-into-force/>. Further, a joint Qatar-ILO study conducted in 2019 advised Qatar's government on setting the minimum wage level. Although the study was never made public, media reports stated it recommended a minimum monthly wage of at least QAR 1,250 (around USD 345). See: Qatar 2022 And All That, *World Cup host Qatar urged to give minimum wage workers substantial pay rise*, 12 June 2019, <https://qatar2022andallthat.com/2019/06/12/super-rich-qatar-urged-to-give-minimum-wage-workers-a-pay-rise/>

¹⁴⁵ Law No. 17 of 2020 on national minimum wage, https://www.ilo.org/beirut/projects/qatar-office/WCMS_754880/lang-en/index.htm

¹⁴⁶ Articles 74 and 75 of Law no. 14 of 2004: "If the circumstances of the work necessitate the employment of the worker during the rest day the worker shall be compensated for the rest day by another day and shall be paid for working that day the wage payable to him for the ordinary weekly rest day or his basic wage plus an increase of not less than 150 per cent."

¹⁴⁷ Interviews conducted remotely between April 2021 and February 2022. While the memo states that there would be a 1.25-hour break during overtime hours, workers said they often got no such break. Even in cases where they did get to take a break, the salary would still be below the rate required by law.

For example, in April and May 2021, guards working for a number of companies went on strike after complaining that their employers had not increased salaries in line with the new minimum wage.¹⁴⁸ Under significant pressure, companies were forced to respond to their workers' frustrations, and committed to increasing pay.¹⁴⁹

However, the companies did not increase pay to the extent required by law when compensation for overtime was considered. For example, an internal memorandum from one company states the basic salary, overtime and food allowance for 28 days of work per month, 12 hours per day, excluding a 1.25 hour break.¹⁵⁰ Workers complained that the total offered is still QAR 326 (USD 89.54) or 16% less than that required by Qatari law (see table below).

	Legal minimum (QAR)	Company pays (QAR)	Difference (QAR)
Basic salary for 26 days (208 hours)	1,000	1,000	0
Regular overtime for 26 days (104 hours at 125% base salary)	625	372	253
Overtime on 2 rest days (24 hours at 150% base salary)	173	100	73
Food allowance	300	300	0
Total	2,098	1,772	326

It should be noted that even such partial gains were not achieved without pressure from workers. As Rashid from another company explained:

*"At first [the company] refused to [increase salaries], so we had to demonstrate and refused to go to work. It started with our accommodation. All people refused. Then after a few days they increased the money. The company is always like that, we had to push it. The workers had lots of pain, they were scared of being terminated, but we somehow united all nationalities, and the company felt the pressure."*¹⁵¹

Despite the continuing gap in wages, guards also felt that they had achieved a small win, even if they knew they were still not being paid everything owed to them. One told Amnesty International:

*"From what we have been getting [beforehand], at least it is something. So, this is why we went back to work."*¹⁵²

It should also be noted that guards are still not being given adequate rest days, and many are unable to take the breaks mentioned in the memorandum, for which they are not paid, because there are no other guards to cover for them.¹⁵³

Similarly, a mid-2021 job offer letter for another company that provides services to the Supreme Committee and FIFA shows that for 12 hours of work, seven days a week, guards will earn just 1,596 riyals - 19% less than they legally should.¹⁵⁴ The job offer also states "Day off will be arranged in accordance with the operational plan and with respect to availability of [unclear] guard. Requesting for specific day off is strictly prohibited."¹⁵⁵

Workers told Amnesty International that some employers are finding new ways to undermine the increased salaries, exploiting their dependencies to reduce their pay even further.

¹⁴⁸ Interviews conducted with guards remotely between April 2021 and February 2022. Also media reports published at the time.

¹⁴⁹ Interviews conducted with guards remotely between April 2021 and February 2022.

¹⁵⁰ On file with Amnesty International.

¹⁵¹ Remote interview, January 2022.

¹⁵² Remote interview, April 2021.

¹⁵³ Interviews conducted remotely between April 2021 and February 2022.

¹⁵⁴ On file with Amnesty International.

¹⁵⁵ On file with Amnesty International.

For example, several workers from three security companies said their employers had introduced a policy of renewing workers' Qatari IDs (residence permits vital for their immigration status) only if they agree to sign a new contract with less favourable conditions or vaguer provisions on salary and working hours.¹⁵⁶ Employees of one of those companies said that new contracts state that they will be paid for only three hours of overtime, rather than four, each day, with the employer claiming one hour is for a break.¹⁵⁷ However, guards said that they are rarely able to take this break, meaning they would lose up to 31 paid hours a month.

Lawrence, who left the company in May 2021, told Amnesty International:

"They say at the job you have a lunch break of one hour, but we don't have one and they don't pay you. They say Friday is an off day, but it is an off that you don't have... The companies are growing wealthier, but it is at the expense of foreign workers. You cannot complain – if you do you are terminated and deported."¹⁵⁸

According to Juma:

"Once your ID expires you sign up for 11 hours, whereby one hour is deducted from your salary, so 31 hours are deducted in a month. They say that one hour is your resting hour. In reality, you are not provided with a 'reliever', and according to rules of security you cannot leave the location without being relieved even if you are two people [on duty]. In reality, we are not taking that break... here is the challenge: your money is being cut and you are not getting a break."¹⁵⁹

In recent years, Qatar has introduced a series of labour reforms that endeavour to rebalance power between employers and workers. This includes removing the requirement for migrant workers to obtain their employer's permission to change jobs and leave the country, both key elements of the *kafala* sponsorship system.¹⁶⁰

Nonetheless, failure to properly implement and enforce these reforms, coupled with enduring problematic laws such as that which allows employers to report their workers to the authorities as having "absconded",¹⁶¹ means that employers still wield excessive control over their workforce, and can terminate workers' contracts and cancel their residence permits at the touch of a button.¹⁶² As a result, agreeing to unfair and unlawful conditions is, some workers said, often non-negotiable. Juma, for example, described the circumstances linked to the new contracts:

"You either sign for this new rule or you quit. Most of the companies are doing it. You cannot complain, you cannot tell the client, you are not allowed to disclose anything to them. But the client is paying for 12 hours' work, and you are being paid for 11 hours."¹⁶³

Nelson a Kenyan guard who worked with another security company from 2018 to mid-2021, said his employer had similarly made renewal of IDs conditional on workers signing a new contract after the minimum wage came into force. The new contract stated the salary would be QAR 1,000 plus QAR 300 food allowance – as per Qatari law – but did not state how many hours they would be expected to work, nor how many days each month.¹⁶⁴ Having previously worked for the company for 12 hours a day for six months without a break, Nelson was understandably concerned about what such a vague contract would mean for him. He said that when he refused to sign, his contract was terminated, and he was sent home two months later.¹⁶⁵

Fair overtime pay is crucial for guards working so many additional hours each week. The consequences of being paid inadequately are harsh not only for the migrant workers, but also for their families back home. Milton, who worked for one security company until 2021, explained:

"What happens is that the money they pay you includes everything, so you [can't afford to] get anything, maybe you can only get water. Sometimes we skip lunch because we don't always have the money. We work in central Doha and food is very expensive. This is usual – I have trained myself to eat lunch and dinner in

¹⁵⁶ Interviews conducted remotely between April 2021 and February 2022.

¹⁵⁷ On file with Amnesty International.

¹⁵⁸ Remote interview, September 2021.

¹⁵⁹ Remote interview, January 2022.

¹⁶⁰ Law No. 18 of 2020 amended articles 39, 43, 49, 115/bis, 144, 145, 145/bis of the Labour Law; and Law No. 19 of 2020 (removal of No-Objection Certificate requirement), https://www.ilo.org/beirut/projects/qatar-office/WCMS_754882/lang-en/index.htm

¹⁶¹ The offence commonly referred to as "absconding" appears to stem from article 11/6 of the 2015 Sponsorship Law, which prohibits migrant workers from working for any employer, with or without pay, if not agreed by their sponsor. For more on absconding, see: Amnesty International, *Why do you want to rest? Ongoing abuse of domestic workers in Qatar*, 2020, Pp. 58 – 60.

¹⁶² For further analysis of the implementation of Qatar's labour reforms, see: Amnesty International, *Reality Check 2021: A year to the 2022 World Cup*.

¹⁶³ Remote interview, January 2022.

¹⁶⁴ On file with Amnesty International, dated 25 March 2021.

¹⁶⁵ Remote interview, September 2021.

one go at 3pm. Sometimes, I have a little tea or something small for breakfast. Some others don't have breakfast at all.

*"It is a challenge. Let me tell you when you go out of [your home country] there are lots of expectations that you are going to greener pastures. You don't want to show that you are suffering, you try to conceal this from your family and pretend everything is okay."*¹⁶⁶

In 2017 Qatar established the Wage Protection System (WPS) which mandated all companies to pay wages using a bank transfer, thereby allowing the government to electronically monitor payments and detect a range of wage-related violations, including payments below the basic minimum wage and food and accommodation allowance thresholds.¹⁶⁷ The Ministry of Labour told Amnesty International that the WPS now covers 96% of "eligible workers".¹⁶⁸

Any company found to be in breach of the WPS may be banned from accessing the Ministry's services until evidence is provided that workers have been fully renumeralated.¹⁶⁹ However, according to an ILO assessment of the system, the WPS is not able to detect non-payment of overtime hours, and will only flag for further investigation salary deductions that equal more than 50% of a workers' basic monthly wage,¹⁷⁰ meaning security companies have freedom to penalize and underpay their employees with only limited scrutiny.

By failing to ensure migrant workers are paid overtime in line with the Labour Law, Qatar appears to be failing to meet its international obligation to use "all appropriate means" and "maximum available resources"¹⁷¹ to fully realize the right to enjoy "just and favourable" working conditions, as outlined in the International Covenant on Economic, Social and Cultural Rights (ICESCR).¹⁷² Qatar must strengthen its capacity to detect and probe non-payment and underpayment of overtime and mandate all employers to provide a monthly payslip to every worker, including itemized basic salary, overtime hours and pay, as well as allowances and any deductions.

DANGEROUS WORKING CONDITIONS

Fifteen of the guards from five companies described the difficult and potentially dangerous working conditions they or their colleagues had faced in Qatar. Many were often deployed outside, in intense heat and sometimes without access to any air-conditioned space for the duration of their shifts, including during summer months. Six reported having to work shifts without access to any inside space or without drinking water. Among their work locations were public parks, car parks and the grounds of hotels, schools and leisure facilities.

"You work in the scorching sun in 52 degrees. You sweat until your T-shirt is salty... I have a headache every day. They care about what you do, not how you live."

Lawrence, a Kenyan guard.¹⁷³

¹⁶⁶ Remote interview, June 2020.

¹⁶⁷ Amnesty International and other organizations have found that implementation issues persist with the WPS and that six years after its introduction, the system is still failing to secure regular payment for thousands of workers. See: Amnesty International, Reality Check 2021: A year to the 2022 World Cup, Pp. 26 – 29, Human Rights Watch, "How Can We Work Without Wages?" Salary Abuses Facing Migrant Workers Ahead of Qatar's FIFA World Cup 2022, 24 August 2020, <https://www.hrw.org/report/2020/08/24/how-can-we-work-without-wages/salary-abuses-facing-migrant-workers-ahead-qatars>

¹⁶⁸ Ministry of Labour response to questions by Amnesty International re. Company A, 4 January 2022. On file with Amnesty International.

¹⁶⁹ Article 4 of Ministerial Decision No. (4) of 2015 Regulating the Wage Protection System for Workers covered by the Labour Law.

¹⁷⁰ ILO, *Assessment of the Wage Protection System in Qatar*, 2019, https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_726174.pdf

¹⁷¹ ICESCR, Article 2

¹⁷² ICESCR, Article 7. This includes the right to a fair wage paid on time and in full, and to be compensated for overtime hours worked.

¹⁷³ Remote interview, September 2021.

Salim, said that only some clients provided a cabin for guards to sit in. For his first three years in Qatar, he was deployed to the construction site of a major transport infrastructure project until 2019. He told Amnesty International:

“Conditions were bad. For the first month I felt like leaving and coming back home. I called my parents and said, ‘it is worse here’. It was summer and we stood outside. It used to be so hot, I was sweating, so hard.”¹⁷⁴

Benson, a 22-year-old graduate from Kenya, also guarded a construction site in 2019. He said:

“The labourers on the construction site, they’re the only people they stop working [in summer]. For security, they say your role is to guard so there is no break... In the construction centre there is no air conditioning, and the climate is not conducive. I was working for 12 hours and seven days. No off day, from Monday to Monday. As a safety officer I know some of the risks.”¹⁷⁵

Hussein, a former guard, told Amnesty International that he’d had to work an 18-hour shift in a parking area at Al Janoub (formerly Al Wakrah) Stadium during the Arabian Gulf Cup in 2019. He said that while he was permitted a four-hour break during the day, he was only provided with one bottle of water.¹⁷⁶

Lawrence was deployed to a major transport development project for much of his employment until mid-2021. He told Amnesty:

“With the sun of this place you cannot walk more than one or two kilometres because of the weather and the sandstorms. But security personnel work under the sun with no shelter, no water, no toilet.”¹⁷⁷

Nathan, who worked in a public park in Doha from 2020 to 2021, said that even when a cabin was provided, he could only use it at the discretion of his supervisor, and could be fined if he used it without permission.¹⁷⁸ This applied even when it was extremely hot.

Some workers described how their employer would punish them for raising their concerns by sending them to work for clients with the harshest conditions. Lawrence said that after complaining about the long working hours and lack of rest days, the company began to deploy him to “the worst locations” in the desert. One night, he said, he was taken to guard the highway leading to Al Janoub stadium construction site:

“I stepped out of the company vehicle and my water bottle became hot immediately. I was dying that night, I saw death with my own eyes... I had no water. I had to kneel down and pray. I saw a miracle – a driver came that had lost his way. He was driving a bus and he gave me three cans of coconut juice... I had called the company the whole night to get water and they didn’t come.”¹⁷⁹

The right to the enjoyment of the highest attainable standard of physical and mental health is outlined in article 12 of the ICESCR, to which Qatar is a party.¹⁸⁰ The Committee on Economic, Social and Cultural Rights (CESCR), the body responsible for monitoring the ICESCR, has described “healthy working and environmental conditions” as one of the underlying determinants of health.¹⁸¹ As such, to meet its international obligations Qatar must take steps to realize this right, particularly by adopting laws and policies to protect health.¹⁸² One of the most well-documented and foreseeable risks to workers’ health and life in Qatar is exposure to extreme heat and humidity.¹⁸³

Qatar operates a ban on summer working hours, which between 2007 and 2020 prohibited outside work between 11:30 and 15:00 from 15 June to 31 August each year.¹⁸⁴ Since May 2021, this ban has been extended to prohibit “work in the sun, in outdoor workplaces or in places that are not shaded and ventilated” between 10:00 and 15:30 from 1 June to 15 September every year. It also requires employers to adopt the WBGT heat stress index to assess the level of occupational heat stress and stop work if the index rises above

¹⁷⁴ Remote interview, July 2021.

¹⁷⁵ Remote interview, August 2021.

¹⁷⁶ Remote Interview, February 2022.

¹⁷⁷ Remote interview, September 2021.

¹⁷⁸ Remote interview, September 2021.

¹⁷⁹ Remote interview, September 2021.

¹⁸⁰ “Safe and healthy working conditions” are also considered to be a fundamental aspect of the right to just and favourable working conditions, as outlined in article 7(b) of ICESCR.

¹⁸¹ CESCR General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12), 2000, para. 4.

¹⁸² CESCR, General Comment No. 23 (2016) on the right to just and favourable conditions of work, para 25 – 30.

¹⁸³ For an overview of evidence of these risks, see: See Amnesty International, ‘In the prime of their lives’: Qatar’s failure to investigate, remedy and prevent migrant workers’ deaths, 2021, Pp. 17-25.

¹⁸⁴ See: Ministerial Decision No. 16 of 2007, <https://www.almeezan.qa/LawView.aspx?opt&LawID=4406&language=ar>

32.1°C; and to provide workers with “the right to stop working and submit a complaint before the Ministry when they have good reason to believe that heat stress is a threat to their safety or health”.¹⁸⁵

Emmanuel, who for around three years was deployed by his company to a luxury hotel to patrol the swimming pool, car park and beach, said:

“Even when it is very hot, sometimes the Qatar laws say no one is allowed to work outside... but security [guards], where are we supposed to go?”¹⁸⁶

The risk to health of outdoor working in extreme heat and humidity has been well documented. While Qatar’s 2021 legislation offers workers increased protection, Amnesty International’s research has shown that far more needs to be done for Qatar to meet its obligations and protect migrant workers.¹⁸⁷ Leading experts in environmental health and heat stress have highlighted that the extremely unequal employer-employee relationships make it very difficult for workers to “self-pace” and recommended that rest times during extreme temperatures should be “based on the climatic conditions and nature of work being performed”.¹⁸⁸ Further, while focus has understandably been largely on the impact of outdoor working on migrant workers in Qatar’s construction sector, the experiences of those in the private security sector indicate that the authorities must do more to ensure that labour inspections and other measures are adequate to protect all outdoor workers.¹⁸⁹

SUBSTANDARD ACCOMMODATION

Like many migrant workers in Qatar, employees of private security companies are enduring substandard accommodation, despite the government imposing clear guidelines on living conditions.¹⁹⁰ Many of the security companies have multiple accommodation sites of differing standards.¹⁹¹

Eighteen of those interviewed by Amnesty International across five companies said that their living conditions were overcrowded and unsanitary, with workers variously describing their quarters as “dirty”, “congested” and “appalling”. One worker told an Amnesty International researcher that if shown the state of their accommodation, “you would faint”.¹⁹² On average, workers said their rooms slept six to 10 workers in bunk beds. One woman said she shared with only three others. One man said he had shared a room with 16 colleagues.

Emmanuel, told Amnesty International:

“There is no number specifically [in bedrooms]. If there is space someone can join you. It could be seven, 10, 12 people [per room]. I was sleeping with 16 people at one time.”¹⁹³

Workers said that bathrooms and kitchen facilities in company accommodation were usually shared by many rooms, meaning that in some accommodation, 30 to 100 employees shared just one or two kitchens and bathrooms, and that the facilities were crowded and unsanitary.¹⁹⁴

Some clients or projects provide their own accommodation for those deployed there by the security companies. These places, the interviewed workers said, were often of a much higher standard than that provided by the security companies themselves, with fewer people sharing rooms, more space and cleaner facilities. For example, Joseph who had been stationed at a transport infrastructure project and energy company premises during his employment, said that he shared with just two colleagues in ***“very, very good accommodation”***. But he described his company’s standard accommodation as ***“too squeezed”***.¹⁹⁵

¹⁸⁵ WGBT is the measure of the combined effect of heat and humidity in shaded area. See: Decision of the Minister of Administrative Development, Labour and Social Affairs No. 17 for 2021 specifying measures to protect workers from heat stress, https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/legaldocument/wcms_794551.pdf

¹⁸⁶ Remote interview, May 2021.

¹⁸⁷ Amnesty International, ‘In the prime of their lives’, Pp.27-29.

¹⁸⁸ Amnesty International, ‘In the prime of their lives’, p.28.

¹⁸⁹ Amnesty International documented the death of Yam Bahadur Rana, a 34-year-old Nepali security guard who died suddenly at work on 22 February 2020. He was a guard at the airport in Qatar, a job that involved long hours sitting in the sun. Amnesty International, ‘In the prime of their lives’, p.50.

¹⁹⁰ According to Ministerial Decision No. 18 of 2014, workers’ rooms should conform with specific standards, including: the area allocated for one bed within the common room shall not be less than 6m (article 2.1); a full toilet for a maximum of six workers (article 5); and employers are responsible for ensuring that accommodation is cleaned, and that a supervisor is appointed to maintain equipment (article 11).

¹⁹¹ Interviews conducted remotely between April 2021 and February 2022.

¹⁹² Interviews conducted remotely between April 2021 and February 2022.

¹⁹³ Remote interview, May 2021.

¹⁹⁴ Interviews conducted remotely between April 2021 and February 2022.

¹⁹⁵ Remote interview, July 2021.

Another guard said that his accommodation had been improved since he joined his company in 2020. He thought this was because representatives of the Qatar government and its World Cup organizing partners inspected their accommodation site in early 2021. He said:

“We sleep four people per room... Before we used to sleep six but at least now we’re four. We changed accommodation and also the government tried to intervene. They usually come and check how workers are sleeping. I think that helped us – when they inspect and find it in a bad shape, it is a fine for the company. I saw some inspectors and a few from FIFA.”¹⁹⁶

Similarly, a former guard from another company said that after he and colleagues went on strike in 2021, officials from the police and labour ministry came to inspect his accommodation site, and the company was forced to make changes:

“We were 14 people in the room. After the strike they changed the room settings and by the time I left there were just six people in each room... There were some people from the police and ministry. It was not the will of the company.”¹⁹⁷

Amnesty International welcomes that new labour accommodation has been provided for some employees in some companies, and that following workers’ strikes and inspections by both the government and World Cup organizers the occupancy rate of some rooms in some facilities was reduced. This clearly demonstrates that significant change is possible if inspections and enforcement measures are undertaken effectively.

However, many workers employed by both these security companies and others investigated by Amnesty International continue to live in overcrowded and unsanitary conditions that breach Qatari law and international standards. It is imperative that the authorities inspect systematically, not just when the companies hit the headlines.¹⁹⁸

DISCRIMINATION

“Pay is according to nationality.”

More than a third of guards across five companies interviewed by Amnesty International said that management from their companies treat employees differently depending on their nationality, race and language, including in terms of their rate of pay and working conditions and locations. Such differential treatment breaches international law and standards.¹⁹⁹

The right to racial equality and non-discrimination is enshrined in Qatar’s Permanent Constitution, which states, “All persons are equal before the Law and there shall be no discrimination whatsoever on grounds of gender, race, language or religion.”²⁰⁰

Some of the guards, who were largely from Uganda and Kenya, explained that people from particular countries – particularly those who speak Arabic – are offered higher salaries than others for the same job, and are given greater opportunities to increase their pay and experience through promotions.

Asher, who was stationed at various sites up until 2021, including a tourist attraction and the offices of a sporting body, said:

“They pay us by nationality. You may find a Kenyan is earning 1,300, but the same security from the Philippines gets 1,500. Tunisians, 1,700. Pay is according to nationality.”²⁰¹

Lawrence, who worked for a different company, said:

¹⁹⁶ Remote interview, January 2022. The guard believed the inspector was from FIFA but it is possible they were from the Supreme Committee.

¹⁹⁷ Remote interview, August 2021.

¹⁹⁸ As a party to ICESCR, Qatar is obligated to protect the right of everyone to “an adequate standard of living”, including “adequate food, clothing and housing, and to the continuous improvement of living conditions” and to take steps to fully realize this right (Article 11).

¹⁹⁹ For general reflections on discrimination and racism across the Gulf region, see: <https://www.migrant-rights.org/2020/04/structured-to-perfection-racism-in-the-gulf/>

²⁰⁰ Article 35 of the constitution. This fundamental duty of non-discrimination is also guaranteed in various UN treaties that Qatar has ratified and which prohibit discrimination, including the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ICESCR and ICCPR. Reflecting these standards, all companies under the UN Guiding Principles on Business and Human Rights have a responsibility to respect human rights for everybody without discrimination.

²⁰¹ Remote interview, January 2022.

*"You will find I am a degree holder or whatever, and two people, we are working at the same place – I know computers etc, but you work with someone else from Sudan or something and they are earning more... People from [sub-Saharan] African countries are lowly paid even though they are the most experienced."*²⁰²

Such discrimination has been documented by a range of other organizations and UN bodies, including the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance during her visit to Qatar at the end of 2019.²⁰³ In her concluding report, the Special Rapporteur described how the salaries of migrant workers, particularly those on low incomes, "greatly depended on their countries of origin, such that workers performing the same tasks often earned significantly different salaries".²⁰⁴ This, she concluded, was in part due to shortcomings in the country's pay equity regulations. It was also due to "national origin discrimination and racial and ethnic stereotyping."²⁰⁵

In 2014, the UN Special Rapporteur on the human rights of migrants expressed similar concerns following his 2013 country visit, highlighting "the categorization of migrants based on their nationality, whereby some nationalities are seen as more valuable than others and migrants of some nationalities are paid higher salaries than others, while carrying out the same job."²⁰⁶

Some workers told Amnesty International that certain nationalities – in particular those from sub-Saharan Africa and South Asia – are usually deployed to locations with harsher working conditions, such as those requiring them to work outside in the heat for longer periods, or for less prestigious clients.²⁰⁷

Edson, a guard until the end of 2020 said:

*"We as [sub-Saharan] Africans couldn't access the best locations, those are for 'them'. [The company clients include] banks, stadiums, embassies, big four- to five-star hotels, so it would take Africans for interviews there but then they would put their own people in the job – this is what I mean, the racism."*²⁰⁸

Jackson, who was deployed to a government ministry and the airport among other locations, said:

*"[T]hey [Arab nationals] were getting the very best locations without any sweat, where you can sit and relax. Not outside – it was very rare to find an Arab person working outside."*²⁰⁹

Musa, from another company, told Amnesty International: *Black people are always the ones outside. The working conditions are not cool.*" But, he said, his complaints to the company would fall on deaf ears: *"[W]e tell them we are facing discrimination, they say 'what is discrimination?'"*²¹⁰

Omar who worked in Qatar until late 2020 said his bosses would rely on racist stereotypes to justify harsh and discriminatory treatment of him and his colleagues:

*"They say 'you are an African, you can work 12 hours because you are strong. There is no need to complain, we pay you the money'."*²¹¹

The UN Special Rapporteur on contemporary forms of racism noted that "racial and ethnic stereotypes operate in both the public and private spheres" and that "for Western and Arab nationalities, their passports confer upon them privilege that results in better contractual benefits, even when they are performing the same tasks as certain South Asian and sub-Saharan African nationalities". As a result, she said, "even not as a matter of intent", Qatar effectively operates a caste system "according to which European, North American,

²⁰² Remote interview, May 2021.

²⁰³ Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance on her visit to Qatar, 2020, UN Doc. A/HRC/44/57/Add.1, www.un.org/ga/search/view_doc.asp?symbol=A/HRC/44/57/Add.1 See also: Concluding observations by the Committee on the Elimination of Racial Discrimination, 2019, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fQAT%2fCO%2f17-21&Lang=en, Business and Human Rights Resource Center, *Checked Out: Migrant labour abuse in Qatar's World Cup luxury hotels*, July 2021, p.19, https://media.business-humanrights.org/media/documents/2021_Qatar_Hotels_v547.pdf; and Equidem, *The cost of contagion*, 2021, <https://www.equidem.org/reports/the-cost-of-contagion>; and Human Rights Watch, *Domestic Workers' Rights in Qatar: Human Rights Watch Commentary on Qatar's Laws and Regulations on Domestic Workers*, 26 June 2018, <https://www.hrw.org/news/2018/06/26/domestic-workers-rights-qatar>; and Josimar, *Abuse in the shadow of luxury*, 9 April 2021, <http://josimarfootball.com/abuse-in-the-shadow-of-luxury/>

²⁰⁴ Report of the Special Rapporteur on Contemporary Forms of Racism, 2020, para. 80.

²⁰⁵ Report of the Special Rapporteur on Contemporary Forms of Racism, 2020, para. 27

²⁰⁶ Report of the Special Rapporteur on the human rights of migrants, François Crépeau, April 2014, UN Doc. A/HRC/26/35/Add.1, para. 70, available at: <https://www.refworld.org/docid/53a29c184.html>

²⁰⁷ Interviews conducted remotely between April 2021 and February 2022.

²⁰⁸ Remote interview, December 2021.

²⁰⁹ Remote interview, October 2021.

²¹⁰ Remote interview, November 2021.

²¹¹ Remote interview, May 2021.

Australian and Arab nationalities systematically enjoy greater human rights protections than South Asian and sub-Saharan African nationalities.”²¹²

One worker felt the new mandatory non-discriminatory minimum wage introduced in 2021 had helped limit the wage disparities in his company:

*“Before we went on strike, Arabic-speaking workers were paid 300 riyals more, given better food and treated differently. Since the strike, things got a bit better, and we bridged the gap of equality. Before Sudanese and Tunisian were paid more than us. Only Arabic speaking [people got paid more] – even if you are doing the same job or hours. We would complain but [the company] wouldn’t answer. This new law has helped us.”*²¹³

However, without a prohibition on pay rates being determined on the basis of nationality or race, and without effective monitoring and enforcement of overtime pay, the new minimum wage is grossly insufficient to combat discrimination and there is a significant risk that certain nationalities will see their salaries increase further while others – such as sub-Saharan Africans and South Asians – maybe be left behind on minimum wage.

As a state party to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), Qatar is obliged to “pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms”.²¹⁴ It must also guarantee the right to everyone “without distinction as to race, colour, or national or ethnic origin, to equality before the law”,²¹⁵ in particular the rights to just and favourable working conditions and remuneration, and “equal pay for equal work”,²¹⁶ as well the right to firm and join trade unions.²¹⁷ Qatar has also ratified ILO Convention 111 on discrimination, which requires it to enact policies, including legislation, aimed at eliminating discrimination within the field of employment.²¹⁸

But, as the experiences of the guards interviewed demonstrate, for Qatar to live up to this and for all workers to enjoy equal treatment and pay, it must urgently adopt a definition of racial discrimination in line with the convention, as well as legislation explicitly prohibiting racial discrimination including with regard pay and working conditions. This must have a robust monitoring and enforcement mechanism, and be transparent and accessible. It must also be supported by efforts to increase the capacity of labour inspectors to identify and address racial and national-origin discrimination throughout the security sector and wider labour market.

²¹² Report of the Special Rapporteur on Contemporary Forms of Racism, 2020, paras 19-24.

²¹³ Remote interview, January 2022.

²¹⁴ ICERD, Article 2(1).

²¹⁵ ICERD Article 5.

²¹⁶ ICERD Article 5(e)(i).

²¹⁷ ICERD Article 5(e)(ii).

²¹⁸ C11 - ILO Discrimination (Employment and Occupation) Convention, 1958 (No.111), Article 2 – 3. The convention also covers discrimination with regard the right to form and join trade unions.

6. HUMAN RIGHTS OBLIGATIONS AND RESPONSIBILITIES

QATAR'S HUMAN RIGHTS OBLIGATIONS

Qatar is a party to various international treaties prohibiting forced labour and other human rights abuses, including ILO Conventions 29, 105 and 189; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights (ICESCR); the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention Against Torture; and the Arab Charter on Human Rights. As such, Qatar is obliged to protect all workers from being exploited in its territory.

In ratifying the ICESCR, Qatar guarantees the right to work to all employees within the country, which “includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right”,²¹⁹ and to “recognize the right of everyone to the enjoyment of just and favourable conditions of work”. This includes adequate remuneration, rest time, paid leave, limited working hours and decent living conditions for workers.²²⁰

As a result, Qatar is obliged to ensure that all people working on its territory receive fair remuneration requiring regular, timely and full payment of fair wages,²²¹ and are provided with decent living conditions including, among other things, “an adequate standard of living, including food, water and sanitation, housing, clothing and additional expenses such as commuting costs”.²²²

Qatar is also obliged to respect everyone's right to join and form unions.²²³ However, when ratifying the ICESCR, Qatar stated that it will interpret the scope of the right to freedom of association in line with its Labour Law, essentially preventing all migrant workers – about 90% of the country's population – from exercising this right. Despite objections to the reservation, Qatar continues to fail to uphold the fundamental right of all workers to form and join trade unions.

In response to a letter from Amnesty International regarding the treatment of workers in Company A, the Ministry of Labour said in January 2022 that it is taking the findings “very seriously” and is investigating the company.²²⁴ It confirmed that the Ministry had previously “summoned” the company after it received labour complaints from employees, and says that to date, 56 complaints have been filed about the company, mostly in relation to holiday allowances and end-of-service benefits. Forty-nine of these complaints were settled “amicably”, five were referred on to the Committees for the Settlement of Labour Disputes (the Committees),

²¹⁹ ICESCR, article 6.

²²⁰ ICESCR, article 7.

²²¹ Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to just and favourable conditions of work (article 7 of the ICESCR), UN Doc. E/C.12/GC/23, 10, p.4.

²²² Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to just and favour.

²²³ ICCPR, article 22 and ICESCR, article 8.

²²⁴ Ministry of Labour response to questions by Amnesty International re. one security company, 4 January 2022, on file with Amnesty International.

and two are ongoing.²²⁵ Further, since December 2021, the government carried out several unscheduled inspections of the company and handed it fines when it identified violations.²²⁶

The government also provided Amnesty International with further information on measures it is taking to protect migrant workers more broadly. For example, the Ministry of Labour states that it is currently reviewing the more than 2,000 labour complaints that were received in December 2021 and is “working to increase the number of Labour Dispute Settlement Committees to better facilitate workers’ access to their rights and speed up the litigation process.” It says that inspectors from its Labour Inspection Department have “full authority to enter workplaces without prior notice to examine work practices and accommodation standards” and that more than 2,900 such inspections were conducted in December 2021.²²⁷ As a result, they say 38 companies received “suspensions” for Labour Law breaches that month. More broadly, if violations are detected within companies, the Ministry of Labour can issue fines or impose “bans” on them, and can support workers to change job irrespective of their notice period.²²⁸

Further, in June 2020 the Ministry opened a new office with the Supreme Judicial Council to “facilitate the implementation of judgements” handed down by the Committees for the Settlement of Labour Disputes. This, the Ministry of Labour states, can include “the seizure of property and assets electronically from companies in violation of the law”.²²⁹ Additionally, the government says it recently closed down 24 recruitment agencies in Qatar and revoked their licenses for violating the Labour Law.²³⁰

Since 2017, Qatar has enacted legal reforms and sought to strengthen its enforcement of its labour laws in an effort to better protect the migrant workers so essential to the country. While Amnesty International and many other organizations have welcomed the reforms, the organization has nonetheless raised repeated concerns at the way in which these are being implemented in practice and the extent to which they are really impacting workers’ lives.

Indeed, the experiences of migrant workers employed in Qatar’s private security companies and documented in this report exemplify these concerns. They provide a clear illustration of how the government’s continued failure to effectively enforce its laws- including those that precede the reform process – and consistently hold perpetrators of abuse to account means that exploitation, including forced labour, has been allowed to flourish within the private security sector. Meanwhile, employers continue to get away with running their businesses on a foundation of abuse, profiting from the toil and mistreatment of their workforce. As the World Cup approaches, there will be more and more money to be made by these companies to meet the security demands of the tournament. Qatar must urgently implement its reforms and enforce its laws to ensure this is not at the further expense of workers’ rights.

In response to Amnesty International’s allegations, the Ministry of Labour acknowledged that “*individual cases of wrongdoing need to be dealt with immediately*”. However, it disputed that these signify “*underlying issues with the robust system Qatar has introduced*” and stated that “*[T]he prevalence of rule-breaking companies has and will continue to decline as enforcement measures take hold and voluntary compliance increases among employers*.”²³¹

In conclusion, the Ministry of Labour stated that “*Qatar will continue to work with its international partners to build on the progress that has been made and create a legacy that benefits foreign workers in Qatar and across the region*.”²³²

²²⁵ For an overview of access to justice for migrant workers in Qatar, see: Amnesty International, *All work, no pay: The struggle of Qatar’s migrant workers to get justice*; and *Reality Check 2021: A year to the 2022 World Cup*, Pp. 29 – 30.

²²⁶ Background information provided by the GCO to Amnesty International, 22 March 2022. On file with Amnesty International.

²²⁷ Ministry of Labour response to questions by Amnesty International re. Company A, 4 January 2022, on file with Amnesty International.

²²⁸ Background information provided by the GCO to Amnesty International, 22 March 2022. On file with Amnesty International.

²²⁹ Ministry of Labour response to questions by Amnesty International re. one company, 4 January 2022, on file with Amnesty International. The Ministry also notes “*Employees with grievances are encouraged to lodge a complaint through one of the many available channels. This includes an anonymous 24/7 hotline service (16008), the Amerni app, and 11 selfservice machines available in multiple languages throughout the country. Alternatively, they can visit the Labour Department and lodge their complaint in person. The Ministry aims to settle all disputes within seven days. If the parties do not reach an amicable agreement, or should the employer not be receptive to the settlement, the dispute is referred to the Labour Dispute Settlement Committees. The Committees aim to resolve the dispute within three weeks of the initial hearing and its decisions are immediately enforced.*”

²³⁰ Statement by the Ministry of Labour in response to Amnesty International’s allegations, 22 March 2022. On file with Amnesty International.

²³¹ Statement by the Ministry of Labour in response to Amnesty International’s allegations, 22 March 2022. On file with Amnesty International.

²³² Statement by the Ministry of Labour in response to Amnesty International’s allegations, 22 March 2022. On file with Amnesty International.

SECURITY COMPANIES' RESPONSIBILITIES

Companies, including private security companies, have a responsibility to respect all human rights wherever they operate in the world and throughout their operations. This is a widely recognized standard of expected conduct as set out in international business and human rights standards including the UN Guiding Principles on Business and Human Rights (UN Guiding Principles) and the OECD Guidelines for Multinational Enterprises (OECD Guidelines).²³³ This corporate responsibility to respect human rights is independent of a state's own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights.²³⁴

The responsibility to respect human rights requires companies to avoid causing or contributing to human rights abuses through their own business activities, and address impacts in which they are involved, including by remediating any actual abuses. It also requires companies to seek to prevent or mitigate adverse human rights impacts directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.²³⁵

The UN Guiding Principles establish that to meet their corporate responsibility to respect, companies should have in place an ongoing and proactive human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights. When conducting human rights due diligence, a company may identify that it may cause or contribute to – or already be causing or contributing to – a serious human rights abuse. In these cases, companies must cease or prevent the adverse human rights impacts.²³⁶ Where impacts are outside of the business enterprise's control but are directly linked to their operations, products or services through their business relationships, the UN Guiding Principles require the company to seek to mitigate the human rights impact by exercising leverage, or seek to improve leverage where leverage is limited, including through collaboration if appropriate. In addition, the UN Guiding Principles make clear that each worker whose human rights have been abused has the right to an adequate remedy under international law: Companies have a responsibility to provide an adequate remedy when their operations have led to human rights abuses.²³⁷

PATTERNS OF ABUSE

Amnesty International interviewed guards from eight private security companies, in a sector in which dozens operate. Consequently, there may be companies in which the human rights of guards are respected and they receive just and fair wages and treatment. However, the degree of consistency in the patterns of abuse reported, in addition to prior reporting on some of these issues indicate the abuses are systemic rather than isolated incidents. These factors also indicate that the patterns of abuse are the result of structural problems in the sector that have been allowed to flourish due to the government's failure to address the challenges, hold perpetrators of abuse to account, and provide remedy to the workers.

Our research has found that each of the eight private security companies employing guards featured in this report have subjected their employees to some form of labour or other human rights abuse.

Guards in six of these companies report that their employer has subjected them to forced labour practices, including regularly making guards work excessive hours and denying them their legally entitled weekly rest day, under threat of penalty. Amnesty International also found that six of the eight companies would hand down disproportionate or arbitrary financial penalties to guards for 'misdemeanours' at work, and five have failed to properly compensate guards for their overtime according to Qatari law. Guards in five companies reported facing discrimination on the basis of their race, national origin, or language, and substandard living or working conditions.

As such, all of the companies have in some way failed to meet their responsibility to respect human rights.

²³³ This responsibility was expressly recognized by the UN Human Rights Council on 16 June 2011, when it endorsed the UN Guiding Principles on Business and Human Rights, and on 25 May 2011, when the 42 governments that had then adhered to the Declaration on International Investment and Multinational Enterprises of the OECD unanimously endorsed a revised version of the OECD Guidelines for Multinational Enterprises. See *Human Rights and Transnational Corporations and other Business Enterprises*, Human Rights Council, Resolution 17/4, UN Doc A/HRC/RES/17/4, 6 July 2011; *OECD Guidelines for Multinational Enterprises*, OECD, 2011, www.oecd.org/corporate/mne

²³⁴ UN Guiding Principles, Principle 11 including Commentary.

²³⁵ UN Guiding Principles, Principles 11 and 13 including Commentary.

²³⁶ UN Guiding Principles, Principle 19 including Commentary.

²³⁷ UN Guiding Principles, Principle 22. See also, Amnesty International, *Injustice Incorporated: Corporate Abuses and the Human Right to Remedy*, 7 March 2014, (Index: POL 30/001/2014), <https://www.amnesty.org/en/wp-content/uploads/2021/06/pol300012014en.pdf>

Further, in addition to respecting international standards and the contractual obligations made to workers, all private security companies must also respect Qatari law. These abuses indicate there have been serious breaches of various provisions of articles 74, 75 and 76 of the 2004 Labour Law; of articles 318 – 322 of the Penal Code; and article 2 of Law no. 15 of 2011 on Combating Trafficking in Human Beings; of Ministerial Decision No. 11 of 2005 on categories and businesses excluded from the provisions related to working hours; and of Ministerial Decision No. 18 of 2014 regarding the conditions and specifications for workers' accommodation.

FIFA AND THE SUPREME COMMITTEE'S RESPONSIBILITIES

As business entities, FIFA and the Supreme Committee for Delivery and Legacy (Supreme Committee) must also abide by the UN Guiding Principles on Business and Human Rights.

FIFA's 2017 Human Rights Policy commits world football's governing body to respecting human rights in line with these principles, as well as "all internationally recognised human rights".²³⁸ In 2014 the Supreme Committee established the Workers' Welfare Standards, a set of labour standards and protections which are included in contracts awarded to companies working on World Cup sites, and updated them in 2018.²³⁹ The standards cover issues including ethical recruitment, timely payment of salaries, health and safety, employment, working and living conditions and the provision of grievance mechanisms. All construction companies working on World Cup projects must comply with the standards and, since their inception, they have improved the working and living conditions of people contributing to the delivery of World Cup stadiums. However, they are still not fully enforced or universally respected and, in some instances, have failed to protect workers from abuse and exploitation, or provide them adequate and timely remedy.²⁴⁰

In January 2020, FIFA, the Supreme Committee and the FIFA World Cup Qatar 2022 LLC²⁴¹ jointly published a new Sustainability Strategy, with the aim of improving the working and living conditions of people contributing to the delivery of the World Cup, as well as other human rights and environmental issues.²⁴² In this, the World Cup delivery partners pledge to "*safeguard the rights and welfare of workers engaged on FIFA World Cup 2022™ sites*" (Supreme Committee workers).²⁴³ It also commits them to "*expanding the scope and application of the Workers' Welfare Standards*" for workers providing services – including security – for "*stadiums, training sites, and other official FIFA World Cup 2022™ sites such as headquarters hotels*" during the tournament (World Cup service workers).²⁴⁴

Further, for workers providing services for infrastructure that is "*not being developed directly for the FIFA World Cup, but will be used during the tournament, such as transport systems, roads, ports, utilities and hotels*" (other service workers), FIFA and the Supreme Committee commit to "*Promote decent working and living conditions and fair recruitment, including effective access to remedy*", as well as to use and increase its leverage on human rights abuses "*that may be linked to our operations, products or services*."²⁴⁵

In line with the Sustainability Strategy, in April 2020 the tournament partners also introduced a Sustainable Sourcing Code which sets out the minimum standards required of suppliers to the World Cup organizers, including those providing security services. The code broadly outlines a process for selecting, monitoring and

²³⁸ FIFA Human Rights Policy, para 1-2, <https://digitalhub.fifa.com/m/1a876c66a3f0498d/original/kr05dqyhwr1uhqy2lh6r-pdf.pdf>
In paragraph 4, FIFA further commits to "strive to go beyond its responsibility to respect human rights, as enshrined in the UNGPs, by taking measures to promote the protection of human rights and positively contribute to their enjoyment,".

²³⁹ Supreme Committee for Delivery and Legacy, *Workers' Welfare Standards Edition 2*, <https://www.qatar2022.qa/sites/default/files/docs/Workers-Welfare-Standards-Qatar-2022-v2.pdf>

²⁴⁰ See for example, *Annual External Compliance Report of the Supreme Committee for Delivery & Legacy's Workers' Welfare Standards Building a legacy: laying the foundation*, 2020, <https://impactlimited.com/wp-content/uploads/2020/07/IMPA09-2020-Qatar-Annual-Report-v12-Digital.pdf>; also Amnesty International, "*I have worked hard, I deserve to be paid*", 10 June 2020, <https://www.amnesty.org/en/latest/research/2020/06/exploitation-on-qatar-world-cup-stadium/>

²⁴¹ The FIFA World Cup Qatar 2022 LLC is a limited liability company incorporated by FIFA and the Qatar 2022 Local Organising Committee LLC, which own 51% and 49% respectively. See: FIFA, *FIFA World Cup Qatar 2022 LLC*, <https://www.fifa.com/news/fifa-world-cup-qatar-2022-llc>

²⁴² FIFA World Cup Qatar 2022 Sustainability Strategy (Qatar 2022 Sustainability Strategy), available at: <https://digitalhub.fifa.com/m/5adbe651c67c78a3/original/o2zbd8acyioyxn0dwuk-pdf.pdf>

²⁴³ Qatar 2022 Sustainability Strategy, p.5.

²⁴⁴ Qatar 2022 Sustainability Strategy, p.29.

²⁴⁵ Qatar 2022 Sustainability Strategy, p.32.

evaluating suppliers according to mandatory sustainability requirements, including in relation to labour rights and other human rights.²⁴⁶

In the latest Sustainability Strategy Progress Report published in January 2022, FIFA and its partners report that the workers' welfare audit and inspection process has been expanded to include new business relationships and that since 2020 they have integrated "*workers' welfare requirements in the tender processes and contracts with companies that will provide services both for host country and tournament operations*" which will aid enforcement of decent working and living conditions for workers in these companies – World Cup service workers.²⁴⁷ According to the Supreme Committee's website, such requirements have been included in contracts with 26 hotel operators to date.²⁴⁸ FIFA has said that the tournament partners aim to audit more than 150 hotels and their subcontractors ahead of the tournament, and for this to include at least three audits for each of the official FIFA World Cup hotels.²⁴⁹

At least three of the security companies referred to in this report, have been among those contracted to provide services to FIFA World Cup-related operations in Qatar. Among these were the 2020 FIFA Club World Cup and the 2021 FIFA Arab Cup.

Thus, in their differing capacities, employees of these three companies appear to fall within the human rights responsibilities of both FIFA and the Supreme Committee, because they have provided services either directly to World Cup sites or to related infrastructure that will be used during the tournament.

At least 19 of the guards interviewed for this report were deployed at World Cup-related events and other sites that will be essential for the successful delivery of the tournament. Six of these were deployed to FIFA events and World Cup stadiums specifically. As this report has shown, their time working for security companies in Qatar has been blighted by excessive working hours, denial of days off, inadequate overtime pay, punitive or arbitrary salary deductions, substandard living and working conditions and discrimination. While additional shifts at the FIFA competitions to date might have brought some a salary bonus, the transient and short-term nature of these deployments coupled with enduring systemic issues within Qatar's labour system means that the day these tournaments end, these guards are shipped back to their regular locations and their daily struggle with conditions including, in some cases, those that amount to forced labour. Further, for some workers, guarding FIFA events even contributed to their adversity, as they found themselves working double shifts of up to 16 hours each day to meet the tournament requirements.

DUE DILIGENCE ON PRIVATE SECURITY COMPANIES

Amnesty International wrote to FIFA and the Supreme Committee in February 2022 seeking details about specific due diligence they had undertaken into three security companies, as well as more broadly. In March 2022, Amnesty International wrote again to both entities, sharing the findings of its research and seeking their response to the reports of labour abuse documented in this report.

FIFA provided Amnesty International with an overview of the human rights due diligence measures it has in place for the service sector in Qatar as well as other efforts it is undertaking on labour rights in hospitality and "event-time service providers". It says that it has been engaged with the Supreme Committee Workers' Welfare programme across construction sites since 2014,²⁵⁰ and that "pre- and post-contracting audits and enforcement is also being used for companies providing services for FIFA competitions hosted in Qatar". Additionally, it says that in 2021 it created a new 'workers welfare unit' comprising representatives of FIFA and the Supreme Committee and says that "event-time audits" carried out by this team at the main FIFA Arab Cup 2021 tournament in November and December 2021 included 2,047 worker interviews. These audits, FIFA says, helped it and its partners identify and address issues of non-compliance with the Workers' Welfare Standards across various sectors, including regarding working hours and delayed salary payments, as well as in relation to the provision of adequate food."²⁵¹

²⁴⁶ This includes service providers, contractors and subcontractors, among others. An updated version was published in December 2020.

See: FIFA World Cup Qatar 2022 Sustainable Sourcing Code, Version 2, December 2020, <https://digitalhub.fifa.com/m/03dc1047f4cf6995/original/hp3yd5g3hlqzdlko6bev-pdf.pdf>

²⁴⁷ 2021 Sustainability Strategy Progress Report, <https://publications.fifa.com/en/sustainability-report/human-pillar/workers-recruitment-and-working-conditions/standards-for-tournament-services-workers/>

²⁴⁸ See: <https://www.workerswelfare.qa/en/our-legacy/our-standards>

²⁴⁹ FIFA also says that it has "seen a clear commitment from hotels to further enhance their labour rights systems and to ensure compliance with the SC's Workers' Welfare Standards." See: FIFA letter to Amnesty International, 22 February 2022.

²⁵⁰ This includes "pre-contract due diligence, regular audits and inspections of companies contracted, as well as compliance and enforcement efforts in collaboration with the Ministry of Labour". See: FIFA letter to Amnesty International, 22 February 2022.

²⁵¹ Letter from FIFA to Amnesty International, 22 February 2022.

Throughout the tendering and contract process, FIFA and the Supreme Committee said they also include specific requirements for companies providing services to FIFA events to comply with the Workers' Welfare Standards and the Qatar Labour Law.²⁵² Additionally, the Supreme Committee states that it conducts pre-contract auditing of accommodation and companies' recruitment practices and undertakes a "pre-mobilisation approval process" of companies' subcontractors. If human rights risks are identified during this process, the Supreme Committee states that the contractor will be rejected.²⁵³

As a result of these pre-contracting checks, FIFA says that "[A]n average of 25% of bidders did not pass the workers' welfare assessment during the tender phase, leading to their disqualification from the process."²⁵⁴

FIFA did not provide details of specific due diligence it has independently undertaken with respect to individual companies contracted to its sites and events, despite repeated requests from Amnesty International for this information. Instead, it referenced a Supreme Committee letter sent to Amnesty International on 22 February 2022. Here, the Supreme Committee confirmed that it had engaged with three of the companies featured in this report – referred to below as Company A, B and C – in differing capacities and for varying durations since at least 2016. In a follow up letter in March, the Supreme Committee further elaborated on its human rights due diligence processes. However, as explained below, the Supreme Committee's due diligence processes, on which FIFA relies heavily, were not robust enough to allow them to identify, prevent and mitigate human rights risks and abuses prior to mobilizing these companies.

The full responses from FIFA and the Supreme Committee can be viewed [here](#) and [here](#).

Company A

The Supreme Committee confirmed in its February 2022 letter to Amnesty International that Company A was subcontracted on its sites until the third quarter of 2019, during which time no "critical" issues of non-compliance with its Workers' Welfare Standards were identified.²⁵⁵ Subsequently, on 29 December 2019 – after that year's FIFA Club World Cup – the Supreme Committee says it entered into a further two-year 'call off' agreement with Company A "for the provision of security services for various events", which included the FIFA Club World Cup 2020 (delayed to February 2021).²⁵⁶ The Supreme Committee's interviews with workers during the 2020 Club World Cup, and follow-up inspections and audits, uncovered "issues" which led the Supreme Committee to recommend "to all relevant stakeholders that the services of [Company A] should be discontinued." When workers went on strike in 2021, further inspections were undertaken by the Supreme Committee's Workers' Welfare Department which identified various issues, including "excessive overtime, non-compliant accommodation, lack of awareness of grievance mechanisms, passport retention, and no provision of health cards and non-submission of documents to verify payroll and entitlements."

Since then, the Supreme Committee says it has been "constantly engaging with [Company A] to rectify issues and increase compliance levels" but that no improvements have been seen and as a result it has taken various punitive actions against the company. These include excluding it from the provision of services to the FIFA Arab Cup 2021, not renewing the call-off agreement following its December 2021 expiry, putting the company on its 'watchlist' so it cannot be mobilized for future projects, and ensuring the company is excluded from any engagement in the 2022 World Cup and other events unless it demonstrates "significant improvement". Further, the Supreme Committee says it reported the company to the management of one particular site which holds the direct contract with Company A for that location, as well as to the Ministry of Labour in February and July 2021, which resulted in the company being "blocked".²⁵⁷

It is encouraging that the Supreme Committee's event-time inspections was able to eventually identify human rights issues in 2021, and that it has taken measures to rectify the non-compliances with its Workers' Welfare Standards. However, that does not negate the fact that the exploitation and abuse of many of the company's workers – including treatment that can amount to forced labour – was allowed to continue over many years while FIFA and the Supreme Committee benefited from the services of that company. This is despite Amnesty International having documented serious abuses in the company in 2017 and 2018 and bringing them to the government's attention at the time.

Further, the Supreme Committee's letter indicates that Company A was not engaged to provide services to the Club World Cup 2019. However, according to information gathered by Amnesty International, employees of Company A at the time were nonetheless hired as guards for the FIFA tournament, by what appears to be

²⁵² Letter from the Supreme Committee to Amnesty International, 21 March 2022; letter from FIFA to Amnesty International, 22 February 2022.

²⁵³ Letter from

²⁵⁴ Letter from FIFA to Amnesty International, 22 February 2022.

²⁵⁵ Letter from the Supreme Committee dated 22 February 2022. On file with Amnesty International.

²⁵⁶ Letter from the Supreme Committee dated 22 February 2022. On file with Amnesty International.

²⁵⁷ Letter from the Supreme Committee dated 22 February 2022. On file with Amnesty International.

a third-party subcontractor.²⁵⁸ While Amnesty International was not able to investigate this subcontractor further, this nonetheless raises serious questions as to the oversight the World Cup organizing bodies have of their entire workforce, and the possibility that despite the Supreme Committee's efforts to weed them out, abusive companies will nonetheless be able to profit from the tournament and related events. Amnesty International put this allegation to FIFA and the Supreme Committee in a letter in March 2022, but at the time of publication of this report neither had replied specifically to this.

Company B

The Supreme Committee's letter of 22 February confirms that prior to subcontracting Company B on a World Cup-related project between February 2016 and August 2020, the company signed contracts that included explicit clauses stating it must comply with the Workers' Welfare Standards. It says that throughout the four-and-a-half-year engagement, no "significant issues" were identified in the company.²⁵⁹ However, after the agreement ended in August 2020, the Supreme Committee says it subsequently found that employees of Company B were living in accommodation that breached the Workers' Welfare Standards. Later, during audits conducted after the Supreme Committee entered into a further two-year call-off agreement with Company B in December 2019, it says the Workers' Welfare Department "reported them to [Ministry of Labour] for further investigation and punitive actions", but neither the Supreme Committee nor the Ministry of Labour provided Amnesty International with further details of what exact actions were taken by the government.

According to the Supreme Committee's second letter of 21 March 2022, the non-compliances identified in Company B included "excessive working hours, overtime short-payment, unauthorised deductions, no food allowance, recruitment fees and lack of employment contracts."²⁶⁰ The Supreme Committee did not disclose to Amnesty International precisely when it identified these issues, but says it eventually disqualified Company B from the 2021 Arab Cup tender process and barred it from bidding on World Cup projects until issues are rectified.²⁶¹ Such disengagement must be done responsibly and the decision to do so must be carefully weighed against the possible adverse impacts that could result from it.

While the steps taken by the Supreme Committee could help push the company to improve workers' living and working conditions, this will only be the case if the Supreme Committee also conducts follow-up to ensure Company B has rectified the situation for guards and undertakes adequate due diligence if the company submits a tender for future contracts. The Supreme Committee did not respond to Amnesty International's request for information on follow up steps taken.

Further, Amnesty International's research into Company B indicates that guards in the company were facing serious labour rights abuses including excessive working hours and denial of rest days since at least 2017. That the World Cup organizing bodies identified no significant issues until at least 2020, suggests that they were unable or unwilling to become aware of human rights harms in a timely manner, and therefore to implement adequate prevention and mitigation measures sooner. As a result, it appears that FIFA and the Supreme Committee both failed to conduct adequate human rights due diligence in line with the UN Guiding Principles.

Company C

According to the Supreme Committee, prior to entering an agreement for provision of services across all its eight World Cup stadiums as well as Supreme Committee training sites, Company C also signed contracts obliging it to comply with the Workers' Welfare Standards and to be subject to quarterly inspections and audits.²⁶² Positively, these mechanisms enabled the Supreme Committee to identify several non-compliances including inadequate accommodation and the payment of recruitment fees. The Supreme Committee says that Company C rectified these issues by moving the entire workforce to compliant accommodation, and committing to reimburse recruitment fees to its workers on Supreme Committee sites through monthly instalments.²⁶³ However, Amnesty International is aware of at least one of the company's accommodation facilities that as of February 2022 still does not appear to comply with the requirements set

²⁵⁸ Letter from the Supreme Committee dated 22 February 2022. On file with Amnesty International.

²⁵⁹ Letter from the Supreme Committee dated 22 February 2022. On file with Amnesty International.

²⁶⁰ Letter from the Supreme Committee dated 21 March 2022. On file with Amnesty International.

²⁶¹ Letter from the Supreme Committee dated 22 February 2022. On file with Amnesty International.

²⁶² Letter from the Supreme Committee dated 22 February 2022. On file with Amnesty International. The Supreme Committee did not confirm when it first engaged Company C.

²⁶³ Each worker on a Supreme Committee site will be reimbursed a total of QAR 3,000 (USD 824) over the two-year period. In 2019 the Supreme Committee established the Universal Reimbursement Scheme whereby employers on Supreme Committee projects voluntarily reimburse employees for recruitment fees even without proof of payment. To date, the Supreme Committee says 266 of its contractors have committed to reimburse around QAR 103.95 million (USD 28.55 million) to 49,286 "SC and non-SC workers over a 36-month period." QAR 83.02 million (USD 22.80 million) has been reimbursed so far. Letter from the Supreme Committee dated 21 March 2022. On file with Amnesty International.

out in the Workers' Welfare Standards, with guards sharing small rooms of six people in bunk beds and unsanitary bathroom facilities.¹

While Company C guards were deployed to the 2020 FIFA Club World Cup and 2021 FIFA Arab Cup, the Supreme Committee says it identified further non-compliances in the form of passport retention and excessive working hours, which were reported to the Ministry of Labour in both February and December 2021. Despite these labour abuses, the Supreme Committee concludes that Company C has demonstrated "reasonable compliance" with the Workers' Welfare Standards throughout their engagement, and for as long as it continues to do so it will still be deployed on Supreme Committee projects and considered for additional World Cup services.²⁶⁴

However, Amnesty International has spoken to current and former guards employed by the company since 2017 who reported that they have faced and are continuing to face a range of labour abuses, including excessive hours, among other issues throughout their employment. This suggests that neither FIFA nor the Supreme Committee carried out adequate due diligence to identify and prevent and mitigate abuses prior to the company being engaged.

URGENT ACTION NEEDED

Overall, the response from FIFA and the Supreme Committee to our requests for information, when read together, includes important details on the due diligence measures they have taken regarding these three companies, as well as more broadly. Further, it shows that the Supreme Committee and FIFA are aware of their responsibilities and have taken steps to try and meet them.

However, it also reveals two key failures: firstly, the failure to conduct adequate due diligence before contracting these companies, which could allow FIFA and the Supreme Committee to prevent and mitigate abuses before they occur; and secondly the failure to identify in a timely manner the full range of abuses experienced by workers in order that they be effectively addressed and remedied. Indeed, to date, there appears to have been an over-reliance on "event-time" inspections, which has allowed labour abuses to go largely unchecked in companies engaged on other World Cup projects and FIFA tournaments for several years. Taking this approach means that by the time some abuses have been identified, FIFA and its organizing partners have already benefitted from these companies' services, only highlighting how essential it is that thorough due diligence efforts are undertaken well in advance of companies being engaged.

Further, while it is positive that a joint workers' welfare unit was established in 2021, the response from FIFA to Amnesty International's letter, and the request to cross reference that with the Supreme Committee's correspondence suggests that at least until this unit was established, FIFA was not undertaking adequate due diligence of its own and instead relied on the Supreme Committee's mechanisms. This is an approach Amnesty International identified and raised concerns about in June 2020 while investigating the non-payment of wages in Qatar Meta Coats, a company providing services to Al Bayt Stadium.²⁶⁵ FIFA has an *individual* responsibility to conduct human rights due diligence and that responsibility cannot be outsourced. FIFA must conduct its own due diligence – not merely rely on the guarantees of others, a process that cannot provide them with an adequate level of knowledge and assurance.

In light of this, Amnesty International believes that FIFA failed to put in place and implement an adequate human rights due diligence system as required by the UN Guiding Principles and as committed to by FIFA in its Human Rights policy and the joint Sustainability Strategy.

Similarly, despite the Supreme Committee's efforts to meet its human rights responsibilities as required by the UN Guiding Principles and as committed to by the Supreme Committee in its Workers' Welfare Standards and the Sustainability Strategy, it also failed to put in place and implement adequate due diligence mechanisms capable of identifying, preventing and mitigating, in a timely manner, human rights risks and abuses inherent in the private security sector.

As such, the fact that employees from these three companies have been subjected to serious labour abuse, in some cases amounting to forced labour, including while deployed on World Cup sites and FIFA events, indicates that FIFA and the Supreme Committee were directly linked and, in some cases, contributed to these particular adverse human rights impacts. They are still contracting with Company C, and therefore may still be directly linked or contributing to further abuse of employees in that company.

²⁶⁴ Letter from the Supreme Committee dated 22 February 2022. On file with Amnesty International.

²⁶⁵ See: Amnesty International, "*I have worked hard, I deserve to be paid*", 10 June 2020, <https://www.amnesty.org/en/latest/research/2020/06/exploitation-on-qatar-world-cup-stadium/>

In response to Amnesty International's allegations, the Supreme Committee acknowledged that *"a programme of the scale of the SC's, which is unique even from an international perspective, will always have contractors who will try to bypass the system, irrespective of regulations or monitoring systems."* It says that it *"makes every effort to support contractors in implementing rectification plans"* but if issues are not rectified and there is a lack of willingness shown by contractors, *"the SC takes stringent actions such as placing the contractor on a watch-list or black list and liaising with [Ministry of Labour] to block defaulting contractors."* It goes on to confirm its commitment to address and rectify breaches and further states that *"FIFA test events held in the past years have enabled the SC to further test its systems and enhance its monitoring strategies. Lessons learned from these experiences have been crucial in informing the operational approach for FIFA World Cup 2022."*²⁶⁶

FIFA did not provide a response to Amnesty International's allegations, instead referring the organization to its earlier letter and communication from the Supreme Committee.

AN INHERENTLY RISKY SECTOR

Some of the labour abuses Amnesty International has documented have been consistently reported across multiple private security companies, not only those engaged on World Cup-related projects, for years. Qatar's failure to implement and enforce its labour reforms and laws has created an environment where some abuses, including practices that amount to forced labour, have become pervasive.

As such, it is vital that FIFA and the Supreme Committee take urgent steps to strengthen their due diligence processes. FIFA in particular must also carry out its own independent and regular monitoring of World Cup projects.

Together FIFA and the Supreme Committee should use their leverage to the greatest extent possible to expand the scope of the Workers' Welfare Standards to every single service worker, including security guards, "associated with" the tournament (e.g. those providing services for infrastructure that will be used during the tournament, even if not developed directly for it) and ensure these are enforced diligently. They should also use their leverage with the Qatar authorities to ensure the labour protections introduced to date are urgently and robustly implemented and enforced across all sectors.

Unless FIFA and the Supreme Committee do this, it is highly likely that they will continue to be directly linked to and at risk of contributing to further human rights abuses, including forced labour in the preparation and delivery of the 2022 World Cup.

REMEDY ABUSE

Fundamental to the UN Guiding Principles is the responsibility of companies to provide for or cooperate in remediation of adverse human rights impacts.²⁶⁷

Given that Companies A, B and C and other private security companies have provided or are providing services for FIFA World Cup sites and events as well as other infrastructure that will be used for the tournament, Amnesty International believes FIFA and the Supreme Committee have a responsibility to provide for, or cooperate in remediation of, adverse human rights impacts on security workers who have been deployed to work on infrastructure or events related to the World Cup or FIFA to date.

The Supreme Committee states that it has undertaken efforts to engage with these companies to improve compliance before disengaging from two of them, although there is a lack of detail provided about what these mitigation efforts entailed. This may well be a legitimate response under the UN Guiding Principles, which allow for responsible disengagement provided that all mitigation efforts have been tried and failed and the company shows unwillingness to rectify issues. Neither FIFA nor the Supreme Committee provided enough detail to assess whether or not this disengagement was carried out responsibly and after a credible human rights impact assessment had been carried out.

In any eventuality, such an approach does not negate the World Cup partners' responsibility to provide for or cooperate in remediation of abuse they have contributed to or been directly linked to as a result of their due diligence failures.

²⁶⁶ Letter from the Supreme Committee dated 21 March 2022. On file with Amnesty International.

²⁶⁷ Remedy should include guarantees of non-repetition as well as satisfaction, compensation and other measures of reparation as appropriate to the circumstances and the wishes of those affected. For detail on the human right to remedy, see: Amnesty International, *Injustice Incorporated: Corporate abuse and the human right to remedy*.

7. CONCLUSION AND RECOMMENDATIONS

Since FIFA awarded Qatar the rights to host the 2022 World Cup, the government has made various human rights pledges and introduced important labour reforms. However, as the experiences of those featured in this report show, with only months to go before the tournament begins, Qatar's continued failure to effectively enforce its laws and hold perpetrators of abuse to account means that exploitation is still thriving within its private security sector.

In particular, some of those who are so vital to everyone visiting Qatar are being subjected to serious abuses that can amount to forced labour, including by private security companies that may be key to delivering the World Cup tournament.

Private security companies in Qatar are effectively forcing migrant workers – under threat of fines and other punishments – to work excessively long hours, often without proper rest or a day off for months or even years at a time. These already vulnerable workers are subject to excessively punitive fines for taking any time off and arbitrary or disproportionate penalties for their conduct. This is devastating for poorly paid workers who are often supporting families back home and paying off large, often illegal, recruitment agency debts.

The health of these workers is endangered by the excessive working hours as well as the dangerous conditions they face when deployed for long periods outside in searing heat. At the end of their gruelling shifts, they often return to substandard, insanitary company-provided accommodation, typically sleeping on bunk beds in overcrowded rooms. Some additionally face discrimination depending on their nationality, race or language, resulting in even worse pay and harsher working conditions.

The security companies featured in the report are the fundamental perpetrators of abuse against their employees and have failed to meet their responsibility to respect human rights.

Amnesty International interviewed guards from eight private security companies, in a sector in which dozens operate. Consequently, there may be companies in which the human rights of guards are respected and they receive just and fair wages and treatment. However, the degree of consistency in the patterns of abuse reported, in addition to prior reporting on some of these issues, indicate the abuses are systemic rather than isolated incidents. These factors also indicate that the patterns of abuse are the result of structural problems in the sector that have been allowed to flourish due to the government's failure to address the challenges.

Qatar is ultimately responsible for the protection of migrant workers' rights. It has ratified the ILO Convention on Forced Labour, committing itself to ending the use of force labour as soon as possible, but has not honoured that commitment. It has made important legal reforms, but continues to let employers in private security companies run their businesses on a foundation of overwork and mistreatment of their workforce, allowing them to get away with breaching Qatari law as well as international law and standards in their drive for profit.

The World Cup organizing partners, FIFA and the Supreme Committee, have improved the working and living conditions of construction workers on their own tournament sites. The Supreme Committee has expanded protections to World Cup service workers and embarked on other initiatives, in particular for hotel staff. But too little has been done, too late, to prevent the labour abuses experienced by security guards. Despite the inherently risky nature of the sector, and the well-documented prevalence of labour abuse in the country, FIFA and the Supreme Committee did not put in place and implement adequate due diligence

mechanisms, capable of identifying, preventing and mitigating human rights risks and harms in a timely manner. As such, they were directly linked and in some cases contributed to the harms suffered by guards in at least three security companies. They are still contracting with one of these companies and therefore may still be directly linked or contributing to further abuse of its employees.

With the World Cup around the corner, the services of these security companies across Qatar will be in increasingly high demand to meet the tournament requirements. The government must investigate labour abuses in the private security sector, publish the findings, and provide workers with redress. It must also commit to and publish a detailed action plan on how it will effectively tackle forced labour practices in the private security sector. In the meantime, it is essential that Qatar urgently ensures all security companies pay workers at least the rate required by law, in particular for overtime, and grant every worker their rightful weekly day off without threat of penalty before the tournament commences.

Having awarded Qatar the rights to host the 2022 World Cup, FIFA is in a unique position to exert influence over the way the country treats the millions of people making the tournament a reality there. As per its own recognition of its responsibilities, FIFA should use the full extent of its leverage to push Qatar – both privately and publicly – to enforce its own reforms and laws urgently and meaningfully, and address and remedy the abuses suffered by all security guards to date.

FIFA and the Supreme Committee should also ensure remedy for guards connected to the World Cup or FIFA events. As a starting point, this could include, for instance, working with the government to ensure that all workers who have worked on FIFA sites and who paid recruitment fees, were denied days off or were compensated inadequately for overtime hours receive all their dues. Unless they improve their due diligence processes it is highly likely that they will continue to be directly linked to and at risk of contributing to further human rights abuses, including forced labour in the preparation and delivery of the world's biggest footballing competition.

Beyond this, if FIFA is serious about its promise to leave “a legacy of world-class standards and practices for workers in Qatar and internationally”,²⁶⁸ it must also use its leverage to ensure the Workers' Welfare Standards – or similar levels of labour protections – are rolled out at a national level to benefit all workers in the country, beyond those working on or providing services to the World Cup specifically. Without this, the day the tournament ends in December 2022, the Workers' Welfare Standards risk becoming obsolete.

RECOMMENDATIONS

THE QATAR GOVERNMENT SHOULD:

COMBAT FORCED LABOUR

- **Commit to and urgently publish a detailed action plan with timelines on how it will effectively tackle forced labour practices in the private security sector. This should include:**
 - **Introducing to the 2011 Anti-trafficking law a clear and explicit definition of forced labour** in line with the ILO Convention on Forced Labour, along with a specific criminal offence and penalties commensurate with the severity of the crime. Ensure the law is strictly enforced.
 - **Ratifying the 2014 protocol on forced labour** and take immediate steps to prevent and eliminate forced labour and to protect and provide access to justice for victims.
 - Based on the ILO's 11 indicators, investigating **cases of possible forced labour, publishing the findings, and prosecuting perpetrators** of such crimes.
 - **Increasing the capacity of labour inspection mechanisms and the frequency of inspections** to ensure they are able to detect and address instances of forced labour. Inspections should include confidential face-to-face interviews with workers at all levels and of all nationalities, without fear of reprisals.
 - **Investigating all potential breaches of Qatari law including practices such as deprivation of paid days off, arbitrary or disproportionate salary deductions and underpaid overtime.**

²⁶⁸ FIFA World Cup Qatar 2022 Sustainability strategy, p.4.

Where offences are found to have been committed, penalize employers appropriately, including through prosecutions and ensure adequate remedy for affected workers.

- o **Protecting migrant workers from abusive recruitment practices, including by enforcing article 33 of the Labour Law** prohibiting the charging of recruitment fees to migrant workers. **Hold to account any employer or recruitment agency that engages in or benefits from such practices**, and require them, at the very least, to **ensure any worker who has paid fees for their job is reimbursed**.

PROTECT PAYMENT OF WAGES

- **Strengthen capacity and increase the frequency of inspections to ensure they are able to detect and address instances of underpayment of overtime, arbitrary salary deductions and other wage abuses.** Inspections should include confidential face-to-face interviews with workers at all levels and of all nationalities, without fear of reprisals.
- **Reform the WPS system to ensure it is able to flag underpayment of overtime as well as salary deductions in excess of 5% of the workers' monthly salary.** Rigorously scrutinize reasons behind deductions, monitor their frequency and immediately follow-up with the company and affected workers on deductions of more than 5%.
- Amend the Labour Law to **make it mandatory for employers to provide workers with hard copies of their monthly payslips**, which should include a detailed breakdown of basic salary, overtime hours and pay, allowances and any deductions.
- Amend the Labour Law to **prohibit the imposition of punitive salary deductions** that would result in workers receiving less than is required to ensure a decent standard of living for them and their families, as per international law. At the very least, workers should receive no less than the minimum wage for the hours worked each month, even after penalties.
- Amend ministerial decision no. 7 of 2005 including the annexed table of violations and penalties to **ensure sanctions permitted are not disproportionate or arbitrary, and that financial penalties are authorized only as a last resort following strictly defined and fair disciplinary processes.** In consultation with workers, define new sanctions and processes that are in line with international standards and best practices.

In the meantime:

- o Adequately enforce the Labour Law to **ensure that no deduction is made without workers receiving written details of sanctions in advance** of them being deducted from the salary and being allowed to challenge such penalties. Companies should have in place appropriate mechanisms through which workers can adequately challenge sanctions without fear of reprisal.
- o **Thoroughly review all companies' penalty regulations to ensure sanctions are proportionate to the misdemeanour** and are not imposed for poor performance at work or other arbitrary reasons. Refrain from approving unlawful regulations.
- o **Investigate all of the security companies featured in this report. Publish your findings and where breaches of Qatari law are identified, penalize employers and prosecute where appropriate.**
- o **Adequately compensate all affected workers**, including for under-paid overtime and unpaid days off.

COMBAT DISCRIMINATION

- **Adopt a definition of racial discrimination** in line with article 1 of the International Convention on the Elimination of Racial Discrimination and **enact legislation explicitly prohibiting racial discrimination** including with regard to pay and working conditions. This must have a robust monitoring and enforcement mechanism and be transparent and accessible to all workers.
- **Eliminate wage discrimination** in line with article 2 of ICERD, including through the inspection process, by ensuring equal pay for equal work, regardless of ethnicity and/or nationality.
- **Strengthen the capacity of labour inspectors**, including through training, to identify and address racial and national-origin discrimination throughout the security sector.

ENSURE DECENT LIVING CONDITIONS

- **Ensure all workers' accommodation and living conditions conform with Qatar's minimum standards and relevant international law and standards**, irrespective of which client they are deployed to.

IMPLEMENT LABOUR REFORMS AND INTRODUCE FURTHER PROTECTIONS

- **Effectively enforce all the labour reforms introduced to date**, in particular the removal of the No-Objection Certificate so that all migrant workers can change jobs freely without permission from their employer.
- **Decriminalize the charge of 'absconding'** and in the meantime penalize employers who file such cases solely as a retaliatory measure.
- **Ban employers' ability to arbitrarily cancel migrant workers' resident permits**; ensure proper vetting of all such requests from employers.

PRIVATE SECURITY COMPANIES IN QATAR SHOULD:

- **Urgently review all working policies and practices** and where needed modify to comply with Qatari law and international human rights and labour law and standards.
- **Immediately end all practices amounting to forced labour** and ensure that threats of financial penalties or other sanctions are not used to exact work involuntarily from people.
- **Immediately ensure no one works above the limits permitted in Qatari law**, namely a maximum of 10 hours per day, six days per week, unless in exceptional circumstances and only if the individual offers themselves voluntarily and is compensated according to Qatari law, including with an alternative day off. Permit all employees four days off per month without penalty or threat thereof.
- **Ensure that all overtime worked above the standard 48 hours per week is paid in line with the Qatar Labour Law and without discrimination.** This should be at least 1.25 times the basic rate for regular overtime, and 1.5 times the basic rate for 'off day' overtime.
 - If work is undertaken on a weekly off day, ensure that the worker is compensated with another day off as per the Labour Law.
- **Ensure that there is no direct or indirect discrimination against workers based on race and/or national origin.** Companies should proactively review their operations to identify and address discrimination and should take decisive action to address such discrimination without infringing the rights of others.
- **Ensure all workers' accommodation and living conditions conform with Qatar's minimum standards and relevant international law and standards**, irrespective of the project they are deployed to.
- **Provide timely and adequate remedy for all of the abuses detailed in this report**, including by reimbursing all workers for underpaid overtime, unlawful salary deductions and any unlawful fees paid in the course of being recruited to the company, even without proof of payment.

FIFA SHOULD:

- **Strengthen its human rights due diligence process** for the FIFA 2022 World Cup, including by:
 - **Carrying out its own independent and regular monitoring** of World Cup service providers and subcontractors, including those providing security services. This should start well ahead of companies being contracted and should continue to be conducted periodically until the tournament closes.
 - **Adequately addressing abuses** that it causes or contributes, or is directly linked to, including by using its leverage to prevent and mitigate the adverse impact.
 - **Only ceasing business relationships with its suppliers as a measure of last resort**, and only when doing so would not itself have adverse human rights impacts, as per the UN Guiding Principles.
- Engage with all relevant actors and use its leverage to the greatest extent possible to **extend the Workers' Welfare Standards to all workers, including security guards, "associated with" the tournament** (e.g. workers providing services for infrastructure that will be used during the tournament, even if not developed directly for it).

- Press Qatar for the urgent and effective implementation and enforcement of the Labour Law and all its labour reforms to date.
- Press Qatar to ensure that existing mechanisms to remedy abuses to migrant workers respond effectively and promptly to migrant workers' claims.

FIFA AND THE SUPREME COMMITTEE SHOULD ADDITIONALLY:

- **Strengthen their human rights due diligence measures undertaken before engaging security companies and sub-contractors, and throughout the contractual period.** Implement monitoring and enforcement mechanisms that are at the very least as robust as those already in place for Supreme Committee workers; and
- **Strengthen existing remedial mechanisms** and expand them to all World Cup service workers.
- **Provide for or cooperate in remediation of all abuses** detailed in this report that they have caused or contributed to, or that are directly linked to their operations.
- **Increase the frequency of reporting on measures to operationalize commitments towards World Cup service workers and other workers associated with the World Cup, including security guards.** The information provided should be sufficiently detailed to allow for a complete understanding of concrete measures taken or planned to ensure respect of the human rights of these migrant workers.
 - o Such reporting should include specific risks or instances of abuse and how FIFA and the Supreme Committee has or is addressing them, including what remediation is being or will be provided.
- **Disclose details of all suppliers and subcontractors, and the contracts and agreements with, World Cup service providers.** This should include the specific 'workers' welfare requirements' imposed through the tender process and contractual agreements.

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'THEY THINK THAT WE'RE MACHINES'

FORCED LABOUR AND OTHER ABUSE OF MIGRANT WORKERS IN QATAR'S PRIVATE SECURITY SECTOR

Despite important labour reforms of the *kafala* sponsorship system since 2017, migrant workers across Qatar's private security sector continue to be subjected to serious labour abuses including forced labour.

The accounts of the security guards and safety officers interviewed by Amnesty International reveal a wide range of abuse and exploitation taking place in eight private security companies. These include excessive working hours, lack of rest days, and arbitrary or disproportionate financial penalties, as well as underpayment of overtime work, potentially dangerous working conditions, substandard living conditions and discrimination on the basis of race, nationality, and language.

In particular, the report finds that the two key elements of forced labour as internationally defined – involuntary work and threat of penalty – appear to be present in the operations of six of the companies, including some that have provided services to FIFA events and other World Cup-related infrastructure.

With the tournament just around the corner, the services of these security companies across Qatar will be in increasingly high demand. The government must investigate labour abuses in the private security sector, publish the findings, and provide workers with redress. It must also commit to and publish a detailed action plan on how it will effectively tackle forced labour practices in the private security sector.