

CHAPTER I

INTRODUCTION

1.1. Background

The modern concept of Human Rights is based on the Universal Declaration of Human Rights (UDHR), which was ratified in 1948 as a response to atrocities committed by states during the Second World War.¹ However, in the modern era, companies employ migrant workers, who due to their lack of legal protections allow companies to underpay migrant workers and force them to work without allowing them to leave the country. As such the United Nations (UN) deemed it necessary to create a new convention that specifically creates legal standards for migrant workers. On 18 December 1990, the OHCHR (Office of the United Nations High Commissioner for Human Rights) adopted the International Convention on the Protection of the Rights of All Migrant Workers Member of Their Families, which entered into force on July 1, 2003.²

However, despite being called the Universal Declaration of Human Rights, nations that have incorporated Sharia (Islamic law) into their legal system such as Saudi Arabia disagree with the UDHR. Saudi delegate Jamil Baroody has argued to the UN that the concept of human rights was made on the foundations of Western

¹ United Nations, “History of the Declaration,” United Nations, June 12, 2023, <https://www.un.org/en/about-us/udhr/history-of-the-declaration>.

² OHCHR, “International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,” accessed June 11, 2023, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-rights-all-migrant>.

values and was not compatible with Eastern values as a result.³ As such, nations that adopted Sharia view violating certain human rights as permissible as long as it does not violate Islamic law and values. The Kafala system found in Gulf countries such as Qatar is a sponsorship system that governs the employment of migrant workers. Under this system, migrant workers are tied to their employers, known as sponsors, who have control over their lives, including their work permits, mobility, and legal status.⁴

The selection of Qatar as the host of the 2022 FIFA World Cup has been met with concerns over the numerous human rights that have been violated in Qatar, especially regarding migrant workers, which was estimated to be further violated to construct the massive infrastructure for hosting the World Cup. As such, in 2017, Fédération Internationale de Football Association (FIFA) adopted a human rights policy, which promised to put measures to promote the protection of human rights.⁵ In the same year, the Qatar government agreed to sign an agreement with the International Labour Organization (ILO), promising that Qatar would reform its migrant worker system and align its practices to meet the international labour standard.⁶ The Qatari Government has implemented reforms, including ending the exit permit requirement in 2018, allowing workers to legally leave without worker

³ I. Oh, "Islamic Voices and the Definition of Human Rights," *Journal of Church and State* 53, no. 3 (2011): 376–400, <https://doi.org/10.1093/jcs/csq148>.

⁴ Robina Mohammad and James D. Sidaway, "Shards and Stages: Migrant Lives, Power, and Space Viewed from Doha, Qatar," *Annals of the American Association of Geographers* 106, no. 6 (2016): 1397–1417, <https://doi.org/10.1080/24694452.2016.1209402>.

⁵ "Qatar: Rights Abuses Stain FIFA World Cup," Human Rights Watch, accessed June 12, 2023, <https://www.hrw.org/news/2022/11/14/qatar-rights-abuses-stain-fifa-world-cup>.

⁶ "Reality Check: Migrant Workers' Rights in Qatar." Amnesty International. Last modified October 20, 2022. Accessed June 4, 2023. <https://www.amnesty.org/en/latest/campaigns/2019/02/reality-check-migrant-workers-rights-with-two-years-to-qatar-2022-world-cup/>.

permission. However, the reality was that migrant workers continue to be abused in Qatar, including being forced to work in deadly conditions, According to ILO, around 50 workers died in 2020 alone, and over 500 workers were severely injured, with 37,600 workers experiencing mild and moderate injuries.⁷ These deaths are attributed to the workers working in extreme heat conditions without proper protection, and their deaths could have been prevented if Qatar had implemented adequate safety measures for the workers.

FIFA President Gianni Infantino acknowledged that Qatar had a sponsorship system that is a form of modern-day slavery and that from 2010 until 2022 the FIFA World Cup stadium construction has cost 6,500 workers' lives, but he nevertheless defended FIFA, stating that the World Cup has brought a positive social change in Qatar through pushing the Qatari government to implement reforms to dismantle its Kafala system and that the migrant workers must have felt a sense of pride in making the World Cup stadium.⁸ The Qatari government did indeed start to implement reforms after FIFA created its own Human Rights Policy, such as allowing migrant workers to return home without permission in 2018. Yet despite the reforms, plenty of deaths still take place during the construction of the 2022 World Cup stadiums. The time constraint to finish the stadium as soon as possible before 2022, as well as Qatar wanting to create an extravagant first impression as the first Middle Eastern nation that hold a World Cup might have put

⁷ “ILO Publishes Report on Work-Related Deaths and Injuries in Qatar,” International Labour Organization, accessed June 4, 2023, https://www.ilo.org/beirut/countries/qatar/WCMS_828399/lang--en/index.htm.

⁸ Rob Harris, “Infantino on Qatar: Migrant Workers Get Pride from Hard Work,” AP News, May 2, 2022, accessed June 4, 2023, <https://apnews.com/article/sports-soccer-world-cup-qatar-gianni-infantino-f280c34b8442e3d3c1b00fd5094b1ccf>.

pressure on Qatar to implement cost-cutting measures, which could include not providing adequate safety to its workers. As such, even with the promises of the reforms Qatar has implemented, the pressure of being a World Cup host led to a dilemma between improving the migrant worker conditions or finishing the construction of the stadiums before World Cup 2022 occurs.

Despite all the controversies surrounding the 2022 FIFA World Cup, including allegations of corruption, the One Love LGBT symbol ban, and the systematic mistreatment of migrant workers, ultimately the 2022 FIFA World Cup provided successful revenue, generating around USD 7.57 billion for FIFA and over five billion viewers.⁹

FIFA and Qatar wanted to host the first World Cup in the Middle East and impress their audience, while human rights organizations opposed these constructions for being built on the backs of abused migrant workers. Historically, there is tension between Sharia law, which Qatar has adopted, and the concept of human rights itself as human rights have been perceived as being built on the foundations of Western cultural values. Eventually, Qatar did implement reforms to the Kafala system, however, it was deemed to be too little and too late by human rights organizations and activists. Allegations of FIFA being involved in human rights violations eventually led to demands from human rights organizations and activists for FIFA to provide compensation for migrant workers. Therefore, it is necessary to create a comprehensive analysis of the impact of international

⁹ FIFA Publications, "Revenue 2019-2022.". Accessed June 5, 2023.
<https://publications.fifa.com/en/annual-report-2022/finances/2019-2022-cycle-in-review/2019-2022-revenue/>.

organizations (IGOs) such as FIFA on the working conditions of migrant workers. The research is trying to understand the tension between Qatar and human rights values, and the role and impact of FIFA in the 2022 FIFA World Cup migrant worker issue.

1.2. Research Question

This research studies the treatment of migrant workers during the construction of the World Cup stadium. This includes the Kafala system the Gulf countries have implemented, the impact of reforms implemented by Qatar after international pressure, and the aftermath of migrant workers after the World Cup ends. The reforms refer to the agreements Qatar made with ILO and FIFA in 2017, and these reforms included allowing migrant workers to return home without the permission of their contract owners. The scope of analysis will be from November 2015, when Qatar began to construct World Cup Stadiums, to 2022, after the World Cup has finished. The subject of observation will be limited to FIFA, and Qatar for this issue. This research seeks to answer these questions:

1. How have migrant workers' rights as part of human rights been violated during the construction of the 2022 FIFA World Cup stadiums?
2. How did FIFA and the World Cup influence the migrant workers situation in Qatar?

1.3. Research Objective

Based on the research questions, the objectives of this research will be:

1. To provide data on what migrant worker rights have been violated in the construction of the FIFA World Cup stadiums.
2. To comprehend how FIFA and the World Cup influenced the migrant workers situation in Qatar

1.4. Research Significance

The 2022 FIFA World Cup was infamous for its numerous controversies, including the issue of the LGBT ban and especially the abuse of migrant workers who built the stadiums. This can potentially damage the reputation of the World Cup and FIFA as a whole, as the World Cup began to be associated more with severe human rights violations rather than the “beautiful game” itself, even with FIFA's efforts to improve migrant worker rights in Qatar. As such, this presents an opportunity to how international relations can be used to study human rights, including the study of the violation of human rights in international events. This research also wants to learn about how states respond to said allegations of human rights, including how states and international organizations could have differing perspectives on what is exactly defined as human rights violations, as well as how these states and international organizations attempted to find a compromise. Lastly, if any member of this research subject read this research, I hope this research could help those members find a way to implement reforms to limit human rights abuses.

1.5. Research Structure

Chapter I is the introduction of the thesis, which is divided into five sub-chapters. The first sub-chapter consists of the background of the research, including explanations about the concept of human rights in general, the Kafala system, and the basic facts around the controversies revolving around the mistreatment of migrant workers in the 2022 FIFA World Cup stadium constructions. The second sub-chapter explains the three research questions that are explored in the research. The third sub-chapter explains the objectives of the research. The fourth sub-chapter explains why this research is significant and relevant in the current day. The fifth sub-chapter describes the structure of the whole thesis.

Chapter II is about the theoretical framework of the thesis that is used for this research and is divided into literature review and theory and concept. The literature review is furthermore divided into three sub-chapters. The first sub-chapter is about the migrant worker rights in Qatar, namely the general abuses worker faces in the stadium projects. The second sub-chapter is about the impact of migrant worker reforms in Qatar, with differing perspectives on how effective the reforms are at resolving the systematic abuses of migrant workers. The third sub-chapter is about the international response towards FIFA and Qatar. The theory and concept is also divided into four sub-chapters. The first subchapter is about Liberalism as the main international relations theory used in this thesis. The second sub-chapter Liber is about Non-State Actors. The third sub-chapter is about human rights. The fourth sub-chapter is about globalization. These three concepts act as the supporting concepts for the selected theory.

Chapter III explains the research methods that are used in this research, and it is divided into four sub-chapters. The first sub-chapter explains the research approach of the thesis. The second sub-chapter explains the research methods of the thesis. The third sub-chapter explains how data is collected in this research. The fourth sub-chapter explains the techniques used to analyze the data.

Chapter IV consists of the result and analysis of the research which is based on the foundation built in Chapter II and from other sources such as news, journals, reports, and articles. This chapter answers the questions from Chapter II using methodologies that are explained in Chapter III.

Chapter V provides the conclusion of Chapter 4 analysis and recommendations for involved parties and other researchers who are studying this topic.

