

A Critical Evaluation of the ‘Reforms’ in the Kafala System: A Case Study of Qatar

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Abstract

The Kafala system (a Labour Sponsorship System), a legal framework for regulating foreign migrant workers through local recruitment agents/agencies, existed in several Arab Nations, including the GCC, Jordan, and Lebanon. A key component of the Kafala system was *the hegemony* of the middle-person/recruitment agent (Kafeel), whom the government authorised on the grounds of a steady workforce supply. Recently, the system has been severely under attack due to the unjust hegemony of the Kafeel and a violation of workers' human rights. Essentially, the structural snags are responsible for it, as *the Ministry of Interior* handled the migrants' labour affairs compared to *the Labour Ministry*, thus excluding migrant workers from various humanitarian domestic workers' laws, further providing space for exploitation to the Kafeel by monopolising the terms and conditions of the worker's recruitment.

The Arab Uprising (2011) strengthened the voices of the ordinary people for the protection of individual rights; consequently, the political regimes were found serious about initiating policy steps to reform exploitative pillars of the *Kafala* system under people's pressure. Accordingly, Qatar's monarchy first took the initiative in 2016. Thereafter, Kuwait, UAE, Bahrain, Oman, and Saudi Arabia followed similar steps to an extent. It was assumed that the millions of migrant workers in the Gulf who support the economic growth of the 'host' and the 'origin' would benefit from these reforms. Recently, several incidences have been observed in Qatar that Kafeel still plays a dominating role in the workers' recruitment process, and the structure of exploitation continues as previously. This research paper aims to critically evaluate the reforms in the Kafala system in Qatar and the reasons for their continuation. The research hypothesis is 'to tactically silence the people's voices and international criticism the monarchy has implemented titular reforms in the Kafala.' Methodologically, the research relies on descriptive and analytical methods. However, this research paper will make a literary contribution to literature related to human rights and Gulf studies.

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What is The Kafala System: Origin and Evolution

The government-approved ‘employee recruitment (sponsorship) system’, known as the Kafala system, has existed in the Gulf monarchies such as Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates (apart from Iraq), including Jordan and Lebanon in place for more than a century. Regulation of the ‘Demand and Supply Chain’ of foreign migrant workers (skilled and unskilled) in various economic sectors of the Gulf monarchies as per the requirement has been its fundamental purpose. Thus, this systematically ‘legitimised’ labour recruitment functioned to define the ‘relationship’ between foreign migrant workers and recruitment agents or agencies (i.e. Kafael) in the host countries. Due to the functional significance of the Kafael as a ‘middle person’ between employees and employers for handling all the affairs related to migrant workers, such as getting employment, signing and ending work contracts, working visa facilitation (extension), travel permission, housing (accommodations), wage increments, etc., it has been considered an essential structural pillar of the Kafala system (Jureidini Ray & Said Hassan 2019, p. 93). There are varied opinions regarding the context of the origin of the Kafala system. For example, the first popular belief connects its origin with the literary sources associated with ‘Islamic Jurisprudence on Legal Guardianship’, explicitly mentioning the word ‘*the Kafala*’ (in Arabic), which means ‘*the adoption of children under guardianship*’. Second, Al-Shehabi provides a historical documentary-based analysis. In her study, Al-Shehabi proved that the kafala system developed during the ‘colonial times’ (around the 1920s), when the British developed a policy for giving authority to private ship owners to regulate individual immigration, particularly in Bahrain. Moreover, the immigration control policy mechanism was later replicated in other Gulf states during the oil boom. According to Al-Shehabi, whether Islamic laws inspired the colonial immigration regulation policy remains unsolved. Nevertheless, by the 1950s, this labour recruitment system had structurally more settled to manage the workforce requirements in the Gulf region (Al Shehabi Omar, 2019, p. 292). Contrary, the scholarly work of Franz Elizabeth has, to an extent, differed from Al Shehabi’s opinion that ‘though for the sake of belief it assumed that the Islamic Legal providences had been the source of inspiration for the development of the Kafala system, but there were pieces of evidence that establish a distinction between the traditional Islamic concept of the *kafala* and currently prevailing exploitative structure of *the Kafala*’ (Franz,

Elizabeth, 2011, p.99). To suffice the argument, he further provided the ‘genealogical’ evidence that the true meaning of the Kafala is ‘An adoption of a Child’, which also attached various duties of ‘caring’ for subjects. On the contrary, the prevailing worker recruitment system features ‘adoption’ or ‘guardianship’ of workers, representing an ‘exploitative’ nature instead of ‘care’ (Franz, Elizabeth, 2011, p. 99). It means he also disagrees with the widespread belief on the origin of the prevailing structure of Kafala associated with Islamic Law.

Apart from the varied opinions regarding the origin of the Kafala, it received significant impetus when the Gulf region was experiencing ‘oil-based economic flourishing’ in the post-1950s. The oil exploration widened the scope of industrial manufacturing sectors, while the local workforce (labour capital) was not enough to supply them in the industrial sector. Thus, there was an essential need to regularise the workforce supply in the oil industry. At the same time, neighbouring developing South Asia and Africa had sufficient skilled and unskilled working forces. The Kafala was found to be an effective structure for fulfilling the needs of the supply of a regular workforce in flourishing large-scale oil-based industries and projects. So, the Gulf never faced the shortage of availability of a cheap labour force, which became relatively easy due to structure. This Kafala-based migrant labour recruitment was ‘temporary’ because the period of economic boom was considered favourable for welcoming the migrant workforce. However, they returned home when the economy faltered. However, the employers were no longer worried about the recruitment process, working conditions, and relief of workers; it was all the business of the Kafeel. It evolved that Kafeel's identity as a godfather of migrant workers provided undue importance to the institution of the Kafeel. Entry of workers in the Gulf became impossible without the institution of *Kafeel*. That led to the workers' lives in the hands of Kafeel because of total control over workers' lives. The absolute monopoly of Kafeel led to negative implications for the lives of millions of workers in the Gulf countries (Robinson, Kali, 2022). There have been minor variations in the Kafala System across the Gulf monarchies in the Gulf. For example, in Bahrain, the regular supply of migrant workers was sponsored by government agencies rather than individual employers. On the contrary, individuals and agencies were allowed to recruit labourers in the UAE and Saudi Arabia (Robinson, Kali, 2022).

Despite all negative impressions of the Kafala, the labour recruitment system became dependent on the Kafeel, making it an integrated part of the ‘labour governance’ structure in all the Gulf monarchies. However, it has specific discriminatory and exploitative characteristics that were also developed in it. However, it proved vital and effective for the host (the Gulf) and

the origin countries' economic development. However, certain aspects developed in the system have proved detrimental to individual life conditions (Al Shehabi Omar, 2019, p. 292).

Structural Snags in the *Kafala* System: The Ways to Exploitation

In his recent article (2023), a researcher, Adam Kinder, narrated a real-life experience story of twenty-nine-year-old Nepali girl *Sajit Lama*, who returned from Lebanon. This is a tragic incident, evidenced by the exploitative nature of the *Kafala* System. *Adam Kinder* narrates, "Sajit Lama comes to Kathmandu (Nepal) airport and suddenly falls into her mother's arms, weeping, 'I am sorry, Mama. I could not bring you anything, she cried and replied, 'It is okay, my girl'. The most important thing is that you are at home". Sajit, a migrant worker, had spent almost a decade confined in Lebanon with a single year's salary. During that time, her employers, a wealthy Lebanese family, stole her passport, cut her off from communication with the outside world, and forced her to work in their home as a maid for years without compensation (Kinder, Adam, 2023). Unfortunately, this unfortunate real-life story of Sajit is one among millions who have been victims of the exploitative nature of the *Kafala* system since its inception. Human Rights Watch has recently published documentation on how the region's kafala system contributes to migrant workers' susceptibility to a variety of abuses, including forced labour, delayed wages, and passport seizure. These groups have revealed how critical elements of the system allow migrant workers to remain trapped in employment situations where their rights to fair wages, overtime pay, adequate housing, freedom of movement, and access are at risk once such element is employer control over a migrant worker's ability to change or leave their jobs (International Labour Organization, 2017: 23). Due to its exploitative nature, critics have exemplified the *Kafala* system as a '*Modern Day Slavery*' (Deen, Thalif, 2019).

The following are specific reasons for the exploitative structure of the kafala system:

- a) **Extraordinary Privileges to Kafael:** Extra privileges provided to the sponsor (*kafeel*) are the fundamental reason for the exploitative nature of *Kafala*. For example, the *Kafeel* confiscates (impounds) employees' passports, visas, phones, etc., thus trying to keep employees' lines of communication depending on their whims and wishes. However, they must obtain a *Kafeel*-approved "exit permit" to depart the nation. No mechanism can control the power of *Kafeels*.

- b) **ILO's Domestic Workers Conventions:** The exciting thing to acknowledge is that the Gulf countries have never ratified any international agreements protecting workers' rights, such as the ILO's Domestic Workers Convention² Of 2013 (ILO, 2013).
- c) The *Ministry of Labour* usually looks after workers' issues. However, in the Gulf countries, it found that the *Ministry of Interior*, rather than the Ministry of Labour, is responsible for concerns. Consequently, the migrant working classes have been excluded from the host country's labour and related protection laws. So, it leaves them vulnerable to exploitation and denial of fundamental rights, such as the ability to enter a labour dispute process or join a union to demand better working conditions (Robinson, Kali, 2022). The rejectionist attitude of the Gulf monarchies towards the working-class migrants led to further empowering the *Kafeel* to exploit the working class. Ryszard Cholewinski, the ILO's senior migration specialist for the Arab States, said, "Even if countries do have domestic workers laws, they are often poorly enforced under the pressure of the *Kafeels*." (Robinson, Kali, 2021).
- d) **Expensive Recruitment Fees and Debt Bondage:** The *Kafeel* lump-sum charges the recruitment fees, but migrants from the South Asian region to escape poverty and unemployment prefer to come to the Gulf countries. Workers also pay such unregulated fees by taking out bank loans. Their charges range from US\$500 to 4,300. Suppose employees could not repay the bank loan amounts for various reasons, such as the employer's decrement or withholding of wages. Then, they are ostensibly pushed into a crisis of indebtedness.
- e) **Appalling Living Conditions:** Workers frequently reside in small, unclean, and dangerous quarters. However, Qatari legislation and workers' welfare requirements prohibit bed-sharing and bunk beds, which permit no more than four beds per room. Besides, their accommodation is pretty derogatory because of dwelling in overcrowded dorms, which puts them at greater risk of communicative illness. Many lack adequate health care (Gulf Research Centre, 2019: 21-23).
- f) **False and Delayed in Salary:** Recruitment agents misrepresent the job type and the income employees will get. One employee in Nepal was promised US\$300 per month, but when he began working in Qatar, his pay was US\$190. Employees are disregarded when they

² An ILO convention that establishes labor standards for domestic workers is the Convention on Domestic Workers, also known as the Convention Decent Work for Domestic Workers. Adopted on June 16, 2011, during the 100th session of the International Labor Organization, it became operative on September 5, 2013. The first international norms for domestic workers are established by this historic convention. For further information, find the link [Convention C189 - Domestic Workers Convention, 2011 \(No. 189\)](#).

inform employers they were promised more excellent pay. Salary payments can occasionally be delayed for several months. This can be disastrous since workers cannot pay for loans associated with recruitment, buy food, or send money home to their families. Many people are driven to despair (Amnesty International, 2020).

- g) ***Force Labour and Threatened:*** If workers complain about their conditions or seek help, their employers often intimidate and threaten them. Deception or coercion by a recruiter when enlisting workers can amount to forced labour. Contract substitution is a prevalent strategy whereby employees sign several contracts, some in languages they do not understand, unknowingly accepting subpar pay and working conditions (Schroder, Thore, 2020).
- h) ***Illegal Visa Trading:*** As long as they are still the official sponsor, sponsors may unlawfully sell a worker's visa to another company. It is possible that the new company will not adhere to the same terms and conditions as the previous one, requiring different kinds of labour or paying less. A citizen may sell their visa quota to firms, other nationals, or foreigners to sponsor migrant workers. When migrants enter the nation and discover that there are no employers or jobs, they may have been tricked into paying for an illegal visa. They might then be stranded, made to work for dishonest employers, or subject to fines (Al Jazeera, 2020).
- i) ***Inability to easily change jobs:*** It is challenging for migrants to switch employers under the Kafala system without their present employer's or sponsor's consent. Because of this, migrant workers frequently have little option but to put up with subpar working conditions, such as inadequate pay, nonpayment, long hours, or other hazardous and abusive circumstances.
- j) ***Advancing Migrants to Unusual Status:*** The substantial number of irregular migrants in the Gulf results from the sponsors' total control over workers, the absence of job mobility, and the barriers to seeking employment remedy. Migrants are frequently compelled to flee or "abscond" because they lack easily accessible legal procedures to leave abusive or otherwise unfavourable situations. A migrant worker is instantly deemed illegal upon leaving their employment and, typically, is unable to change their status. Undocumented migrants may still be employed in the Gulf, but they are considerably more vulnerable to exploitation because of their irregular status. Unauthorised departure from employment is a serious offence that can result in a worker's legal status being terminated and possible

incarceration or deportation. Workers have few options in this case (a source of assistance in a complex scenario). (Pak, Patrick, 2020)

The following factual data, published by the International Labour Organization (ILO), demonstrates how migrant workers are protected in the Kafala systems of different nations:

What Protections Do Kafala Workers Have? (Foreign worker rights by host country, 2022)

Country	Join Unions or workers' committees	Change job or quit without employer's permission	Leave the country without the employer's permission	Minimum wage	Labor law covers domestic workers	A standard contract for all workers.
Bahrain	Yes	After 1 year*	Yes	No	In some cases,	No
Jordan	Yes	In some cases	Yes	Yes*	Yes	No
Kuwait	In some cases*	After 3 years*	Yes	Yes	No	No
Lebanon	Yes*	No	Yes	Yes*	No	No
Oman	Yes	After 2 years	Yes	No	No	Yes
Qatar	In some cases*	Yes	In most cases	Yes	No	No
Saudi Arabia	No	After 1 year (2 years for	Yes*	No	No	Yes

		domestic workers)				
UAE	Yes	In some cases	Yes	No	In some cases	Yes

*Source: International Labor Organizations, U.S. State Department. *Excludes domestic workers*

Critical Assessment of Reforms in the Kafala System: A Case Study of Qatar

Following Qatar's successful bid to host the 2022 FIFA World Cup in 2010, the government started building the Kalifa Stadium in Al Rayyan City, close to Doha. This newly constructed FIFA Cup stadium is part of the large “*Aspire Zone*” sports complex (Doha Sports City)³, which ownership belongs to the Aspire Zone Foundation. The audience space of the stadium was so broad and luxurious that it was estimated to accommodate over 50,000 people. The Kafala enabled the regular employment of more than 1.6 million workers until 2016. A critical juncture occurred when the deaths of several migrant workers in the construction location led to evidence regarding disadvantages related to a century-old Kafala system in the public domain. Due to rigorous regulations and government monitoring, none of Qatar's indigenous media, academics, or human rights organisations have reported or broadcast on the problem of human rights abuses. It indicates that they would have instead been silent. In contrast, several foreign organisations, including Human Rights Watch and Amnesty International, spearheaded essential inquiries into the problem of human rights abuses committed by workers in Qatar. Since the stadium's construction began in 2010, 6,500 migrant workers have died, according to a Guardian newspaper article. Moreover, the team of experts from Amnesty International⁴ visited the ground field to understand the working conditions of the workers at the Kalifa stadium. They recorded bites of hundreds of workers on sites, and they were all almost thrown out of their frustration about the Kafala system in front of the team. For example, Deepak, a metal worker at the Khalifa Stadium, told the team, “*My life here is like a prison. The manager*

³ The 250-hectare (2.5 km³) Aspire Zone, commonly called Doha Sports City, is a sports complex situated in the Baaya neighborhood of Al Rayyan, a suburb of Doha, Qatar. It was founded as an international sports destination in 2003 and opened as an educational center for the development of sporting champions (Aspire Academy) the following year. It is owned by the Aspire Zone Foundation. A number of athletic facilities are housed within the complex, most of which were built in anticipation of the 2006 Asian Games.

⁴With its main office located in the United Kingdom, Amnesty International, usually known as Amnesty or AI, is a global non-governmental organization dedicated to human rights. Globally, it boasts over 10 million members and supporters. See: Amnesty International.

said: If you want to stay in Qatar, be quiet and keep working” (Amnesty International, 2016). International academic communities publicly celebrated various critical aspects of the Kafala by writing articles that witnessed significant attention from people across countries. There were mixed responses received to the incident; on one spectrum, the trends on social media spread with football fans in Germany and Norway, who were told their national team not to participate in the FIFA World Cup 2022 tournament. Unlike the local Qatari NGOs, local media depicted such ‘boycott calls’ for the FIFA World Cup as a “Western bias” against Qatar, especially in the foreign media coverage. However, several moderate comments also received from the experts or media familiar with the region generally did not support a boycott call but acknowledged the pressing need for reform in the Kafala system (Garret, Amanda, 2020: 202). Apart from the comments of various frequency, for the first time, on field investigation by Amnesty International spurred debates on the various loopholes in the Kafala system in the context of violating the fundamental rights of migrant workers and the implementation of a progressive international labour standards code for protecting workers' rights in Qatar and the Gulf (Amnesty International, 2016).

The political event of the Arab Uprising (2011) needs to be essentially considered in the context of sensitisation of people about protecting the human rights of the individual, including migrant workers. At that time, the region’s monarchies could save their authority under the burdens of various political promises in the future. Thus, as soon as Amnesty International raised critical human rights issues, the Qatar monarchy was already aware of the given political promises, so it seriously considered the litmus test to set reforms in the Kafala system. As a result, Qatar implemented a specific legislative provision in December 2016 that was consistent with the Kafala reform. For instance, regardless of whether the labour legislation covered them, all migrant workers were covered by the amendment to Qatar's law on expatriates' arrival, departure, and residence. Under this amendment, two significant decisions were taken; the first was a provision for the employer's requirement of a ‘No Objection Letter (NOC)’ to switch jobs or leave the country deleted. As long as they tell their employers to follow Labour Ministry rules within a specified notice period, migrant workers are free to change positions without permission from their employers at any point throughout their employment, including during their probationary period. According to the modification, the new employer must pay back the prior employer's hiring expenses but only up to two months' worth of the worker's base pay if the employee switches employment during the probationary term, which cannot be longer than six months. Additionally, in January 2017, Qatar implemented some significant amendments

that included giving migrant workers who were not covered by the labour legislation the ability to leave the nation without authorisation from their employers. In 2018, the government granted this privilege to the majority of migrant workers but not to those employed in domestic work, agriculture, or oil and gas. Domestic workers must give their employers at least 72 hours' notice if they intend to leave. However, employers can still request exceptions for a select few employees. As a result, Qatar became the first nation in the Arab Gulf to permit all migrant workers (employees) to switch occupations prior to the expiration of their contracts without first requiring a "No Objection Certificate (NOC)" from their employer. One of the leading causes of discrimination in the Kafala system was the NOC criterion, which gave the Kafeel complete control over the workers' lives and thus allowed for exploitation (). In order to guarantee the superior protection of the rights of the migrant working class, Qatar and the International Labour Organization (ILO) signed a three-year technical cooperation program in 2017 to significantly alter the conditions of migrant workers, including the Kafala system. Consequently, it developed a new 'contract-based' labour recruitment model with greater flexibility in the recruitment process. Additionally, the modifications eliminated the requirement for approval from the Interior Ministry and the Labour Ministry for job change applications, which lacked a straightforward, transparent process with defined criteria. Nevertheless, the process suffers from various procedural constraints when migrant employees want to change their job profile. For example, if any worker wants to change jobs, then workers need to apply at the Labour Ministry. However, employees can now handle their job transfer on their own, and there is no fee associated with this process. The strong connection between the government institutions and Kafeel was found to create procedural flaws regarding job change applications. It created several challenges for the migrant workers when changing jobs or leaving the country. This means that jeopardised rules and regulations of the Kafeel are still governing job-changing criteria with the help of government officials (Bouri, Christina, 2023).

Secondly, Qatar set its minimum wage standard for migrant workers after Kuwait. In order to do this, the Labour Ministry set up a "National Minimum Wage Commission" to examine the amount at least once a year while considering the requirements of the workers and their families as well as economic issues like productivity, growth, and competitiveness. Nevertheless, the working class was not represented on this commission. According to Migrant-Rights.org, the food and lodging allowances are insufficient compared to global norms. To guarantee that the minimum wage is a "living wage" that allows employees and their families to enjoy the right to a respectable level of life, Qatar should ensure that authentic worker representation is

included in its periodic assessment of the minimum wage. As long as employers are free to withhold, postpone, and deduct from migrant workers' earnings without facing repercussions, establishing a non-discriminatory basic minimum wage will not have much of an impact on them. Establishing efficient wage protection mechanisms and enforcing consistent penalties for noncompliance are the only ways to combat wage abuse. The former temporary minimum salary of 750 QAR (\$205) would be replaced by a bare minimum wage of 1,000 QAR (\$274) for all workers, regardless of nationality or industry (domestic and manufacturing), following new criteria in Qatar. The new law requires employers to give allowances of 300 QAR (\$82) for food and 500 QAR (\$137) for lodging if they do not provide these services. Accordingly, the minimum salary should be increased to 1,800 QAR (\$494) (Human Rights Watch, 2020).

Third, the labour legislation was amended in Qatar to impose harsher sanctions on businesses that do not pay their employees' wages. In order to give employees a quicker and simpler way to file complaints against their employers, it significantly expanded the number of labour dispute settlement bodies. These actions are necessary, but they fall short in addressing pay abuse. According to a recent Human Rights Watch report on wage abuse, employers in Qatar often breach workers' rights to salaries, and attempts to address the issue have mostly failed (Human Rights Watch, 2020).

Qatar monarchy government said, "These new legislative changes will ensure workers' rights according to international labour standards" (BBC News Staff, 2016). Human Rights Watch's Deputy Middle East Director Michael Page expressed optimism when he said, "Qatar's new labour reforms are some of the most significant to date and could, if carried out effectively, considerably improve migrant workers' living and work conditions" (Human Rights Watch, 2020). Amnesty International's James Lynch critically assessed the Kafala reforms in the light of the ground-political circumstances in Qatar and argued that "the measures would not lead to significant changes reality, instead of getting rid of the word '*sponsorship*'" (BBC News Staff, 2016). However, on January 4, 2017, the monarchy abolished *Law No. 1*, associated with the 'No Objection Letter'. By that, the previous system of compulsion of the 'Exit Permits', i.e., the NOC from the employer to leave the country by ending working contracts or any other circumstances, was reinstated. In practice, it was observed that changing jobs for many migrant workers still requires the cooperation of the original employers. Furthermore, the process appears bureaucratically burdensome. The reforms in Qatar are the most advanced, but their implementation is still challenging. Since these reforms were implemented in September 2020, around 350,000 workers have approved their applications to change jobs, which is a significant

number. The most recent change to Qatar's foreign worker sponsorship regulations, Ministerial Decision No. 95, was formally declared to go into effect on January 16, 2020, by the Ministry of the Interior (Migrant Rights Org, 2023).

Although the World Cup was thought to be the cutoff date for reforming Qatar's Kafala system, the truth is that it will probably take many more years. The challenge of entirely undoing Kafala reform on the ground is one that foreign analysts frequently overlook. International attention was drawn to Qatar's kafala labour system when it hosted the 2022 World Cup. Football stadium building in the nation depends on the labour of migrant workers, most of whom are from South Asia and frequently endure hazardous working conditions and low pay. The worldwide push to host the tournament is responsible mainly for Qatar's recent reform rate, even though the kafala system existed before the World Cup and is common throughout the GCC. The flagship Khafala Stadium is being renovated, and the surrounding gardens and sports facilities, known as the "Aspire Zone," are being landscaped by migrants from Bangladesh, India, and Nepal. These migrants are being taken advantage of. Some people are being forced to perform forced labour. They frequently wait months to get paid, cannot change occupations, and are not allowed to leave the country (Nguyen, Ngoc, 2021).

On the eve of the 28th Annual United Nations Climate Change Conference (COP28) in Dubai on November 30, 2023, concerns about workers' rights emerged. Concerns regarding the indictment of the Kafala despite improvements were raised by Human Rights Watch's revelation that the UAE monarchy has cracked down on fundamental human rights, especially freedom of expression, assembly, and association. Human Rights Watch said, "Serious mistreatment of migrant labour was also connected to the COP28 locations. They provided documentation of labour abuses committed against the workers who constructed Expo City Dubai, the site of the COP28 negotiations. These abuses included discrimination, unlawful recruitment fees, non-payment of wages, and passport retention. Employers have also subjected COP28 sites to excessive heat by requiring them to work during the summer noon work ban, a government regulation that forbids explicitly working outside between 12.30 and 3 p.m. from mid-June to mid-September. (Human Rights Watch, 2023).

Conclusion

The Kafala (Sponsorship) system has evolved under certain demographic circumstances in the Gulf countries, including Jordan and Lebanon, to essentially manage the 'demand-supply' of the workforce coming from the developing region of Asia and Africa. Over a century, this

legitimised system has been fully embedded into the economic structure of the Gulf monarchies. However, it has suffered from several structural disadvantages fundamentally associated with the dominance of the Kafeel (recruitment agent or agency) in recruiting migrant workers. In light of the Arab Uprising, the structural disadvantages aligned with the Kafala system were highly debated within the circle of the international academic community. As a result, Qatar emerged as the first country to take specific initiatives to reform the Kafala system in late 2016, with high hopes of addressing issues of workers' rights. Moreover, other countries in the region have also taken similar initiatives. In a period, it has been observed that the reforms have not been genuinely reflected on grounds due to the continuation of the prominence of Kafeel in the recruitment of migrant workers. Over time, the Qatari bureaucracy developed a strong relationship with the Kafeel; it became very unfeasible for the bureaucracy to change the entire course of the recruitment structure. It is the primary reason for the inability to realise the reforms. This means that the bureaucracy has appeared unwilling to change its attitude, leading to maintaining the dominance of the Kafeel despite reforms. As a result, millions of migrants are still facing several problems related to human rights violations, comparatively less severe than in earlier periods. So, these reforms have not failed; specific positive changes have been found concerning labour working conditions, such as wages, working hours, accommodation, etc. Now, different international human rights groups and media are continuously paying attention towards the emerging issues related to migrant workers in the Gulf. Under these pressures, the Gulf monarchies and the Kafeel have also become conscious towards migrant workers' working conditions. Nevertheless, many things need to be changed concerning the dominance of the Kafeel in recruiting migrant workers, workers-related laws, working conditions, etc.

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