The CSR strategies of the MNCs to ensure the labor rights of migrant workers: the 2022 FIFA World Cup Project in Qatar

(The case study based on Migrant Workers of Bangladesh)

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Abstract

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Authors: Nandita Farhad and Nataliia Slobodian

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Date: May 30th, 2012

Background: The Corporate social responsibility (CSR) became at the forefront of corporate strategy of many businesses. However, the area of human and labor rights as a part of CSR of the business is not deeply studied, especially when it comes to the ground level workers which constitute the majority of employees in the construction sector. There is quite a mystery in the CSR field what exactly CSR is and what are the motives and benefits of being socially responsible. MNC’s compliance to the legal system of the country is seen as one of the basis for CSR, but will it be still place for CSR when the ‘legal basis’ is missing as it is in Qatar, country of the 2022 FIFA World Cup Project.

Aim: The purpose of this research is to find out whether multinational construction companies incorporate human and labor rights into their CSR strategy upstream as the basis of CSR policy, and what is even most important, downstream as a resource for CSR practice including those throughout the supply chain. This research aims to enhance the understanding of the importance of human and labor rights as the part of CSR, especially when it comes to migrant workers from the third world countries.

Methodology: A qualitative study has been conducted. Relaying on the existing theories of CSR and by applying the 2022 FIFA World Cup Project case study as an empirical tool we support and review established theoretical understanding. This allows us to make use of existing knowledge in the field as well as contribute with our own findings and critical review.

Completion and results: The study found that the MNCs of the 2022 FIFA World Cup Project have unclear CSR strategies, hence ineffective practices towards ensuring human and labor rights for the Bangladeshi migrant workers, especially within their supply chains.

Search terms: Corporate Social Responsibility (CSR), Multinational Corporation (MNC), human and labor rights, migrant workers, Qatar, the 2022 FIFA World Cup Project.
Preface

Bangladesh is a developing country with a population about 160 million. The lack of employment opportunities and poverty create huge labor surplus. The battles of migrant workers are going abroad with the hope to become economically solvent. The GCC (Gulf Cooperation Council) countries are among the top destinations of Bangladeshi migrant workers. These countries are in the great need of migrant workers as they have not enough people, thus, it creates prospect of employment for the migrant workers from developing countries, like Bangladesh. The earnings (remittances) of the migrant workers sent back home directly contribute to the country’s national economy. According to World Bank, Migration and Remittances Factbook (2011) report, Bangladesh has received remittance of US $11.1 billion in 2010 which accounts for 12% of the country’s GDP. However, the story of labor migration has another part. The leading newspaper of Bangladesh “The Daily Prothom-alo” published news on May 25th, 2012 that 8,132 migrant workers have passed away during last three years, mostly in the Middle East countries because of the heart attacks caused by the excessive hot temperature, extreme work pressure, inhuman working conditions. A considerable amount of these migrant workers is employed in the construction sector.

In GCC countries, numerous multinational construction firms are operating and building vibrant cities with incredible modern infrastructures and flourishing lights, which are becoming attractive tourism and business centers. MNCs that operate in these countries get advantage of the arbitrage from the weak legitimacy and cheap labor. This brings more light on the issue of Corporate Social Responsibility (CSR) towards labor rights and especially those of the migrant workers. The European commission (2011) defines CSR as the way MNCs should ensure not only consumer rights, but also social, environmental, ethical, and human rights in their business operations and core strategy in close collaboration with their stakeholders. Therefore, in order to prove themselves as socially responsible organizations, the MNCs need to show the respect for internationally proclaimed minimum human and labor rights standard. So, increasing number of MNCs are committing to UN Global Compact initiative and promising to comply with ILO principles.

The upcoming 2022 FIFA World Cap Project in Qatar, where migrant workers constitute the majority of the country’s workforce and where the legal system for protecting the labor rights is not strong enough, and creates vulnerable human right situation, which attracts a lot of attention from the civil society; especially, concerning how the proper working conditions of migrant workers will be guaranteed by the MNCs appointed for the construction works. This research aims to explore the existing situation on the migrant workers’ rights and legal system in Qatar, while also present findings to what extent the MNCs are ready to ensure labor rights along the supply chain. Today, the challenge for the MNCs is not only how well they can manage the crisis of reputation in the media, but also gain advantage of sustainability for themselves as well as for the world.
Acknowledgements

From where to start! Feel like to acknowledge everyone and everybody, our families, friends, relatives, acquaintances, everywhere, far and near to us, for their ever continuous support and believing in us. To do so, another hundreds of pages should be attached. By thanking everyone around us, we would like to specify some of the notable people who are the direct contributors, guides and motivators for us to be able to carry on and complete this research.

First of all, the very special thanks go to our supervisor Charles Wolfson (Professor of Labor Studies, REMESO, Linköping University). We are exceptionally glad to have him as our mentor for this research. For last few months he was not only a supervisor, but also our friend and companion. He possesses incredible power to motivate people, believe in them and trust them. Simple short emails with a few but very encouraging words were giving us strength to move on. The small excursion and walk with him along the canal in Norrköping, while having a friendly discussion, really meant a lot for us. Being Business Students and at the same time doing the interdisciplinary research in the area of ‘CSR of human and labor rights’, we were in extreme need for the right guidelines and assistance from the field experts. The way he communicated with researchers around the world on our behalf for obtaining references and appropriate advices, might be the best experience for any students. We express our respectful gratitude to him.

We also want to thank David Sigurthorsson (PhD candidate, Center for Applied Ethics, Linköping University) who impressed us by his presentations on ‘Business Ethics’ and guided his two unofficial students on formulating the theoretical framework for this study as well as supporting with relevant references and giving valuable guidelines.

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It is very important to note that, since the research is concerned with the labor rights of the Bangladeshi migrant workers in Qatar, for our study we required a lot of information about Bangladesh. We want to thank one of the author’s mothers Mrs. Rasheda Khanam, for active participation in data collection and sending documents all the way to Sweden by post. Also, we would like to thank Mr. Alamgir Kabir for providing us with valuable information and contacting the respondents of this research on behalf of us. Mr. Yusuf Ali, Mr. Sakiul M. Morshed, Mr. Mahboob Zaman also need to be acknowledged for helping us to conduct the research. Moreover, we want to appreciate Eddie Cottle (Regional Policy and Campaign Coordinator, BWI) from South Africa, for communicating with us and sharing his book and views about FIFA World Cup Projects.

Last but not the least, we want to thank all of the informants and respondents of this research, as without them it would be impossible to achieve our goal. Most importantly, we would like to express our gratitude to all of the Bangladeshi migrant workers in Qatar, who helped us by participating in the interviews or by providing any relevant information. While interviewing them, we were often facing a question: “can your research improve our situation?” which unfortunately were not able to answer. We are fully aware that this research might not be able to do much on its own. However, we hope that it can be ‘another drop of water into the ocean’, where the researchers and human right activists all around the world are contributing and searching for the solutions. We express our best wishes to all of the migrant workers with the hope that one day ‘the world will become a better place for you and for all of us’.

Nandita & Nataliia

May 30th, 2012
**Definitions**

<table>
<thead>
<tr>
<th>AS&amp;P</th>
<th>Albert Speer &amp; Partner: German multinational firm of architecture, urban, traffic, mega city planning, events and process planning (Albert Speer &amp; Partner, n. d.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>BWI</td>
<td>Building and Wood Workers International: The BWI is the Global Union Federation grouping free and democratic unions with members in the Building, Building Materials, Wood, Forestry and Allied sectors (BWI, About, n. d.).</td>
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<tr>
<td>CSR</td>
<td>Corporate Social Responsibility: is “the responsibility of enterprises for their impacts on society” (European Commission, 2011:6). The prerequisite for meeting that responsibility is the respect to applicable legislation and existence of collective agreements between social partners. Enterprises should have social, environmental, ethical, human rights and consumer concerns into their business operations and core strategy in close collaboration with their stakeholders to fully meet their CSR (European Commission, 2011).</td>
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<tr>
<td>DB</td>
<td>Deutsche Bahn: is originally German transportation company, which is one of the world’s leading passenger and logistics companies and committed to providing mobility, infrastructure and logistics services for customers around the world (DB, Profile, n.d.)</td>
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<tr>
<td>FIFA</td>
<td>Fédération Internationale de Football Association (eng. The International Federation of Association Football): the responsible organization of World Cup, the world’s major international football tournament (FIFA, n.d.).</td>
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<tr>
<td>Hochtief AG</td>
<td>Hochtief Aktiengesellschaft (AG): the multinational company for the construction-related services, market leader in its home country Germany and eighth-largest in the world (Hochtief AG, n.d.).</td>
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<tr>
<td>Term</td>
<td>Definition</td>
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<td>Human rights</td>
<td>Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family which is the foundation of freedom, justice and peace in the world (UN, n.d)</td>
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<tr>
<td>ILO</td>
<td>The International Labor Organization: is the international organization responsible for creating and overseeing international labor standards (ILO, Who we are, n.d.)</td>
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<td>ITUC</td>
<td>International Trade Union Confederation: represent the interests of working people worldwide as the main international trade union organization (ITUC, About us, n.d.)</td>
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<td>Labor rights</td>
<td>It is a group of legal rights of workers for fair payment, safe working condition, reasonable working hours with periodic holiday, collective bargaining, freedom of association, elimination of all form of forced labor, child labor, and discrimination in wage payment (ILO, Declaration, n.d.).</td>
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<tr>
<td>Migrant worker</td>
<td>“A person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national” (OHCHR, 1990)</td>
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<tr>
<td>MNC</td>
<td>Multinational Corporation: When an enterprise operates in several countries but managed from one home (origin) country and derives a quarter of its revenue from operations outside of its home country is considered a multinational corporation (Grant, 2010).</td>
</tr>
<tr>
<td>UN Global Compact</td>
<td>It is a strategic policy initiative for businesses that are committed to align their operations and strategies with ten universally accepted principles in the area of human rights, labor, environment and anti-corruption (UN Global Compact, Overview, n.d.).</td>
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<tr>
<td>Acronyms</td>
<td>Full Form</td>
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<td>AS&amp;P</td>
<td>Albert Speer &amp; Partner</td>
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<td>BWI</td>
<td>Building and Wood Workers International</td>
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<td>BAIRA</td>
<td>Bangladesh Association of International Recruiting Agencies</td>
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<tr>
<td>BIDS</td>
<td>Bangladesh institute of Development Studies</td>
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<tr>
<td>BMET</td>
<td>Bureau of Manpower, Employment and Training</td>
</tr>
<tr>
<td>BOEP</td>
<td>Bangladesh Overseas Employment Policy</td>
</tr>
<tr>
<td>BOESL</td>
<td>Bangladesh Overseas Employment Services Limited</td>
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<tr>
<td>CSR</td>
<td>Corporate Social Responsibility</td>
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<tr>
<td>DB</td>
<td>Deutsche Bahn AG</td>
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<td>ESCM</td>
<td>Ethical Supply Chain Management</td>
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<tr>
<td>FIFA</td>
<td>Fédération Internationale de Football Association</td>
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<tr>
<td>GCC</td>
<td>Gulf Cooperation Council</td>
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<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
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<tr>
<td>GNI</td>
<td>Gross National Income</td>
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<td>Hochtief AG</td>
<td>Hochtief Aktiengesellschaft</td>
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<tr>
<td>ILO</td>
<td>International Labor Organization</td>
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<tr>
<td>ITUC</td>
<td>International Trade Union Confederation</td>
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<tr>
<td>KSA</td>
<td>The Kingdom of Saudi Arabia</td>
</tr>
<tr>
<td>MEWOE</td>
<td>Ministry of Expatriate Welfare and Overseas Employment</td>
</tr>
<tr>
<td>MOI</td>
<td>Ministry of Interior</td>
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<tr>
<td>MNC</td>
<td>Multinational Corporation</td>
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<tr>
<td>MOL</td>
<td>Ministry of Labor</td>
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<tr>
<td>n.d.</td>
<td>no date</td>
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<tr>
<td>NGO</td>
<td>Non-governmental organization</td>
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<tr>
<td>NOC</td>
<td>No Objection Certificate</td>
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<tr>
<td>OBCG</td>
<td>Overseas Bangladeshi Community Group</td>
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<tr>
<td>UAE</td>
<td>United Arab Emirates</td>
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<td>UN</td>
<td>United Nations</td>
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<td>US</td>
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Chapter 1: Introduction

“We are discussing no small matter, but how we ought to live”

(Socrates, in Plato’s Republic, 390 B.C.)

Human beings naturally have a combination of morality and selfishness. There is always a tension within oneself to behave morally or selfishly. It is hard to be just moral and sacrifice oneself for others, as there is always the presence of instinct for self-interest. To balance between these two conflicting concerns, there is a need to have ‘wisdom’ as well as ‘new ideas’. According to philosopher George Santayana, ‘new ideas’ show the ways for the future and ‘wisdom’ helps to learn the lessons from the past (Santayana, 1918). Thus, human beings get the power of looking beyond their time. Each phase of human history has its own characteristics. When we look back, and find some glorious momentum (like, expedition towards moon) it gives us pleasure and confidence. On the other hand, if we see the tragic actions of our earlier generations (like, World War II) we feel humiliated and disrupted. So, we need to think, how self-centered we should be and how moral we should be, to leave a better place for our future generations. We need to bear in mind, when future generations look behind to our time, what they will think about us? Do we ever think what we really ought to do? Do we ever consider the long term consequences of our current activities?

1.1 Background

1.1.1 An overview of globalization

The earth has a history of more than 4.5 billion years and according to Charles Darwin, archaic homo sapiens, the predecessor of anatomically modern human, evolved between 400,000 and 250,000 years ago, where behaviorally modern human developed around 50,000 years ago (USGS, 2007). Before Christ, the ancient world was disconnected and scattered. The first evidence of connection between different regions was found when the Silk Road was built by the Chinese empire Han Dynasty between 206 B.C.-114 B.C. The aim of this road was to trade Chinese silk, from where it got the name. This road was used as interlinking trade routes across the Afro-Eurasian landmass of East, South and Western Asia with Mediterranean and European World as well as parts of North and
East Africa. But, due to bad weather and infrastructure, that road did not have very effective use. Moreover, during that time, the rest of the world still remained disconnected (Topping, 2008).

From 1492 to 1800 the world had started becoming ‘round’ with the discovery of America by Christopher Columbus, when one part of the world started connecting to the other. Friedman (2005) mentions this stage as ‘globalization version 1.0’. Globalization is the connection, which creates the interdependence of one country with another. Globalization version 1.0 can be characterized by colonization and muscle power of European empires who built their riches and gold by ruling the colonies and on cheap and free labor provided by slaves. Such extraordinary wealth became the starting point for the English colonial projects which they used to finance their industrial revolution. That helped them to adopt an economic system superior to others and initiate industrialization, trade, export, FDI by the spreading of globalized companies for seeking new markets and labor. This is stated by Friedman (2005) as version 2.0 of Globalization (year 1800 to 2000).

In today’s globalized world (version 3.0 of Globalization, started around 2000) is more interconnected because of the transportation, communication, digitalization, individual knowledge and the ‘triple convergence’ of new technology, new business models and new or intelligent people (Friedman, 2005). Nobel Prize winning economist Amartya Sen mentions in his book “Development as Freedom” that in the twenty-first century “the different regions of the globe are more closely linked than they have ever been. This is so not only in the field of trade, commerce and communication, but also in term of interactive ideas and ideals” (Sen, 2000:3). According to him, industrialization or technological progress or social modernizations, which are the consequences of globalization, can substantially contribute to expanding human freedom.

However, Ghemawat and Hout (2008) describe the other side of globalization, dramatic changes in demand, extending market power and new business models are producing ‘surprising winners’ in the big emerging markets. These winners are no wonder, the global giants or multinational corporations (MNCs). In today’s world where there is no colonialism, globalization has emerged as a new form of undue influence of corporation. The ongoing demonstrations Occupy Wall Street (OWS) which is spreading from USA to Europe in these days, attracted enormous attention to the media as well as readers and viewers like us. It catches our interest because it questions the current situation of unequal social and economic distribution of wealth.
Renowned journalist and social activist Naomi Klein (2000) states in her book “No logo” that after the collapse of communism, during the last several decades, capitalism became the dominating market force with no challenger. This led to the MNCs becoming unregulated corporate powers to some extent and to both industrialized and developing countries losing their control over their economic systems. This brought on some passive problems in society, for example, global warming, environmental pollution from oil spills, human rights violations by using child labor or exploiting cheap labor for production, etc. A study based on a comparison of corporate sales’ and countries’ GDPs (Gross Domestic Product) shows that, among the 100 largest economies in the world, 51 are corporations and only 49 are countries (Anderson and Cavanagh, 2000). The online magazine ‘Business Inside’ (2011), shows an interesting finding by considering annual ranking of America's largest corporations and their statistical revenue published in Fortune 500 (2011) and compared it with the developed and developing countries’ GDPs. Their finding shows that the revenue of Wal-Mart in 2011 ($421.89 billion) is bigger than the GDP of Norway ($414.46 billion) which is one of the richest countries of the world. General Electric (GE) (revenue $151.63 billion) is bigger than New Zealand (GDP $140.43 billion), even after being declared bankrupt General Motors (GM) (revenue $135.59 billion) is bigger than Bangladesh (GDP $104.92 billion) (Trivett, 2011).

1.1.2 An overview of Multinational Corporations (MNCs)

Businesses are considered as major economic institutions since the industrial revolution. The framework for modern business and the free market economic concept was found by the liberal economist Adam Smith, the father of modern capitalism. In his book “The Wealth of Nations”, he writes: “Business pursue profits or maximize shareholders value, and that means making money is their first priority” (Smith, 1776:60). Smith emphasizes material gains for society as a whole, achieved through reasonably efficient and competitive markets. According to him business is morally neutral activity and market is a self-regulated entity, so it will work on the basis of individual’s or firm’s self-interest. He further mentions that self-interest is beneficial for society, therefore there is no need for additional promotion of ‘public good’ (Houseman, 2006). Smith’s thesis is that, better economic performance occurs where capital allocation for production and distribution of wealth operates under conditions of relatively free and competitive markets within minimalist public policy or minimal interference by the government or state, then the market will benefit shareholders and society as a whole (Windsor, 2006).
In this global age, by operating in the countries with less restrictive labor legislation, MNCs buffer themselves from the restrictions of their activities by the state’s legal system and get benefit by profit maximization (Scherer and Smid, 2000). Pierlott (2004) figures out that MNCs are outsourcing their production of goods to foreign labor, as they simply want to take advantage of the low cost labor within a global free market system. This behavior of MNCs can be questioned by Karl Marx's influential critique concept of the capitalist system. According to him, the relation of the capitalist to worker is necessarily one of “naked, shameless, direct, brutal exploitation” (Frederick, 2003:xiii) as capitalism considers workers just a means of production (Marx, 1890).

However, capitalists believe that the market maintains a fair price on labor, which is fixed by the laws of supply and demand like other commodities (Fairlamb, 1996). By illustrating Adam Smith’s capitalist concept Fairlamb (1996) argues that, even if one might agree to the capitalist view on this point to some extent, there is a systematic undervaluation of labor. On the one hand, Smith explains the systematic tendency of supply and demand toward equilibrium in a perfect competitive market, on the other hand he interprets that characteristics of the labor market systematically tend to get away from perfect competition, thereby picturing a chronically “uneven playing field” in favor of capitalist profits and against wage labor (Fairlamb, 1996:194). Conversely, Guest (1987) points out that labor cannot be treated as just passive resources for factors of production or as only industrial commodities, whose cost needs to be minimized and who need to be persuaded to obey the authority. Rather they need to be considered as valuable resources that contribute to success, because they are human beings with a potential to develop and have the power to perform well (Bredin, 2009).

In the capitalist system a common view of free market economy is, corporations are engaged in a game of gaining as much profit as possible, while not violating the rules of the game set by the government (Boatright, 2009). However, Boatright (2009) also indicates that when the government fails to handle the rules of maintaining the marketplace, then it is the corporations’ obligation to help the government by staying within the rules. On the contrary, corporations often claim that aligning private and public interest is not their responsibility, as their first priority is making money, not providing charity. However, another Nobel Prize winning economist, Joseph Stiglitz, claims that money is a powerful incentive, which can bring enormous benefit to everyone if there is a desire to do so (Stiglitz, 2009). Thus, MNCs progress should not be measured only by economic indicators, but also by some other indicators such as improvement in quality of life, environmental sustainability, and so on.
Stiglitz (2006) put it that “MNCs have been at the center of bringing the benefits of globalization to the developing countries, helping to raise standards of living throughout much of the world” (p. 188). By that, he means corporation provides goods, services, employment and tax revenues, thus creates social and environmental impact. Globalization brings new potential for the developing countries as corporations have brought jobs and economic growth. On the other hand, they bring profit to the developed world by using inexpensive labor of developing countries. Beside this, in the global business when hundreds of partners are involved in the supply chain, then the ability to monitor one another’s activities disappears and all the partners or participating parties have very limited liabilities. They can solely act in their own interests which can bring large costs for the society (Stiglitz, 2006).

In addition, developing countries need the jobs and money which the MNCs are bringing for them. Even if the workers are exploited or the environment is destroyed by the corporation’s unauthentic actions, there are huge competitions among the developing countries to attract investment. It has been said that “while money speaks loudly in all countries, it speaks especially loudly in developing countries” (Stiglitz, 2006:197). It is quite common for the poor countries’ governments where the governments are not democratically accountable, to construct a favorable regulatory environment for the corporations. So, the MNCs are seeking for the host countries which have weakest labor and environmental laws. In the home countries, corporations usually show responsibility towards the community where they belong, even if it is not required by law or regulation. Moreover, sometimes they do it not even for the sake of economic gains. Whereas, when they operate overseas, they often treat the workers very badly or damage the environment without consideration. However, Stiglitz (2006) has an interesting view; if corporations are considered as a community where people work together for the common purpose of producing products or providing services, these people care about each other, as they belong to the same community. There is also a need to care about the broader community, i.e. the world to which we all belong.

MNCs, as a center of globalization, can be blamed for the ‘negative impact’ as well as given credit for ‘bringing blessings’. The question is not, whether globalization has positive or negative consequences, rather the question is how it can be reshaped to make it work better and as a result how the corporation can minimize their negative impacts and maximize their contribution to the wellbeing of society. Specially, to ensure that the developing countries and their labor force will be more benefited than just exploited by the MNCs (Stiglitz, 2006).
1.1.3 An overview of Corporate Social Responsibility (CSR)

‘The humanistic view’ of corporations is also mentioned by Buchholz & Rosenthal (2003), that the corporation needs to be responsible towards the society and environment. This thought can be traced back from the years 1960s to 1970s when there were fundamental changes taking place in the political environment of business in response to the sweeping social changes and wide social awareness of civil rights. From that time business executives began to feel that “corporations are more than economic institutions” (Buchholz & Rosenthal, 2003:304). Hence, they have responsibilities towards society. They need to develop social programs in response to social problems rather than working purely for economic gain. Different authors explore the meaning of corporate social responsibility (CSR) in different ways (Levitt, 1958; Davis, 1960; Friedman, 1970; Andrews, 1973; Carroll, 1979; Epstein, 1987; McGuire et al., 1988). The importance of social responsibilities for the business organization has been increasing day by day and there have been more and more debates about this concept (Shwartz and Carroll, 2003).

Buchholz & Rosenthal, (2003) further states the proponents and opponents views on CSR. The supporters claim that business needs CSR for their long term survival or sustainability, as by being socially responsible they can attain a better public image. Moreover, while solving social problems, business can turn these problems into profitable business opportunities. In fact, business has a moral obligation towards solving social problems. Adversely, there are persuasive arguments against this concept where, CSR is criticized for being used by opportunist managers. This concept provides no mechanism for accountability and business executives may have little experience and incentive to solve social problems. Moreover, in the free enterprise system, managers are bound to earn the highest possible rate of return on shareholder’s investment.

Milton Friedman contributes to the CSR theory generation by stating in his book ‘Capitalism and Freedom’ that, “there is one and only one social responsibility of business to use its resources and engage in activities designed to increase its profits so long as it stays within the rules of the game, which is to say, engages in open and free competition without deception or fraud” (Friedman, 1962: 133). Accordingly, organizations consider donating to charities, as CSR activates, whereas, in fact the main aim is to promote brand reputation through image washing and increase profitability (Pinkston and Carroll, 1996). Subsequently, CSR may be defined in general terms as “the obligation
of the firm to use its resources in ways to benefit society, through committed participation as a member of society, taking into account the society at large and improving welfare of society at large independent of direct gains of the company” (Kok et al., 2001:288). This implies the idea that, a corporation has not only responsibility towards its ‘shareholders’, rather it has a broader constituency to serve. To express the broader set of responsibilities, the term ‘stakeholder’ has been widely used in more recent years (Snider et al., 2003; Maignan and Ralston, 2002). Stakeholders are identified and categorized by their “interest, right, claim or ownership in an organization” (Coombs, 1998:289).

In the twenty-first century, the goal of CSR is to embrace responsibility for the company's actions and encourage a positive impact through its activities on giving financial and voluntary support to its stakeholders and proactively promote public interest, looking at the environmental resources to better support the earth and so on (Shergold, n.d.). CSR includes multiple actors or stakeholders, ranging from its immediate stakeholders, including shareholders, consumers, suppliers, employees, other members, to indirect stakeholders, non-government organizations (NGOs), media, activities, communities, governments, and other institutional forces (Melé, 2008; Garriga and Mele’, 2004). Moreover, CSR is much diversified with a wide range of activities. It is not only concerned about consumer rights or product safety throughout the life long period of the business towards its supply chain, but also focuses on the business world, aiming to get involved and look at the human rights, fair labor standards, occupational safety and health, decent working environment for the employees, and so on (Porter and Kramer, 2006). High performing CSR organizations foster a culture of CSR and fully integrate CSR throughout their supply chain, e.g. operations, rewarding, incentive, human resources, etc. (Carroll, 1999).

1.1.4 CSR to respect Universal Rights

One of the main corporate social responsibilities (CSR) of MNCs is to respect, protect and promote human rights through their supply chain both upstream and downstream. Business has to ensure zero tolerance of disaster, system failure, and catastrophic humiliation when CSR fully integrated with their values and principles (Strandberg, 2009; Rivoli and Waddock, 2011). Some human-rights-based approaches for CSR have been proposed in recent years. One of them is the UN Global Compact, which includes ten principles in the areas of human rights, labor conditions, the environment and anti-corruption and challenge businesses to integrate these principles into daily practices and
management systems. It was first presented at The World Economic Forum in 1999 by the United Nations Secretary General Kofi Annan. In 2000, the Global Compact’s operational phase was launched at UN Headquarters in New York (Garriga and Mele’, 2004).

Since then, over 8700 corporate participants and other stakeholders from over 130 countries recognize the need to collaborate and become partners with civil society, labor and the United Nations (UN) to be sustained in the market. All of them have joined in UN Global Compact and are committed to align their operations and strategies with ten universally accepted principles in the areas of human rights, labor rights, environment and anti-corruption. By doing so, participating companies are showing commitment, transparency and disclosure to support human and labor rights through their daily activities (UN Global Compact, n.d.). For example, at the workplace, by providing safe and healthy working conditions, by guaranteeing freedom of association, by ensuring non-discrimination in personnel practices, by ensuring that they do not use directly or indirectly forced and child labor, by providing access to basic health, education and housing for the workers and their families, and so on (UN Global Compact, n.d.).

1.1.5 Migrant workers, Multinational Construction firms, and the 2022 FIFA World Cup Project in Qatar

The United Nations (UN) defines a "migrant worker" as “a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national” (OHCHR, 1990). The construction industry has a long tradition of employing migrant workers from lower-wage economies, as the sector has a high share of labor-intensive, less-skilled occupations, with a relatively low status and such employment is often unattractive to the domestic labor force (ILO, 2010). The network structure of MNCs in the construction sector allows them to get the benefit of an operational flexibility that creates arbitrary advantages through the exploitation of differences in the law and labor cost in different countries (Kogut, 1985). MNCs often search for the national legislations which have the weakest labor standards (Boje, 1998). By operating in the countries with less restrictive labor legislation, corporations buffer themselves from the restrictions of their activities by the state’s legal system and get benefit by profit maximization (Scherer and Smid, 2000). This example is apparent in the case of employing migrant workers in the construction industry in Qatar. Like many other Middle Eastern countries, in Qatar incredibly modern
infrastructures and vibrant cities were not built by the Sheikhs, rather they were built by the labor of mainly migrant workers from the third world countries.

Qatar, a small Middle Eastern country with a population of only 1.7 million ranks as the world’s richest country per capita, according to Forbes reporter Greenfield (2012) Qatar’s estimated gross domestic product (GDP) per capita is more than $88,000 for 2010. They have the third largest natural-gas reserves of the world and more than 50 percent of Qatar’s revenue comes from natural gas exports (Economy Watch, 2010). According to Tuttle and Fattah (2010), Qatar is aiming to find out a complementary industry for investment, so they are trying to be a dynamic modern tourism destination. Consequently, in the 2022 for the first time in the Middle East, Qatar will host the FIFA World Cup football game. Merrill Lynch & Co Inc. estimates that it could cost $41,000 per person in Qatar, approximately $65 billion to facilitate this sporting event and build up a massive infrastructure programme (Wilson, 2011; Tuttle and Fattah, 2010). So, they have started appointing different project management companies like German architects Albert Speer & Partner (AS&P) and Serviceplan Agency Group which designs accommodation, transportation, training venues, base camps, fan hotels and FIFA headquarter stadiums as well as other relevant infrastructures (Albert Speer & Partner, n. d.); Deutsche Bahn (DB) is appointed for the creation of Doha’s new metro and railway network (ITUC, 2011a); and Germany’s largest builder and multinational corporation (MNC) Hochtief AG is investing almost $534 million in these Projects to build the new towers, shopping centers, hotels, stadiums, bridges and museums (Tuttle and Fattah, 2010).

The 2022 FIFA World Cup construction work is project-based and its products are immobile, as the production sites cannot be ‘offshored’ to save on wage costs. Hence, the inflow of migrant labor can serve as a “functional equivalent” to increase the ‘competitiveness’ of companies. (Balch et al., 2004:179). This is further facilitated by the fragmented work process with the widespread usage of outsourcing individual tasks to foreign or local subcontractors who employ migrants (Fellini et al., 2007). Thus, migrant labor plays an important role in this project. “Just 6% of the working population of Qatar is Qatari – their economy and their ability to deliver the World Cup is totally dependent on severe exploitation of migrant labor” said Ambet Yuson, general secretary of the Building and Wood Workers International (BWI) (ITUC, 2011b). Hence, the stream of migrant workers from India, Nepal, Bangladesh, Thailand, Philippines, Somalia and other developing countries who are attracted to join in these huge construction projects in a dream of getting high wages and have a better future for their families (ITUC, 2011c).
The 2022 FIFA World Cup project will mainly deal with the migration from countries of Asia to the GCC\(^1\) (Gulf Cooperation Council) countries, to which Qatar belongs. This type of migration has been called ‘South-South’ and implies the migration flows between developing countries (Ratha and Shaw, 2007). The countries of the “South” are those classified by the World Bank as the low and middle income countries, in contrast to the countries of the “North” which are the high-income countries (World Bank, 2005). However, the UN includes in the “South” category several high-income countries that do not belong to the Organization for Economic Co-operation and Development (OECD), such as Hong Kong (China), Saudi Arabia, Singapore, Qatar and the United Arab Emirates (Nilsen, 2011). This ‘South-South’ migration has the same economic, social and political drivers as any other type of migration in the rest of the world. This type of migration is viewed as a way to reduce the unemployment rate and get inflows of remittances to the developing\(^2\) countries (Bakewell, 2009). Also, hosting countries, such as Qatar, have a great need of a workforce to carry out their infrastructure development programs, which stimulates enormous demand for the migrant workers.

However, it has been revealed by the media that, the citizens of the poor countries who come to Qatar to build glittering monuments and to build their fortune unfortunately are treated as slaves (Hari, 2009; Wilson, 2011). It will be interesting to see how the state will cope with global attention, and if proper working conditions and labor right protection for the 2022 World Cup Projects will be put in place to avoid criticism from the international community.

### 1.2 Problem discussion

ITUC (2011b) report brings at the forefront of the agenda the migrant workers working and living condition in Qatar, host country of the 2022 FIFA World Cup. It discloses that the migrant workers live in a very congested place with lack of proper basic food, suitable sanitation system and no health insurance, while at the same time performing works which are very risky and dangerous in nature. Instead of helping their families, which is always the reason behind migration, they struggle to pay off their debts resulted from the migration process.

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\(^1\) GCC countries include Arab states bordering the Persian Gulf: United Arab Emirates, State of Bahrain, Kingdom of Saudi Arabia, Sultanate of Oman, State of Qatar and State of Kuwait

\(^2\) In this study ‘developing country’ refers to the country, which has relatively lower per capita income and is relatively less industrialized, while following World Bank’s classification of lower, middle and higher income countries (World Bank, 2005).
Qatar is very unique country when it comes to employment of migrant workers and legislation, as these matters are very vaguely described in law. Migrant workers in Qatar are recruited under the system known as ‘Kafala’ or sponsorship system, where they are bound to work for a particular company (sponsor) for the duration of their employment contract. In the case of unsatisfactory working conditions, workers cannot leave or change the job as, there are a lot of complications with switching to another company which requires finding another sponsor and obtaining the current sponsor permission. This might be seen as an impossible process. Moreover, migrant workers are not allowed to leave the country, once they decide so; the exit visa documents need to be obtained, but their passports, which are needed for this procedure, are held by the employers (ITUC, 2011a).

Besides the employment process, there are many more matters on working and housing conditions of migrant labor, and other rights of migrants, where the legislation system of Qatar let them down. In 2010 country reports on human rights practices, published by US Bureau of Democracy, Human Rights, and Labor (2011), it is stated that in Qatar private employers and workers set wages without government involvement and there is no minimum wage specified by the law. Regulations on workers safety and health are present, but enforcement is rare. There is no freedom of associations in Qatar and workers are legally restricted from forming the Trade Unions. Additionally, the right to strike is admitted in national labor law, but with multiple regulations and restrictions, making these actions ‘legally forbidden’ (ITUC, 2011b).

For the constant pressure from civil society, in particular international Trade Unions, the Qatari government has declared to improve conditions for the migrant workers, tighter laws to protect workers human and labor rights abusement, provide with decent working conditions, and ensure appropriate housing condition and payment for work. Moreover, presently the possibility of Trade Unions to be allowed in the country is under discussion (ITUC, Letter, 2012; see appendix 2). These promises of Qatari government are followed by promises of MNCs working in Qatar under the 2022 FIFA World Cup Project. As an example, Hochtief, German construction firm working in Qatar, stated that they would ensure good safety record in Qatar and are fully committed to ILO standards on human and labor rights However, German architect AS&P said that they are not the legal authority to discuss on the workers’ rights (Halime, 2010). From the MNCs quite contradicting perceptions over their roles and responsibilities towards ensuring human and labor rights, the point which could be raised here, is how much they are ready to emphasize on their CSR strategy under the 2022 FIFA World Cup Project in Qatar?
1.3 Purpose and research questions

In this particular Project of the 2022 FIFA World Cup which is happening in Qatar, the legal responsibilities in the area of human and labor rights are not strongly enforced by the State at this moment. Under such circumstances, what could be the motivation of the MNCs operating in Qatar to practice CSR for ensuring human and labor rights of their workers? Could it possibly be some economic benefits? Perhaps, yes, but since construction sector is very different from manufacturing sector, where the benefits of CSR have a direct influence on business, then how to define the economic perspective of practicing CSR in construction sector? Or is it only the ethical considerations of being a good corporate citizen, which lead the CSR?

From the ethical perspective, very often in construction sector any CSR activities of the firm are directed into the area of environmental responsibilities for the wellbeing of the society. It could be seen as the way of acting broadly by being responsible towards society which is outside the organizations boundary. However, there is also an insider view and it is about CSR responsibility towards their own employees. In this case, the focus mainly goes to human resources development, performance appraisal and employees motivation. However, in construction sector the majority of firm’s employees are the ground level construction workers, who actually are performing construction works. In the FIFA construction Project in Qatar, the tendency of the MNCs to employ migrant labor give them a temptation to sacrifice migrant workers’ rights, since the supply of migrant labor from the third world countries exceeds its demand. Moreover, long supply chain through which migrant workers are employed might put more pressure on MNCs in their CSR attempts in the area of labor rights protection. The supply chain in this research is focused on the one which starts from Bangladesh, one of the countries with huge flows of migrant labor to Qatar. Besides migrant workers and multinational construction firms, there might be other actors involve in this Project who possibly have responsibilities or standpoints to ensure labor rights in this case. However, being the employer MNCs will be considered as the main responsible party to stand for the human and labor rights of the migrant workers.

This research aims to find out whether multinational construction companies incorporate human and labor rights into their CSR strategy upstream as the basis of CSR policy and, most importantly, downstream as a resource for CSR practice. It would be also interesting to see how far MNCs
working in the 2022 FIFA World Cup Project in Qatar can confirm the appropriate level of labor and
human rights of migrant workers of Bangladesh through developing CSR strategies and practicing
when the ‘legal responsibilities’ are not enforced by the State of Qatar. To be able to embrace the real
picture of the 2022 FIFA World Cup Project and serve the purpose of this research, the framework of
research questions is formulated.

The central research question of this study is:

To what extent, CSR for labor rights of migrant workers of Bangladesh are practiced in the
international multi-stakeholder construction Project of 2022 FIFA World Cup in Qatar, where ‘legal
responsibilities’ are not strongly enforced by the State?

Further, the study is led by following sub research questions:

1. Do the MNCs working on this Project have CSR strategies to ensure labor rights of the migrant
   workers?
2. How do MNCs practice CSR strategies for migrant workers throughout their supply chain?
3. Where are the problems of ensuring labor rights in this Project rooted?

1.4 Justification of the research

Existing researches in the CSR field are mostly done on the area of customer rights and product
safety (e.g. Luo and Bhattacharya, 2006; N’Goala, 2007; Piercy and Lane, 2009). Moreover, a vast
majority of researches is directed environmental CSR of the firms (e.g. Beth and Simmons, 2002;
Mazurkiewicz and Grenna, 2003; Lyon and Maxwell, 2008). There are studies done on CSR and
human resources, however mostly with the focus on human resource development and employees
performance appraisal (e.g. Fenwick and Bierema, 2008; Preuss et al. 2009; Garavan and McGuire,
2010), with no focus given to ground level workers of the firms. When it comes to the human and
labor rights as a part of CSR, this area stays rather untouched as an emerging field of study with just
few researches done so far (e.g. Addo, 2000; Sullivan, 2003; Lozano and Prandi, 2005). However,
eexisting researches are done on the manufacturing, mining and textile sectors, but construction sector
is rather overlooked. Moreover, the issue of CSR in the developing countries, especially Bangladesh,
stays mostly untouched (Nielsen, 2005)
In addition, due to quite a uniqueness of Qatar as a country there are no studies done on the CSR with a focus on a labor rights, which might be seen as highly relevant considering the amount of migrant workers in the construction sector of the country. Nowadays, the 2022 FIFA World Cup Project brings the tremendous rise in infrastructure development for the economic advancement of the country and the amount of MNCs operating in the construction sector. Since migrant workers are in the focus of this research, it is important to notice that most studies in the field of migration are done from the development perspective (e.g. Piore, 1979; Ratha and Shaw, 2007; ILO, 2010), but not in the business view, especially through the lenses of CSR. Additionally, some Bangladeshi researchers (e.g. Siddiqui, 2005; Siddiqui, 2006a; Ray et al., 2007; Afsar, 2007; Afsar, 2009; Siddiqui and Billah, 2012) studied migration, however also from the development point of view without focusing on human and labor rights of the migrant workers. In particular, there are no studies done for migration to Qatar. At last, but not the least, we did not find studies which are the combination of CSR concept in the field of migration in respect to human and labor rights.

1.5 Outline of the study

To guide the reader of this research we would like to present a simplified frame work of our study. The short summary of each chapter will provide better understanding and ability to follow the information more easily.

Chapter 1: In this chapter we provide a short overview of the background situation; discuss the problem and the purpose of this research while defining the research questions; also, by referring to the studies done in the field of CSR we state the justifications of the research.

Chapter 2: The theoretical framework presents the theories in the field of CSR and Ethics, which are used for the explanation of the empirical findings, giving better understanding of the concept of CSR and Ethical Supply Chain Management (ESCM).

Chapter 3: The methodology chapter explains the research approach used in this study along with as research philosophy, strategy, design and methods used for the data collection; the research validity and reliability are discussed while giving the eliminations and limitations of the study; ethical considerations of the study are mentioned.
Chapter 4: In this chapter the empirical findings are presented in four sections encompassing all actors of the 2022 FIFA World Cup Project on Qatar; firstly, Project itself is described along with FIFA as an organizer of the event; secondly, views and roles of the international organizations are given; the third section is dedicated to MNCs as main actors of this study; finally, the process of migration from Bangladesh to Qatar is described covering all parties involved; moreover, the experience of Bangladeshi migrant workers in Qatar is presented in details.

Chapter 5: Here the answers to the research questions are given, while analyzing the empirical findings; MNCs strategies and practices are examined and the roots of the problem of ensuring human and labor rights of the migrant workers throughout the supply chain are identified.

Chapter 6: It presents the theoretical reasoning of the findings of this study as well as provides the revision of the established theories on CSR by proposing some modifications; the purpose it to enhance the understanding of the CSR concept by using the example of specific case of the 2022 FIFA World Cup Project in Qatar.

Chapter 7: The concluding remarks are presented by looking at the overall results of the research.
Chapter 2: Theoretical framework

2.1 Corporate Social Responsibility (CSR)

Scholars have controversial ideas about the purpose of corporations and what contributions they should make to society (Henderson, 2005; Handy, 2002). The basic theories of CSR are as debated as those of corporations, which are described by Crane et al. (2008) in ‘The Oxford Handbook of Corporate Social Responsibility’. The old school claimed that “CSR means something, but not always the same thing, to everybody” (Votaw, 1972:25). There are multiple interpretations of CSR: Some authors express the idea of profit or shareholders’ value maximization, others convey the idea of corporations being legally responsible for their actions. Some focus on ethical or socially responsible behavior, as well as social consciousness even some sort of fiduciary duty or ‘dual citizenship’ which includes duty and responsibility towards society (Madsen & Ulhoi, 2001; Malan, 2005; Van Marrewijk, 2003; Wheeler et al., 2003). So, as there are contested and controversial concepts, CSR does not have a generally accepted definition. As a result, CSR still continues its journey towards the formation of an appropriate definition to be able fully conceptualize the proper relationship between society and business (Crane et al., 2008).

CSR has a long and diverse history; the concept emerged, developed, and distorted excessively over the last 50 years (Carroll, 1999a). However, the concept of CSR is at an early stage of maturity in the developing countries (Visser, 2005). It is rather more dominant in developed countries like North America and Europe (Welford, 2004; Rettab et al., 2009; Tan, 2009). Moreover, this concept primarily emerged in the USA (Halme et al., 2009). The vantage point of the ‘social responsibility’ can be traced back from 1950’s, when in 1946 editors of Fortune magazine questioned the ‘businessmen’ about their social responsibilities (Votaw, 1972). At this time, CSR was referred to more often as social responsibility (SR). Carroll, (1999a), in his history of CSR development, states that the decade of 1960’s can be marked as one of momentous growth in attempts to formalize the concept of CSR, which started to flourish in the 1970’s. During the 1980’s complementary concepts of CSR, like “corporate social responsiveness”, “corporate social performance (CSP)”, “public policy”, “business ethics”, “stakeholder theory” emerged and the core concept of CSR started to be ‘recast’ into alternative concepts, theories, and models. In the 1990’s the prominent themes of CSR
continued to grow and take center stage which includes: “stakeholder management”, “sustainability” and “corporate citizenship” (Carroll, 1999a). By the turn of the twenty-first century, new trends have been started which examine the theoretical contribution of CSR to the empirical implementation of the concept and meaning. Gradually, CSR has become one of the most important topics for business people, as well as politicians, trade unionists, consumers, NGOs and researchers (Crane et al., 2008).

The summaries of three dominant views on CSR will now be discussed to get a better overview of the major and contemporary mainstream theories and concepts of CSR, namely Friedman’s (1962) ‘Shareholder value theory’, Freeman’s (1984) ‘Stakeholder theory’, and the main focus will be given on Schwartz and Carroll’s (2003) ‘Three domain approach’ and it will be connected and elaborated with the ‘ethical theory’ of CSR. There is another influential theory of CSR known as ‘Corporate citizenship’ approach of Windsor (2006) which would be not considered due to the limited scope of this study.

### 2.1.1 Shareholder value theory

The shareholder value theory comes under ‘instrumental theories’ on CSR, which state that social activities are entirely regarded as a strategic instrument for the company to achieve economic objectives and wealth creation (Garriga and Melé, 2004). The Shareholder theory is considered to be the oldest one in the area of CSR. According to Milton Friedman, the main scholar of the shareholder value theory, the only one social responsibility of business is to generate profits and to maximize value to the shareholders (Friedman, 1970). Despite the fact that it was first made over four decades ago, Milton Friedman’s ‘argument’ remains perhaps the most famous and influential one in favor of the shareholder theory. Other scholars also share his view and according to Duane Windsor “a leitmotiv of wealth creation progressively dominates the managerial conception of responsibility” (Windsor, 2001:226).

Hence, the only “social responsibility” of the corporate executive is to maximize the corporation’s profits. However, one might ask the following question: “do shareholders ever have a duty to direct management to use corporate funds for the exercise of social responsibility?” (Hasnas, 1998:299). John Hasnas argues that “it is only by maximizing their own profits that corporations can affect the best overall consequences for society” (Hasnas, 1998:301). However, the concern for profits does not exclude taking into account the interests of stakeholders but only if these interests can contribute to
maximization of shareholder value. An adequate level of investment in philanthropy and other social activities might be reasonable if the aim is to earn profit for the firm (Mitchell et al., 1997; Ogden and Watson, 1999; McWilliams and Siegel, 2001). Therefore, many companies see themselves wavering between acting socially responsibly and generating the highest profit to the lowest possible costs by exploiting labor and getting production cost benefits through lax labor regulations in their operating country, usually developing countries (Garriga and Melé, 2004).

In practice, a number of studies have been carried out to determine the correlation between CSR and corporate financial performance. Most of them present a positive correlation between the social responsibility and financial performance of a business (Roman et al., 1999; McWilliams and Siegel, 2000; Beurden and Gössling, 2008; Waddock and Graves, 1997). While highlighting the link between corporate social performance and financial performance, it is also stressed that such a correlation is difficult to measure (Griffin, 2000; Rowley and Berman, 2000). This approach on shareholder profit and value maximization is widely supported and justified by law, hence practiced by many business entities. Very often businesses stand for activities against their stakeholders, but these practices fall within the law (Brian and Schaefer, 2007). In such a case, the shareholder theory asserts that there is a permissible level for corporations to be engaged in such activities (Grant, 1991). Friedman, however, expresses the shareholder theory perspective on this issue by stating that corporations have no duty to exercise social responsibility. This means spending corporate resources for socially beneficial purposes regardless of whether those expenditures are directed towards achievement of a corporation’s financial goals, could be justified (Friedman, 1970).

The main critique of such perception of economic activities is that, it could be a short-term strategy but hardly can provide a guideline for long-term business success (Sethi, 1975). The shareholder theory supports the autonomous conception of business activity within society (Davis, 1960; Sethi, 1975; Grant, 1991), hence, presenting quite a narrow view, as business is a part of the society.

2.1.2 Stakeholder theory

The Stakeholder theory can be categorized into the ‘ethical theories’, those that focus on the ethical requirements which are the basis for the relationship between business and society (Garriga and Melé, 2004). However, stakeholder management has become an ethically based theory mainly since 1984 when Freeman wrote his book “Strategic Management: a Stakeholder Approach”. According
to the stakeholder theory, the main purpose of the firm is to coordinate and satisfy the various interests of the company’s stakeholders (Snider et al., 2003; Waddock et al., 2002). However, finding balance among them has been proven to be difficult in practice (Adams et al., 2011).

The stakeholder framework of CSR engages firms in much broader social relations than the dominant shareholder-oriented conceptions of the firm. As Freeman characterizes it, “the stakeholder approach is about groups and individuals who can affect the organization, and is about managerial behavior taken in response to those groups and individuals” (Freeman, 1984:12). According to Freeman (1984) the term “stakeholder” can be viewed in two ways: as those groups who are crucial for the survival and success of the firm; or as any individual or group who can affect or be affected by the firm. Hence, the stakeholder theory explains to whom and to what managers should pay attention. Moreover, Pajunen (2010) suggests the ‘emergentist stakeholder model of the firm’, stating that the firm should not be a ‘black box’ in the middle surrounded by stakeholders but should itself consist of stakeholders, such as management, employees and shareholders. This view gives the possibility of defining which stakeholders constitute the firm, as well as the network of unlimited stakeholders of the firm.

![Figure 1: The emergentist stakeholder model of the firm (Pajunen, 2011:30)](image)

Pedersen (2006) uses the term ‘stakeholder dialogue’ to describe the involvement of stakeholders in the decision-making processes that concern social and environmental issues, highlighting their level of engagement. He suggests that the stakeholder dialogue should include the important groups and individuals who affect and/or are affected by the decision on the issue in question made by the firm.
Moreover, as Newell (2005) pointed out, some stakeholders (‘poor’) are not identified as legitimate stakeholders by business, hence are missing from the ‘stakeholder dialogue’ and from company’s decision-making process.

In relation to the above stated discussion, Garvare and Johansson (2010) distinguish two categories of stakeholders: primary stakeholders who are at at the forefront of the firm’s decision-making process and secondary stakeholders, whose influence is not direct, but who still have enough power to become a stakeholder rather than a third interested party. As it is noted by O’Riordan and Fairbrass (2008) the main challenge for businesses is to identify to whom they are responsible and how far that responsibility extends. This is usually a matter of contextual complexities as well as the conflict of interests between different stakeholders. In accordance with a stakeholder theory, the firm should identify its stakeholders on the basis of its own core values, coupled with the evaluation of its core competencies (Dunfee, 2008). So, at the very end, the firm is the one who decides upon its stakeholders and their importance. However, Garvare and Johansson (2010) present the argument about two types of stakeholders: the ‘overt stakeholders’ who are known by business, and ‘latent stakeholders’ who are not known to the management of the organization. Here, the stakeholder theory lacks argument concerning the reason why the interests of some groups of stakeholders are not taken into account by businesses: are they neglected because they are identified as not being legitimate or overlooked being unknown and ‘latent’?

Another important point highlighted by Garvare and Johansson (2010) is the necessity to differentiate between stakeholders’ and ‘interested parties’. Authors state that, ‘stakeholders’ have the ability to take action and influence businesses, if their needs are not met. In contrast, ‘interested parties’ are those that have an interest in the organizational activities of output or outcome. They cannot significantly influence the organization. But, here a question arises about ‘poor’, not legitimate stakeholders who do not have the power to influence: are they still considered as stakeholders or just ‘interest parties’? We will try to understand and explain these contradictions more in our studied case.

The strong argument which supports the stakeholder theory is that the needs of shareholders cannot be met without satisfying to some degree the needs of other stakeholders. This turns our attention towards looking beyond the direct profit maximization (Foster and Jonker, 2005). However, some critics of this theory state that it could provide a good excuse for managerial opportunism (Jones,
1995) since a manager can justify self-serving behavior by appealing to the interests of those stakeholders who might be benefited.

### 2.1.3 Three domain approach of CSR

According to Shwartz and Carroll (2003), CSR concepts fall mainly into two general schools of thought. One school argues that business is obligated only to maximize profits without violating laws and minimal ethical constrains (Friedman 1970; Levitt 1958). The other school suggests a broader range of responsibility toward society (Andrews 1973; Carroll 1979; Davis 1960; Epstein 1987; McGuire et al. 1988). Schwartz and Carroll (2003) propose the ‘Three-domain approach’ of CSR, where they identify economic, legal and ethical responsibilities of a company. This is a modified version of Carroll’s (1991) four responsibilities CSR pyramid where they additionally define ‘philanthropic responsibilities’ of CSR. Later, it is argued that philanthropy cannot be considered a responsibility in itself (L’Etang, 1994). Schwartz and Carroll (2003) agree that it is difficult to distinguish “philanthropic” from “ethical” activities on both theoretical and practical level, as philanthropic activities sometimes might simply be based on economic interests. Moreover, the pyramid framework took a demonstrative developmental perspective based on the claim that “the history of business suggests an early emphasis on the economic and then legal aspects and a later concern for the ethical and discretionary aspects” (Carroll, 1979:500). However, the pyramid framework could lead one to misunderstand the priorities of the CSR domains, so Schwartz and Carroll (2003) recognized the need to develop a model which will be based on the overlapping nature of these CSR domains.

The ‘Three-domain approach’ of Shwartz and Carroll (2003) is the depiction of all three responsibilities (economic, legal and ethical) in intersecting circles of a ‘Venn diagram’, which emphasizes the overlapping nature of all criterias where CSR is conceptualized, analyzed and illustrated. This model was primarily intended as a descriptive model of CSR, rather than a normative one (Geva, 2008). However, the model is useful for the analysis of the forces that highlight ethical decisions compared to other general discussion of CSR (Shwartz and Carroll, 2003). Each of the three domains will be briefly described below.

#### Economic responsibilities:

According to Schwartz and Carroll (2003), economic responsibilities consider earning profit as the primary incentive for business organizations. Historically, business...
organizations are economic entities which provide goods and services to the society in exchange of the direct or indirect economic gain of profit maximization and share value of the company (Carroll, 1998). Direct economic activities include actions intended to increase sales by avoiding legislation and indirect economic activities include activities which intended to improve morale or firm’s public image (Shwartz and Carroll, 2003). In brief, economic responsibility contains the admission to “do what is required by global capitalism” (Carroll, 2004:117).

Legal responsibilities: These responsibilities refer to the firms’ responsibilities to the federal, state, and local governments’ laws and regulations under which business must operate (Carroll, 1991). Carroll (1998) further breaks down legitimacy into three general categories: compliance with the legal system, avoidance of civil legislation, and anticipation of the law. “Legal responsibilities reflect a view of ‘codified ethics’, in the sense that they embody basic notions of fair operations as established by our lawmakers” (Shwartz and Carroll 2003:507). It is business's responsibility to comply with these laws and to “do what is required by global stakeholders” (Carroll, 2004:117).

Ethical responsibilities: Finally, ethical responsibilities include those activities and practices that are not codified into law but are prohibited by societal members in order to protect the stakeholders' moral rights (Carroll, 1991). Ethical responsibilities represent those standards, norms, or expectations that reflect consumers, employees and shareholders concerns, and the community regards this as fair. Ethical responsibilities become the driving forces behind the creation of laws and legislation (Shwartz and Carroll, 2003). In other words, ethical responsibility means to “do what is expected by global stakeholders” (Carroll, 2004:117).

Figure 2: Three-Domain Model of Corporate Social Responsibility (Shwartz and Carroll, 2003:509)
Schwartz and Carroll’s (2003) ‘Venn diagram’ of ‘three domain model’ categorized three responsible areas into seven sub-categories namely purely economic, purely ethical, purely legal, economic/ethical, economic/legal, legal/ethical, and economic/legal/ethical. Each one of these seven inner sections represents an instance of CSR. However, it is difficult to make much sense of what particulars would fall into each of these sections, as in the Venn diagram chart all instances must be mutually exclusive (Geva, 2008). A brief analysis of the sub-categories will be given with the aim of finding out a normative perspective of CSR.

Purely economic: Shwartz and Carroll (2003) describes that purely economic activities must have direct and indirect economic benefits, be illegal (criminally or civilly), or passively obey the law and be considered unethical (p.513). Companies falling within this domain are just driven by economic motives, even sometimes intentionally breaking the law, or passively complying with the law, engaging themselves in unethical activities (Geva, 2008). The “purely economic” domain cannot be considered itself as practicing CSR responsibility.

Purely legal: The actions which are taken by the companies just to comply with the legal system (Shwartz and Carroll, 2003). However, purely legal is quite rare, as most of the activities based on the principle of legal system are most likely to be considered ethical which consequently bring some economic benefits.

Purely ethical: The ethical actions of the companies, driven by moral principles without having motive of direct or indirect economic and legal incentives, theoretically fall into this category. However, this can be questioned on the view point that corporations are in the end business entities, so the ethical actions are initiated to get the advantage of long term sustainability (Shwartz and Carroll, 2003). Additionally, it is hard to find the real motive of a corporation for being purely ethical.

Economic/Legal: As we have already mentioned in the description of the ‘purely legal’ domain, the activities which are considered to be legal are also considered to be ethical. So, when companies are engaged in both economic and legal activities, then those activities cannot be viewed as unethical (Shwartz and Carroll, 2003). However, there are some exceptions when opportunistic companies searching advantage of weaker legislative systems go and operate in the third world countries or in countries where they can be economically benefited by using legislative and administrative loopholes. This behavior might definitely be considered as unethical.
Legal/Ethical: According to Shwartz and Carroll (2003) theoretically this domain indicates the legal and ethical activities without any economic benefit. Nevertheless, there is always some direct or indirect economic benefit when the organization is complying with legislation and operates in a manner that is ethically sound.

Economic/Ethical: This is the condition when there is minimal pressure of law, but the corporations’ activities are stimulated only by ethical and economic consideration. However, even if there is no legitimacy present, not being unethical and not being engaged in illegal activities will just show passive compliance with the law (Shwartz and Carroll, 2003). Corporations which are engaged in fair trade, give to charity, show concern about the environment, human rights, and social wellbeing fall into this category. The motives for these actions can be derived from direct or indirect economic benefit (Carroll 1994).

Economic/legal/ethical: The ideal overlap is found in the center of the model where economic, legal, and ethical responsibilities exist simultaneously. The other overlapping segments and the pure domains of the model are situational. These situational incidents also need to be explored and illustrated to make the right decisions in the business context (Shwartz and Carroll, 2003). However, authors also point out that it is extremely difficult to identify perfectly illustrative examples for each theoretical segment of the model. Thus, the combination of economic/legal/ethical CSR domains offers the best possible balance between stakeholder concerns, legislation and economic performance while addressing as many stakeholders’ needs to be fulfilled as possible.

Even though the ‘three-domain approach’ is extensively mentioned by the researchers and plays a significant role in the development of CSR literatures, this concept is still criticized by different authors. Jamali (2008) in criticizing Carroll’s three domain approach mentioned one limitation; the blurry definition of sub categories and the difficulty for organizations to deal with it. The model is also very complex and difficult to test in practice; it does not provide any scope to use it as a methodology to collect, organize and evaluate corporate information (Jamali, 2008). This model is based on the assumption that the three responsibilities of CSR are distinct in nature, but in practice all of them are interwoven and inseparable (Shwartz and Carroll, 2003:520). Additionally, in the ‘Venn diagram’ the ‘pure’ domains (such as, ‘pure economic’, ‘pure legal’, and ‘pure ethical’) are only ‘pure’ to a certain degree, therefore there will be still some overlap with each other. Rendtorff
(2009) mentioned that one of the main limitations with this three-domain model is that it does not include all possible scenarios of CSR. Despite these limitations, this model is a very important contribution to the CSR theory as it considers CSR in a general strategic framework for organizational integrity and ethical responsibility.

As we mentioned earlier, Carroll's presentation of the possible responsibilities implies not only economic, legal, and ethical responsibilities, but also mixed and multiple responsibilities. According to Swanson (1999), although economic and legal responsibilities are important CSR domains, the driving force of the organization should be ethics. Moreover, in the ideal unity of the three kinds of responsibilities, the ethical responsibility is the pivotal point in comparison with the two other kinds. With this three-dimensional perspective on CSR, the most important challenge is to conceive how the corporation can act responsibly when it is engaged in the multiple domains at the same time (Rendtorff, 2009). Further, the argument of the possible tension between ethical versus economic and legal considerations is presented, which will lead towards comprehensive understanding of the ethical perspective of CSR.

### 2.1.4 Tension between ethical versus economic and legal responsibilities

In the tension between these three domains, the main problem is how to achieve economic gains while still respecting legal and ethical responsibilities. Quinn and Jones (1995), describe that this tension is necessary for balancing these three compliances, while being able to prioritize them. There can be tension between ethics and economics - when something is economical but possibly unethical. Also, there can be tension between ethics and law - when something is permitted by the law but may be believed as unethical. In fact, when dealing with these kinds of tensions, the important issue is to find ethical standards of management which can ensure the corporation's different stakeholders, rights and social welfare (Quinn and Jones, 1995).

**Economic and Ethics**

Some authors (Treviño and Weaver, 1994; Etzioni, 1988; Quinn and Jones, 1995; and Swanson, 1999) identify that it is a great challenge to integrate empirical and normative aspects of CSR’s economic and ethical domains. However, this problem is hard to resolve as it is the cause of the lack of a paradigm for the business and society field (Garriga and Mele´, 2004). The general belief about
economic responsibilities is that the primary motive of the corporations is to earn profit for them. Earlier in this chapter it is mentioned that Milton Friedman (1970) asserts “profit is ethical” (Menestrel, 2002:157), as companies promote the common good to the society by solely pursuing their economic interest. Additionally, there can be no incentives to be unethical because unethical business cannot be profitable in a long term. So, to be profitable business need to be ethical, as Shwartz and Carroll (2003) states “good ethics is good business” (p. 516). However, there are possible situations where economic interest and ethical concerns are conflicting, that is, business is profitable without being ethical (Menestrel, 2002; Frederick, 2003). For example, Today’s attitude of the MNCs towards environmental or human rights issues raises a question about the social role of business and also shows that if business does not acknowledge social responsibilities, then profit may not be ethical.

**Law and Ethics**

Carroll’s (1991) assumptions that the law is a form of “codified ethics”, where ethics are “the driving forces behind the every creation of laws and regulations” (p. 41), may not be always true. While describing the relationship between law and ethics, Boatright (2009) mentions that they fall into different areas. Law is defined as enforceable rules applied to public life, whereas ethics is derived from personal opinion, yet ethical preferences have influence on public life. Law is the minimal level of conduct that business organizations are obliged to follow. On the other hand, ethics is a more optional choice. As a form of social control, law has many advantages over ethics, because law provides more precise and detailed rules than ethics and the courts can interpret the rules in clear wording. On the contrary, law is lagging behind ethical thinking, as law is inadequate to address all the social issues that need to be addressed (Carroll, 1998). Paine (1994), while describing the ethical point of view mentions that, ethics is attentive to rights, responsibilities, opportunities to improve and enhance human well-being, and it derives virtual and moral excellence. For example, in countries where the legal system is well developed, law can be the complete guideline for business conduct. On the contrary, in other countries of the world with underdeveloped legislation, ethics shows the guideline to business (Boatright, 2009). Thus, ethics plays an important role as a guide for global business, where there is relative lack of legislation.

Carroll (1999b) describes that in the last past fifty years there has been an unrelenting call for business to be more socially responsible. There has been blossoming expectation that business will
not only be profitable and obey the law, but also needs to be engage in ethical practice. So, ethics has become something that an organization does beyond the minimum. Then, a very common question comes to one’s mind: “why should the managers be ethical?” (Carroll, 1999b:141) The short answer would be that; the society expects managers to be ethical and be responsive to the expectations of society and stakeholders. In the moral perspective, managers should be ethical, because it is the right thing to do. However, Rushworth Kidder (1997) suggested that managers need to be ethical for sharing values, building trust, doing consistent planning, being efficient in crisis management, building loyalty, creating value for the shareholders-employees-customers, preventing unfair regulation, making effective partnership, and, most of all, as a form of insurance. It is in the best long term interests of the organizations and managers to be ethical.

2.2 Business Ethics

According to Baron (2001), social welfare for the sake of profit maximization cannot be considered as CSR. Equally so, the legal requirements cannot be the reason for implementing CSR. So, Dunfee (2008) indicates that in a normative perspective the motive of CSR can be found from the ethical theory. The business ethical practices fall into at least two distinct varieties, namely Utilitarian approach and Kantian or deontological Approach of ethics (Frederick, 2003; Crane and Matten, 2004).

2.2.1 Utilitarian approach

Utilitarianism is a consequentialist ethical theory, Snoeyenbos and Humber (1999), describe that this theory of ethics concerns whether a particular human action is right or wrong. It is consequentialist because it considers that an action’s rightness or wrongness is determined solely by the action’s consequences, but not by any feature of the act itself. The intuitive idea behind utilitarianism is that the act should be done with a motive to bring the best consequences. Hence, whether an act is morally right or wrong depends on whether the act does or does not bring the best consequences. Moreover, Utilitarianism is not only the principle of maximization of total benefits, rather maximization of utility. Snoeyenbos and Humber (1999) also mention that Utilitarianism judges the right act from enumerate alternatives by considering and calculating the act from its long term consequences. Furthermore, to be right, an act must maximize utility and at the same time maximize the number of individuals who realize a positive benefit. Here benefit means pleasure or happiness.
which leads to long term pleasure without having any negative consequences (Snoeyenbos and Humber, 1999).

Utilitarian justification for the free market has been provided by the long line of economists from Adam Smith to Milton Friedman. Especially, they made a claim that the free market is the most efficient means to maximize utility and that the individual firm also has a utilitarian basis, because the ordinary notion of business efficiency can also be applied to the individual firms. The efficient firm maximizes outputs or profit in relation to inputs or costs (Friedman, 1970), which correspond with the Utilitarian’s argument that one should act to maximize benefits and minimize loss. Additionally, Utilitarians also argue that their theory provides the best basis for government and social policy. Given a set of policy alternatives, utilitarians will choose the one that has the greatest overall benefits for the society at the least cost, and the one that maximizes utility for the society (Snoeyenbos and Humber, 1999).

Hence, the biggest challenge of this theory is, as any society consists of groups and subgroups, this theory does not explain whether this society consist just of business persons. In that case, the social code for the businessman's society may permit businessman to do an act that is prohibited by the code of the broader or general society. When such conflict occurs, it is hard to find a principle to resolve the problem (Snoeyenbos and Humber, 1999). Nevertheless, Utilitarianism has proven to be a durable and resilient ethical theory over two hundreds of years and it is also an important foundation for economics and social policy.

2.2.2 Kantian Approach

Kantian or deontological ethics is an ethics of duty rather than an ethics of consequences. According to Immanuel Kant, “the highest good was the good will, and to act from a good will is to act from duty” (Bowie, 1999:4). So, if the corporation gets benefited from society, they also have duty to give back the benefit to the society. Society provides corporations with the means for enforcing business contracts, through the infrastructure such as - roads, sanitation facilities, police, fire protection, and most importantly, with the educated work force with both the skills and attitudes required to perform in corporate settings. Therefore, the corporations’ duty is to consider the interests of all the affected stakeholders while making any decision and any decision cannot be taken by prioritizing the interest of only one stakeholder. Most of all, Kant believes that organizational structures must treat the
humanity in persons with dignity and respect, and thus, one human being cannot use another simply to satisfy his or her own interests. This is the core insight behind Kant's second formulation of the categorical imperative, “always treat the humanity in a person as an end and never as a means merely” (Bowie, 1999:10).

The biggest challenge to the Kantian ethics is that it is too demanding. The central ideology of Kant's philosophy is that, an action can be considered truly moral if it is morally motivated, in spite of being contaminated by motives of self-interest. While discussing Kant's principles, Bowie (1999), alerts us to the problem that in practice, it is difficult to figure out the real motive of the actions taken by business organization and also the good acts of the most enlightened corporations are always justified in terms of profit. So, it appears that even the best actions of the best corporations are not ‘purely’ moral (Shwartz and Carroll, 2003). In that case, Kant can be criticized for requiring such purity of motive. However, Kant's insistence on the purity of a moral motive has not made his theory irrelevant to business ethics. Many management theorists urge businesses to always focus on the bottom line with a belief that if focus is not given exclusively to the bottom line then profits cannot be enhanced consistently (Bowie, 1999). To put this in more Kantian terms, perhaps profit will be enhanced if the manager focuses on respecting the humanity in the person of all the corporate stakeholders.

The main difference between these two ethical theories is that the utilitarian view is concerned mostly with the best consequences of the actions, whereas the Kantian theory considers the real motive behind the actions. Both of these ethical theories focus on the maximization of the corporations’ benefit, not solely in terms of profit, but maximizing the utility for the customers, employees, shareholders, and society, or, in Kantian words, exercising the duty by considering all stakeholders. Additionally, Kant emphasizes more on the humanitarian perspective. The same view can be found in the ‘Stakeholder Theory’ of CSR which is mainly an ethics based theory introduced by Edward Freeman. According to him, if one of the groups among stakeholders (customers, employees, suppliers, communities, shareholders, other groups including NGOs, governments, unions, etc) were getting more importance than others, then business and capitalism would miss the main contribution towards society. So, it is necessary to fulfill the interest of all these stakeholders over time, through effective and sustainable stakeholder management. Especially, in this global arena, more than ever there is a need to make a story of “responsible capitalism” (Freeman, 1984). Moreover, Rendtorff (2009) believed CSR cannot be conceived solely from a utilitarian perspective,
but must rely on consideration of Kantian deontological ethics as well as ethical management, which is an integrate strategy for organizational leadership and organization’s ethical climate.

### 2.2.3 Ethical management and shaping the organization’s ethical climate

According to Carroll (1998), business ethics management is concerned with two aspects of ethics: one is developing codes, concepts and practices of acceptable business behaviors known as “knowing ethics”, and the other aspect is in carrying out these practices while dealing with stakeholders. This aspect is known as “doing ethics” (Carroll, 1998). Vitell and Festervand (1987) also identify that, to get fully integrated ethical considerations into management decision making, managers have another major responsibility, that of shaping the organization's ethical climate. Important components of an organization’s ethical climate or culture include top management leadership, codes of conduct, ethics programs, realistic objectives, processes for ethical decision making, effective communication, disciplining of ethical violators, ethics training, ethics audits, and use of whistle blowing mechanisms (Carroll, 1996). The behavior of superiors is the most important factor contributing to the organization’s ethical climate, therefore, this point needs to be fully understood and embraced by all managers. It becomes more critical in the global business when it is needed to ensure the ethical behavior through the whole supply chain, as different contractors or sub-contractors may act in a way which is not aligned with companies’ ethical code of conduct.

### 2.3 Ethical Supply Chain Management (ESCM)

According to the International Organization for Standardization (ISO), a supply chain is a “sequence of activities or parties that provides products and services to the organization” (Guidance on social responsibility ISO 26000, 2008:248). During the past decades outsourcing and globalization processes have resulted in the development of supply networks usually led by large Western MNCs. These developments brought the devolution of legal obligations for environmental or social impacts to suppliers who reside in the countries with weak or poorly enforced regulations (Sobzak, 2006). Therefore, supply chain management and partnership/contracting between buyers and sellers started to be seen as an opportunity to diffuse environmental and social initiatives through Ethical Supply Chain Management (ESCM).
The companies have found that the corporate reputations can be significantly affected by firms’ management of sustainability issues, including those that are outside their direct control, such as the environmental and social impacts of their supply networks (Roberts, 2003). As it was noted by Spence and Bourlakis (2009), supply chain responsibility is the chain-wide consideration of, and response to, issues which go beyond economic, technical and legal requirements of the supply chain in order to accomplish social benefits along with the traditional economic gains which every member in that supply chain seeks.

Most of the ethical dilemmas, that firms encounter, arise in their supply chains. So, to ensure ethical responsibility is the main struggle for all MNCs, as they have to deal with the supply chain. Under such circumstances, supply chain management can be seen as a means to allocate CSR initiatives beyond the individual firm. This might work as a multiplier effect for social responsibility, leading to the improvement of social responsibility of business overall (Preuss, 2000). However, if upstream suppliers are using poor management practices in terms of labor, environmental, health and safety standards, and so on, buyers risk the security and sustainability of their supply chain as well as their own reputations (Eltantawy et al., 2009; Roberts, 2003). Thus, as it was highlighted by Roberts (2003), the most pressing question which arises is about the boundaries of CSR and the extent to which buyers/parent companies can be held responsible for the activities of their suppliers.

As Hall (2000) comments; Customer firms might be held accountable for purchased goods and services, but they are not legally responsible for other activities of their suppliers. But from another side, while the legal obligations of buyers for the activities of their suppliers are limited, any inappropriate social activities are at the very end associated with the parent company/buyer (Frenkel and Kim, 2004). The whole supply chains itself and in particular environmental or social performance of suppliers may therefore be seen as a source of risk to the lead company (Rao, 2004).

The UN Global Compact bases its strategy on an understanding that “core firms” at the centre of large business networks can play a key role as the driver of change in their global value chains (OHCHR, 2004:17). However, not always can the lead firm influence suppliers and implement ESCM. The core companies’ power over the supplier might be a necessary precondition for the implementation of ESCM (Hall, 2000). The answer to this issue is provided by the power-dependency theory, suggesting that power resides in the ability to make another party do what they otherwise might not have done (Frazier et al., 1989). Since the economic gain from the ESCM is
often unclear and unproven, suppliers may only be willing to implement ESCM practices within the context of strong supply chain management processes of the lead company (Hall, 2000). This view suggest that suppliers will be subject to alignment with core company requirements and pressure measures in cases where it has power to do so (i.e. has a bargaining power in terms of resources). But, there is also confusion about the extent of parent companies’ responsibility for suppliers, beyond the first tier of supplier (Mares, 2010). The parent company can take measures to influence its supplier to take measures according its supplier (i.e. second tier of supply chain), however, more downstream it is almost impossible for the parent company to control.

Nevertheless, the lead company itself is not always ready to undertake and initiate ESCM processes voluntary without any external pressure. Such a pressure could come from stakeholders, including workers, NGOs, governments, based on their interests and preferences. It has been suggested that the ethical and social performance of the supply chain has become subject to significant attention by legislative and regulatory stakeholders (Frenkel and Scott, 2002; Theyal, 2001). Thus, the lead company is always at the center of concern of ESCM, while suppliers are usually distant from key stakeholder groups and are ready to practice ethical and responsible behavior, under the pressure of stakeholders.

While the motivation behind the ESCM is regarded with grave concern, there is not much discussion about the relationship between ESCM and the economic performance of lead companies as well as the actual social and environmental performance of suppliers (Rao and Holt, 2005). The environmental and social consequences of supply chain management could possibly arise from ESCM processes or reflect the underlying processes and characteristics of supply chain management (Millington, 2008). As it was noted by Nijhof et al. (2003) the implementation of corporate codes of conduct proved to be useful within the context of social supply chain management. However, to make your suppliers follow those codes is not so easy, especially when you have not got the power to do so. Policies and practices adopted by lead companies are of course important, but great emphasis should be given to suppliers’ compliance to those practices.

This study is concerned with the ESCM in a construction industry which is quite unique in respect to the supply chains. There are certain unique characteristics of construction, like one-of-a kind products, temporary and project based organization, and site production, preventing the execution of flows as efficient as, for example, in manufacturing (Koskela, 1992). Mostly, the principal
conclusion company that manages a construction project executes only a small part of the work using its own personnel and its own production facilities. The greater part, approximately 75% and more, of the “construction product’s” value is built with help from suppliers and subcontractors (Dubois and Gadde, 2000). Labor is the core element for the construction supply chain. Businesses operating overseas, especially in developing countries, deal with a lot of migrant labor coming to them through the supply chain. Hence, the issue concerning the risks associated with migrant labor in the supply chain and the responsibilities of companies to minimize the risk to migrants as well as to their business has become a contemporary matter.

The theoretical framework was designed to be applied on the study of a unique case of 2022 FIFA World Cup Project. The distinctive characteristics of this Project require a comprehensive theoretical basis with the aim to find out CSR strategies and practices of MNCs in a multi stakeholder Project. The Shareholder and Stakeholder theories of CSR are used to explain the CSR approaches of the multinationals, whereas the ‘Three domain approach’ model is presented used to identify the practical implication of CSR in studied case. To elaborate and support the CSR ‘Three domain approach’, Utilitarian and Kantian theories of ‘Business Ethics’ are proposed. Additionally, the concept of Ethical Supply Chain Management (ESCM) is suggested to scrutinize the ethical dimension of CSR throughout the supply chain. Moreover, the empirical analysis of Shwartz and Carroll’s (2003) ‘Three domain approach’ was mainly done in American and European contexts (Pinkston & Carroll, 1994; Crane and Matten, 2004). In this study we use the ‘Venn diagram’ to look at how CSR manifests itself in the context of GCC, particularly in Qatar, since the relative priorities of CSR in Qatar likely to be different from the developed countries oriented classic CSR practice. In the next chapter the methodology on how the study has been planned and conducted will be presented.
Chapter 3: Methodology

3.1 Research approach

With the purpose to investigate a particular phenomenon there are two well-established approaches, namely qualitative and quantitative. Qualitative researches, regardless of their theoretical differences, reflect sort of individual perspective with regard to phenomenon, while quantitative tend to emphasize that there is common reality on which people can agree (Newman and Benz, 1998). Quantitative studies are usually based on a positivist paradigm, while qualitative research is based on a phenomenological one (Firestone, 1987). The reason behind choosing qualitative methods for this study is the exploratory nature of the study. This means that not much has been written about the studied phenomena, such as CSR in terms of human and labor right of migrant workers, moreover, in Qatar. We, the researchers, aimed into building an understanding of the situation based on the in-depth interviews conducted. Since we chose a case study as a research design, the literature served as a settlement of the stage for the study. Qualitative research champions the interaction of researcher and phenomena. Phenomena need accurate description, but that interpretation is shaped by the experience, the intention and mood of the researcher (Stake, 1995).

3.2 Research strategy

A research strategy, or logic of enquiry, provides a starting point and set of steps by means of which ‘what’ and ‘why’ questions can be answered. A social phenomenon in research needs a description in order to be able to answer ‘what’ research question (Punch, 2005). Choice of the research strategy is based on the starting point, steps and logic of the study, use of concept and theory, styles of explanation or understanding, and, eventually, the end status of the research conducted under a certain research strategy (Blaikie, 2009). Since the starting point of our study was the definition of stakeholders of 2022 FIFA World Cup in Qatar and collecting data respectively, the research strategy we used is induction.

The aim of the inductive research strategy is to establish limited generalizations about the distribution of, and patterns of association amongst observed or measured characteristics of
individuals and social phenomenon (Blaikie, 2009). Further, the description of data was provided in relation to research questions. Inductive reasoning is concerned with the revision of the established theory or new theory building (de Vaus, 2003). In this study, we claim for the revision of established theory of CSR, as the one which is not exactly valid in this particular case and this can be applied to other cases with similar conditions.

3.3 Research philosophy

As a starting point of any research strategy it is important to define the ontological and epistemological orientation of an inductive reasoning. Ontology refers to the claims and assumptions that are made about the nature of social reality, claims about what exists and how it looks like. In other words, ontological assumptions are concerned with what we believe constitutes social reality (Blaikie, 2009). In the case of inductive research strategy, which is the base for this study, ontological orientation is defined as constructionism, where the social world is perceived as something that is created every day through communications, meanings and interpretations (de Vaus, 2003).

Epistemology, on the other hand, concerns what constitutes acceptable knowledge in an area of study. Epistemology raises the question whether the approach to the study of the social world can be the same as the approach to studying the natural sciences (Saunders et al. 2007). Epistemology provides the philosophical underpinning – the credibility – which legitimizes knowledge and the framework for a process that will be produced through the methodology (May, 1997). The epistemological orientation of this study could be defined as interpretivism, which distinguishes between the actual and the real. In exact word, the actual is not a complete representation of the real (Sayer, 2000). Interpretivism is about meanings and how we perceive things (interpret). It is the dominant philosophy in qualitative inductive research (Saunders et al. 2007, Blaikie, 2009).

3.4 Research design

According to de Vaus (2003) the function of a research design is to ensure that the evidence obtained enables to answer initial questions as unambiguously as possible. In this research, the case study was chosen as an appropriate research design since the research questions embrace the whole complexity
of the phenomenon and are very multi-dimensional reflecting peculiarities of particular situation, in our case, CSR of MNCs in respect to human and labor rights of migrant workers in Qatar. Case study can be seen as a study of of the particularity and complexity of a single case, coming to understand its activity within important circumstances (Stake, 1995). In the case of 2022 FIFA World Cup Project we have a Project which is unique in its nature and at the same time full of complexities. The purpose is to study the CSR concept under the specific circumstances, such as weak legislation system in Qatar with regard to labor issues and multi-stakeholder environment of the Project.

Yin (2003) defines the case study as following “it is an empirical enquiry which investigates the contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident” (p. 13). Thus, case study research assumes that examining the context and other important conditions related to the case being studied are integral to understanding the case. The in-depth focus of the case and the desire to cover a broad range of complex contextual conditions makes the case study go beyond the isolated variable and that the case study data comes from multiple sources (Yin, 2003). In the case study of 2022 FIFA World Cup Project the uncertainties with migrant workers and their conditions requires us to study the migration process in details to find out the complexities of the context with which the Project is concerned and not just from the Qatar side, but also from the side of Bangladesh. It is important to understand the role of each and every party in the supply chain of migrant workers.

The case study can be intrinsic, when the study is conducted not because of studying it we will learn about other case but because we need to study this particular case, or it can be instrumental, when we need a general understanding and feel that we might get inside by studying this specific case (Stake, 1995). When it comes to the case selection, it is important to remember that case study research is not a sampling research as, in the first place, we do not study one case to be able to understand other cases, but this particular one (Stake, 1995). As our research is intrinsic one, so the case is pre-selected. The most important criterion why we chose this specific case is to maximize what we can learn from it as well as, given our purposes, it is likely to lead us to more understanding, some assertions or even maybe revising commonly accepted generalizations (Flyvbjerg, 2011).

When it comes to the ability to generalize it is important to note that the case study is about particularization rather than generalization (Stake, 1995). We take a particular case and we want to know not how it differs from other cases, but what is this one emphasizing on unfitness and what our
interest is in this case. However, some generalization still could be drawn and their validity is enhanced by the help of triangulation. Thus, the 2022 FIFA World Cup Project case which is unique in different aspects including the fact that it differs from all other FIFA World Cup tournaments held in the past 100 years history of FIFA, since it for the first time will take place in Middle East country with very strict rules limiting universally exactable human and labor rights.

3.5 Research methods

Research methods are chosen in accordance with the research approach. In the case of this study, methods used are qualitative in their nature. According to Dingwall (1997) the purpose of the qualitative methods is to provide an open-ended, in-depth exploration of an aspect in life, focus attention or particular experience, and to gain personal insights about the experience. Here we can distinguish data collection methods, data reduction methods and date analysis methods (Blakie, 2009).

3.5.1 Data Collection Methods

Interview is one of the main data collection tools in qualitative research which allows us to access people’s perceptions, meanings, definitions of situations and constructions of reality (Punch, 2005). In-depth interview is the main data collection method chosen for this study. In-depth interviewing is a qualitative research technique that involves conducting intensive individual interviews in order to explore interviewees’ perspectives on a particular idea, program, or situation. The primary advantage of in-depth interviews is that they provide much more detailed information than what is available through other data collection methods (Boyce and Neale, 2006). This method is the most appropriate for conducting a study on 2022 FIFA World Cup Project, since the issue of human and labor rights is a highly sensitive one and since it is hard to structure an interview where the aim is to find out opinions, feelings and experiences of respondents.

In-depth qualitative interview is discovery-oriented method, which allows the interviewer to deeply explore the respondent’s feelings and perspectives on a subject. This results in rich background information that can shape further questions relevant to the topic (Bryman and Bell, 2007). Further, having open-end questions gives respondents the freedom to answer question using their own words. However, the semi-structured format of the interview is still present, since the key questions need to
be prepared. One more important characteristic of in-depth interview is that it seeks for interpretation and understanding, as it is not just about recording received answers but looking for a meaning (Guion et al., n.d.b).

Additionally, content analysis of the documents was used as the supplementing qualitative method to identify phenomena and draw connections. In our study such documents where code of conducts of companies and FIFA; official documentation received from Hochtief and Albert Speer & Partner (AS&P); sustainability reports, etc.

### 3.5.2 Sampling process and data collection

As a first step of this research, a sampling strategy was developed. We identified the stakeholders relevant for the study. We also defined the strategies for how to find them, contact them, and how to approach them. The general rule on sample size of in-depth interview is that when the same stories, themes, issues, and topics are emerging from the interviewees, then a sufficient sample size has been reached (Boyce and Neale, 2006). Despite having pre-identified stakeholders as the result of a “snowballing method”, we found that there were stakeholders, who we were not aware of when we started doing our research; mainly different parties in the migration process from Bangladesh. Thus, the sample size was finally defined when data from different interviews started matching and the “puzzle got in to picture”. In addition, multiple sources were used for collecting primary data, such as official documentation obtained from the companies, web pages of companies, international organizations, NGOs, FIFA webpage, etc. as well as secondary data: newspapers, magazines, books, articles, etc.

In order to answer our main research question, we formulated three sub-research questions and gathered data according to them by dividing the process into three stages.
Stage 1: Key informants are the MNCs of FIFA 2022 World Cup project in Qatar

To find out the answer for our first sub research question: Do the MNCs working on this Project have CSR strategies to ensure labor rights for the migrant workers?

At the very first stage we identified the MNCs who are directly engaged in this Project, through secondary data, particularly data gathered from ITUC article published on May, 2011 (ITUC, 2011c). Then, we approached three MNCs currently working in Qatar in FIFA Project, namely Hochtief, Albert Speer & Partner (AS&P), Deutsche Bahn (DB) International. The inquiry for interview with Hochtief was sent on March 5th by email to Mr. Bert Hoekstra, who is the Chairman of the Management Board of Major International Projects Segment, and Managing Director at Hochtief.
Solutions Middle East Qatar W.L.L. The in-depth face to face interview with Mr. Bert Hoekstra was conducted on March, 16th 2012 in Hochtief Corporate Headquarter in Essen, Germany. The reason of this interview was to find out how Hochtief, one of the main construction companies working in Qatar on multiple projects, is caring out its work in Qatar; about the scope of work, in particular under 2022 FIFA World Cap Project; its CSR activities, human and labor rights protection and responsibilities; information on contractors/subcontractors; main challenges of working in Qatar. The interview was an in-depth interview, carried on more like discussion. During the interview all necessary information was received and interviewee answered all our questions without any hesitation or reservation. The interviewee was also asked to send some official documentation on contractors/subcontractors responsibilities, and needed extracts from documents were provided to us on March 20th by email.

The inquiry for interview with Albert Speer & Partners (AS&P) was sent on March 5th to Joachim Schares, Member of Management and Partner of AS&P with an aim to receive information about the CSR of AS&P under the 2022 FIFA World Cap Project. The interview request was denied with the explanation that since AS&P is an architecture firm, it does not deal with issues of CSR. However, the access to some official documentation was provided though the company’s password and login details, although the information and documents on Qatar Bid Book is confidential information and cannot be disclosed.

Deutsche Bahn (DB) International was contacted by email and telephone in Germany and Qatar multiple times during March and April attempting to receive an interview with project manager or any other person engaged in DB activities in Qatar. The reason for interview request was the same as for Hochtief, but also to find out the exact role of DB in construction of Doha metro system. Numerous transfers to different departments of DB by mail and phone were done, however no answers received. Responsible for Qatar project officials in Deutsche Bahn International in Qatar never responded to any of our emails or calls.

**Stage 2: Key informants and respondents for the Bangladesh studies**

Our second sub research question is: How do MNCs practice CSR strategies for migrant workers throughout their supply chain?
To answer this question, we need to know about different parties and actors involved in the supply chain of migrant workers. From the first stage we identify the MNCs, now we need to identify the migrant workers of Bangladesh, who are coming to Qatar for working in the Project as well as some other actors involved in the supply chain from Bangladesh to Qatar, who might have significant effect on the migration process.

**Migrant workers**

Bangladeshi migrant workers, who work in Qatar for the FIFA 2022 projects are the main focus of this study. So, to research on the job finding procedure, the process of coming to Qatar, the type of recruitment, and what is more, investigating the working condition, salary structure and living condition, as well as the labor rights and legislation system, it was necessary to interview workers associated with the projects. We started to look for migrant workers in Qatar by contacting Refugee & Migratory Movements Research Unit (RMMRU), a migrant research institute of Bangladesh, affiliated with University of Dhaka (see appendix 1, interview no. 4). They provided us with the name of a NGO, Shikkha Shastha Unnayan Karzakram (SHISUK) (see appendix 1, interview no. 5), which might have connection with the migrant workers. After seeking help from them, SHISUK replied that they have some contact details in their data base concerning Bangladeshi migrant workers in the Middle East, but unfortunately not in Qatar. Mr. Sakiul M. Morshed, the executive director of SHISUK, was very kind to search for this information, even though it was difficult. As a result, it took almost one month for him to find the information about workers in Qatar and also about the return workers from Qatar (the first request mail send to him on 11 March, and he replied with the information on 8 April 2012). Along with SHISUK, two other sources were also helpful to find out the contact addresses of the migrant workers working in Qatar as well as the return migrants from Qatar.

In total, seven migrant workers were interviewed; some of them currently working in Qatar and others who had already returned back to Bangladesh. Among those seven, three Bangladeshi workers, who are currently working in Qatar for different subcontractors firms, were interviewed over telephone. Namely, interviewee no. 7 (see appendix 1), employed in a Lebanese company currently working as a bricklayer in a subcontractor project and constructing a high-rise building along with some other companies. His contact details were obtained by the help of SHISUK. Interviewee no. 8 (see appendix 1) works as a welder in a construction project, but had been
employed by an electro mechanical construction company; the contact was given to us by interviewee no. 16 (see appendix 1), a Bangladeshi middle-man in Qatar. Contact details of the third interviewee no. 9 (see appendix 1), who is working as a plasterer in a Qatari construction firm were obtained through a representative in Bangladesh.

Since Hochtief is the main multinational construction company for the FIFA 2022, we found it necessary to interview migrant workers working directly for them. Two of the migrant workers who work under Hochtief’s construction projects were interviewed. One of them, interview no. 10 (see appendix 1) works as a driver for the bus carrying workers from the construction site to their camp (dueling place) and the other interview no. 11 (see appendix 1) works as a carpenter. Interview no. 17 (see appendix 1), who is a Bangladeshi middle-man living in Qatar, called to Hochtief Construction Qatar WLL Doha and found the contact number of the driver - interview no 10, then pass on the details to us. Fortunately, while interviewing him (interview no. 10) over telephone, he was in the labor camp, so interview no.11 was conducted at the same time.

The returned migrants were interviewed for supplementing the findings and also with an aim of knowing their experience in Qatar as well as the reasons of returning back to Bangladesh. Two returned migrant were interviewed (interview no. 12 and 13, see appendix 1) over telephone who formally worked in Qatar as construction workers. Interviewee no. 13 went back home after three years because of the low paid job in Qatar, whereas, interview no. 2 returned to Bangladesh for personal reasons after seven years spent in Qatar.

It is important to note that, it was extremely difficult to find migrants workers associated with these projects due to confidential matter and unavailable information. Bangladeshi citizens require a valid visa to work or visit Qatar (MOI, n.d.). The migrants are obtaining several types of visas in different ways that may have led some of them to become irregular immigrants. So, the process of information gathering become complicated as some of the migrant workers refused to be interviewed and some of them were not outspoken for the fear of being conquered.

Why telephone interviews instead of face to face? Attempts were made to visit Qatar for experiencing the country’s condition in person and also to have face to face interviews with the Bangladeshi migrant workers currently working in Qatar. The aim was to see their working conditions and living standards as well as to get to know the process of the recruitment. To visit
Qatar, one of the authors, who is a Bangladeshi national would need a valid visa issued by the Ministry of Interior (MOI) in Qatar. The MOI does not have any visa category for researchers, so a tourist visa was tried to be obtained through five star hotels, as there is a possibility that the five star hotel managers or the reservation officers can arrange or apply for the visa on behalf of the applicant; in that case the condition is that the applicant has to have a confirm reservation in their hotel. Unfortunately, after several tries visa application was rejected by MOI. This was the main reason why we had to arrange telephone interviews instead of face to face interviews.

**Box 1: Key respondents of the migration process**

- Migrant workers in Qatar works in subcontractor firms – three persons interviewed
- Migrant workers in Qatar directly employed by Hochtief – two persons interviewed
- Return Migrants formerly worked as construction workers in Qatar – two persons interviewed
- Labor Attaché of the Bangladesh mission in Qatar – one person interviewed
- Private Recruiting agent of a Bangladeshi recruiting agency – one person interviewed
- Executive director of a Bangladeshi travel agency – one person interviewed
- Sub agent in Bangladesh – one person interviewed
- Bangladeshi middle-man in Qatar – two persons interviewed

For the Bangladesh part of the study, different actors and organizations that assist, train and directly or indirectly participate in the migration process and manage migration activities for overseas employment and remittance were described. Mostly primary contents were used from the official web page of the Ministry of Expatriate Welfare and Overseas Employment (MEWOE), the Bureau of Manpower, Employment and Training (BMET), the Bangladesh Overseas Employment Services Limited (BOESL), the Bangladesh Association of International Recruiting Agencies (BAIRA), as well as secondary data from articles by the researchers and newspapers were reviewed to get an additional information.

**Labor Attaché in Bangladesh mission of Qatar**

Interview no. 24 (see appendix 1), Mr. Maksudul Rahman was interviewed to find out his official duties and responsibilities concerning the migrant workers on behalf of the Government of
Bangladesh; he was contacted through the Bangladeshi representative who currently works as a Consular of labor of Bangladesh mission in Libya.

**The private recruiting agent and travel agent**

The private recruiting agencies of Bangladesh are among the main actors in the recruitment process, so it was important to interview at least one of them to find out the recruitment procedure and analyze their role in the migration process. A managing director of a travel agency of Bangladesh (see appendix 1, interview no. 6) helped us to identify the private recruiting agencies of Bangladesh that send workers to Qatar. He provided seven telephone numbers and addresses of the recruiting agencies in Dhaka, the capital city of Bangladesh. Unfortunately, managers of those private recruiting agencies mostly denied the interviewing over telephone; two of them said that they are sending workers to the Middle East countries, however not to Qatar. One of them said that they are not in the manpower business anymore, but a representative of us visited them and found that they have a recruiting office while they are not telling the truth over telephone; however, they also refused to talk to our representative. At last, one agent of a private recruiting agency of Bangladesh who sends workers to Saudi Arabia as well as to Qatar agreed to have a telephone interview (see appendix 1, interview no. 14). Interview no. 6 (see appendix 1) also contributed by giving his view about the recruitment process and he provided some contact address of the Bangladeshi subagents in Qatar.

**Sub agent and middle man in Qatar**

While searching for the private recruiting agencies who send worker to Qatar, different sources pointed out that there are some sub agents locally known as ‘Dalal’ who hook up the potential migrant workers from the villages with the private recruiting agencies. In this research, one sub agent interview no. 15 (see appendix 1) was interviewed through telephone; his contact details were obtained through our personal connections.

There are also some unofficial Bangladeshi middle men who live in Qatar and are greatly involved in the migration process. Two of them were interviewed, while one of them (see appendix 1, interview no. 16) did not cooperate openly when it came to the questions about the recruitment process, however, he helped to provide contacts details of two migrant workers who is currently working in Qatar in some construction projects (interview no. 8 and no. 22). With the other one, interview no. 17 (see appendix 1), two weeks of regular contact via Skype was maintained with an aim to obtain
relevant data, then, eventually, he shared his experience and provided some information which is considered to be very important for the study. He also helped us to find out two construction workers (interview no. 10 and 11), who work for Hochtief.

**Bangladeshi Non-governmental organizations (NGOs)**

To study the actions and roles of Bangladeshi NGOs in the migration process mostly primary information was gathered through the Internet. Additionally, one NGO, namely Shikkha Shastha Unnayan Karzakram (SHISUK), shared their view on the role of NGOs in the migration process (see appendix 1, interview no. 5).

**Stage 3 Key informants are the stakeholders of the 2022 FIFA World Cup project in Qatar**

Our third research sub question is: Where are the problems of ensuring labor rights in this Project rooted?

At the second stage of data collection while identifying the migrant workers along with different actors involve in the migration process, the problems related to these actors were detected. However, except for the MNCs, the migrant workers and the actors of the migration process, there are some other stakeholders involved in this Project, for example, the Qatari legislation, FIFA who is the responsible organization of World Cup tournament, and different International Organizations (e.g. UN Global Compact, ILO, BWI, ITUC, and International NGOs).

**Qatar law and regulation**

The information about Qatari law and legislations was obtained from secondary data, newspapers, World Bank fact book, primary content of Qatari law and many other valid sources, like Bureau of Democracy, Human Rights, and Labor, U.S. department of state.

**FIFA (International Federation of Association Football)**

FIFA was contacted on March 5th through email and telephone in their Headquarter in Zurich, Switzerland. We were requested to send an official inquiry for interview by fax. After sending a fax with an official inquiry on March 7th two days later, on March 9th, we received a replay saying that the request for an interview has been rejected as due to overload with a work FIFA is unable to serve
the purpose of individual inquiry. The reason why an interview with FIFA was important for this research is that we wanted to find out how FIFA is going to cope with issues of human and labor rights in Qatar and whether these issues had been considered by FIFA when granting the right to host 2022 FIFA World Cup tournament to Qatar?

**UN Global Compact**

UN Global Compact was contacted through their General Counsel, Ursula Wynhoven, on March 25th by email. The reason for contacting them was to find out whether UN Global Compact has any concerns with 2022 World Cup Project in Qatar? How does UN Global Compact monitor companies which have signed Letter of Compliance with UN Global Compact and check how they do in reality? What is the procedure to validate companies' Communication on Progress (COP) reports? However, the answer received stated that UN Global Compact is not engaged with activities concerning specific projects and, also, that companies and their reports is not a subject to any check and evaluation due to lack of resources and absence of mandate.

**International Labor Organization (ILO)**

ILO was contacted on March 27th by email and telephone in order to receive information about ILO’s concerns with 2022 World Cup Project in Qatar; what is ILO doing in respect to improve the labor rights in Qatar and what are the achievements; does ILO plan any actions or activities in respect to Qatar considering that the whole world is watching them due to future World Cup tournament? Unfortunately, no response was received to our inquiry by email; by telephone our request got rejected due to inability to serve the purpose of individual request.

**ITUC and BWI**

To know the action plans for the Qatar project, International Trade Union Confederation (ITUC) and the Building & Wood Worker International (BWI) were contacted. The Coordinator of ITUC responded to a telephone call (interview no. 26) and a comprehensive interview was conducted with the education secretary of BWI (interview no. 25). This information helped to understand weather these organizations are acting as watch-dogs for the multinational construction firms in Qatar and their mechanism of monitoring is like.
International NGOs

Human Rights Watch and Amnesty International were contacted by email and telephone with the aim to find out their concerns and actions with respect to labor and human rights issues under 2022 World Cup Project. However, the requests got rejected due to the high volume of inquiries and inability to serve the purpose of individual request.

3.5.3 Data reduction methods

Data produced by most methods of collection requires some manipulation to get them into a suitable form for analysis. This process is more obvious in the case of quantitative analysis. In qualitative study it is also possible to structure your data according to themes or by typology construction. However, in qualitative research the data reduction and data analysis are usually blended into one cyclical process (Blakie, 2009). In this study we structured our data according to stakeholders involved in 2022 FIFA World Cup Project.

3.5.4 Data analysis methods

While there is a well-developed and established diversity of techniques for quantitative research, techniques for analyzing qualitative data are just evolving (Bryman and Bell, 2007). Data analysis in a qualitative research is more like a thinking process rather than a coding one. The primary goal is to make some type of sense out of collected data, look for patterns and relationships both within the collected data but also across data collected from different sources and stakeholders, and finally to make general discoveries about the phenomena under research (Seidel, 1998).

Content analysis was used for the analysis of secondary data as well as primary collected documentation. This is the most commonly used data analysis techniques of qualitative research and can be defined as a research technique which creates replicable and valid inferences from the data to their context (Westbook, 1994). It is characterized as an analysis method that uses a set of procedures to make valid inferences from text.

The analysis approach to data collected from interviews was a descriptive one. Description lays the basis for analysis, but analysis also lays the basis for further description. Through analysis, we can
obtain a fresh view of our data. We can progress from initial description of the data, through the process of breaking data down into bits, and seeing how these bits interconnect, to a new account based on our reconceptualization of the data (Denzin, 1978; Westbrook, 1994; Blakie, 2009, Creswell and Plano Clark, 2010). We broke down the data in order to classify them according to stakeholders and themes, and the concepts we created and employed in classifying the data, and the connections we made between these concepts, provided the basis for a fresh description. We used a so called “thick description” which besides stating facts includes information about the context of the fact, the intentions and meanings behind the fact or action (Denzin, 1978; Westbrook, 1994). Thus, the core of our data analysis lies in these related processes of describing phenomena, classifying it, and seeing how our concepts interconnect with each other.

3.6 Research validity and reliability

Validity in qualitative research refers to whether the findings of a study are true and certain. ‘True’ here means that findings accurately reflect the studied situation, and ‘certain’ is about whether those research findings are supported by the evidence. Triangulation is a method used by researchers to check and establish validity in their studies by looking at the analyzing situation from multiple perspectives (Guion et al., n.d.a). However, there is a common misconception that the goal of triangulation is to arrive at consistency across data sources or approaches. In fact, such inconsistencies possibly give the relative strengths of different approaches and data sources which might be seen as an opportunity to uncover deeper meaning of the data (Patton, 2002).

In our case we used data triangulation as technique when different data sources are used to build a coherent justification (Creswell, 2003). These data sources normally include time, place and persons (Janesick, 1994). Thus, the data which this study collected came from conducted interview in Germany with Hochtief AG, interviews with migrant workers of Hochtief and subcontractors in Qatar, and interviews with different parties of the supply chain of workers either in Bangladesh or Qatar. Additionally, data from different primary contents and secondary sources were collected. Once the data are found to be matched or mismatched it gets more value and validity (Bloor, 1997). In the case of the 2022 FIFA World Cup Project we found multiple aspects of data matching and mismatching while comparing data from primary contents about companies, such as company’s reports, codes of ethics and others and primary data (in-depth interview with Hochtief) we found
some matching or mismatching. However, when data from Qatar and Bangladesh came into, we have again either mismatching or data matching.

### 3.7 Ethical considerations

Ethical issues are a crucial part of any kind of research. The research process always creates tension between the desires of researchers to esquire as much data as possible and the rights of participants to provide data or not. The violation of human rights for the sake of scientific research is a dark spot in the history of scientific research development (Orb et al., 2000). This point is very crucial in case of the experimental studies where human beings are engaged. The objects of even a simple inquiry in interviewing are humans, so care should be taken to avoid any harm (physical as well as emotional) to them during the research process (Punch, 2011). Sometimes even very regular question for a researcher could be quite disturbing for the interviewee. Hence, ‘code of ethics’ needs to be developed and considered by any research where human beings are engaged.

According to Blaikie (2009), when conducting a research one needs to consider the voluntary participation of the research participants involved, obtaining informed consent from them and protect their interests; also researching with integrity, meaning to do research without fraud, deception or dishonesty. In relation to the case of 2022 FIFA World Cup in Qatar, during the conducted interviews with migrant workers in Qatar we were often perceived as human and labor rights activists. Repeated attempts to convey the idea and purpose of the research largely failed, since migrant workers have a lack of education and understanding of those matters. It would not be wrong to claim that all participants contributed to the study with their explicit consent. This means that despite having not clarity on the purpose behind the research they agreed to be part of the study. They agreed because they had nothing to hide and were ready to share their experiences from Qatar with the hope that one day changes can come to them. However, as the purpose of the study perhaps still remains unclear to most of them we do take this to be a significant failure on our part. Conversely, completely opposite situations occurred when some migrant workers perceived us as government officials or police, and denied participating in any interview. As the researchers, we obeyed their will without pressurizing or unethically manipulating them.
Privacy, anonymity and confidentiality are some more very important issue related to research ethics (de Vaus, 2003). However, all this depends on the participants wish. It could be promised by researcher, but if anonymity is seen by the interviewee as an unnecessary measure than researcher might decide on his or her own to keep it or not. Also, it is crucial to ensure your research participants that you will not disclose any data which can damage their goodwill. It brings us to another point which is trust and betrayal. According to Punch (2011), one should not “spoil the field” for others while doing research. One should be aware that there some other researchers who might need to approach the same field later on. This is especially important in qualitative research as one in this kind of study often enters in close relations with the research participants and the research is not so much formal any more. This allows obtaining more data, but at the same time brings the risk that once you made a mistake the consequences might be more severe and that the field might be closed for further research. In the case of interviews under the case study of the 2022 FIFA World Cup Project in Qatar anonymity of migrant workers and other actors in the migration process turned out to be crucial.

However, Hoachtief representative is not presented in this study as an anonymous person. Data which might bring a negative impact on the companies’ goodwill were decided to be confidential and not publicly available. Moreover, no subjectivity and personal biases towards the interviewee as well as inaccurate representation of interview responses out of the context could be present in this research.

### 3.8 Delimitations and limitations

The delimitations of the study present one more parameter which sets the boundaries of the study, in other words, narrows the scope of the study (Creswell, 2003). The scope of this research was narrowed in the way that just migrants workers from Bangladesh were studied, not all migrant workers in Qatar. Also, subcontracting companies were not studied due to limited time and inability to reach them in Qatar. Moreover, among many MNCs working in Qatar we chose to study three of them, which are the major contributors of the 2022 FIFA World Cup Project.

With regard to limitations, which are defined by Creswell (1994) as the potential weaknesses, this research is not without them. As for companies, there was no interview conducted with Deutsche Bahn (DB) neither with the construction workers of DB, which might bring more insight into this
research. Also, all the interviews in Qatar and Bangladesh were conducted through telephone, since we could not manage to go there physically due to the problems with obtaining a Qatari visa. Also, only 7 migrant workers were interviewed because of extreme difficulties with searching them from Sweden, limited timeframe and budget (Qatar has one of the highest calling fees in the world). Important to notice as for the return migrants, there is an obvious risk of recall bias, as both of the return migrants (interviewees no. 12 & 13) came back to Bangladesh more than one year ago. One more limitation is the lack of proper response from ITUC and the international NGOs, namely Human Rights Watch and Amnesty International, which might give additional view on the research issues. In this qualitative study, the findings could be the subject to other interpretations.
Chapter 4: Empirical analysis

This chapter of the study presents the empirical insights into the research issue. The general overview of all “actors in the drama” will be presented, further supported by the empirical findings and analysis.

Figure 4: Actors in the drama: the 2022 FIFA World Cup Project in Qatar (authors’ own creation)

4.1 The 2022 FIFA World Cup Project

4.1.1 Qatar: the country of the 2022 FIFA World Cup Project

In this chapter, an overview of Qatar State will be given in respect of the arguments which are relevant to this research and might provide a good reasoning to the study results. The focus will be given to the country’s main challenges and its economic situation as well as its legislative system. Other multiple factors such as the country’s history, culture, geography, and political regimes are seen as relevant, but due to the limited scope of this study, will not be given much emphasis.

Qatar is a very small country in the Persian Gulf, just 11,437 km², located in the desert with the average summer temperature more than 40 °C. The country has a population about 1.7 million people [2010], of whom approximately 225,000 are citizens (World Bank, 2011). As of 2010, Qatar is a top country in the world by the percentage of migrants with 86, 5%. The top source countries of the
migrant workers are Pakistan, India, Bangladesh, Nepal, the Islamic Republic of Iran, the Philippines, the Arab Republic of Egypt and Sri Lanka (World Bank Factbook, 2011).

At the same time, Qatar is one of the wealthiest countries in the world in terms of GDP per capita. With an annual growth of 19%, in 2011 the GDP per capita for Qatar crossed the mark of US $100,000 and is estimated to reach US $130,000 by 2016 (World Economic outlook, 2012; CIA-World Factbook, n.d.). Qatar's economy is highly dependent on oil and gas extraction which accounts for more than 50% of GDP, 85% of export earnings, and 70% of government revenues (Economy Watch, 2010). According to BP Statistical Review of World Energy, Qatar’s gas reserves accounts for 14% of proven global reserves and it is the world biggest supplier of liquefied natural gas (BP, 2011). However, in recent years, the government has been trying to diversify the economy by stimulating the banking sector and promoting tourism (Trading Economics, 2012).

Being such a prosperous economy and having a great need for investment other than in the oil business, Qatar became a hosting country for one of the biggest events the 2022 FIFA World Cup with estimated costs of $65 billion (Wilson, 2011; Tuttle and Fattah, 2010). The decision was graded as one with ‘high operational risk’. Qatar faces a lot of criticism from the media and some countries’ officials concerning it’s suitability to host the biggest sporting event, considering the hot weather, press and media control, human rights situation, moreover as an Islamic State, being ruled under Sharia laws (Invest in Qatar, 2011).

When it comes to the legal system of Qatar, especially laws in the area of human and labor rights, there are multiple restrictions and loopholes which are open to manipulation. This brings a lot of complication for workers in Qatar. First of all, the ‘Kafala’ system, known also as the ‘Sponsorship system’, requires the sponsor employers to assume full economic and legal responsibility for the employee during the contract period. This also gives them, along with responsibilities, power over employees. This system requires that the worker can work solely for the sponsor and makes workers entirely dependent on their contract in order to remain in the country (Human Rights Watch, 2012). The main purpose of the ‘Kafala’ system is to provide the central government with a means of regulating the labor flow, but in respect to migrant workforce this is where the limitation of human and labor rights of workers starts from (Bureau of Democracy, 2011).
The Ministry of Interior (MOI) of the State of Qatar provides a comprehensive description of sponsorship and sponsorship changes, which seems to be quite a complicated procedure and one more time highlights the degree to which workers are bound to their sponsor. Moreover, besides requiring an entry visa to come to the country, workers have to obtain an exit visa to leave the country (MOI, n.d.). All documents for leaving the country must be signed by the sponsor (Law No.14, 2004; Law No.4, 2009). Additionally, until the year 2009 it was within the law for employers to keep the workers’ passport and travel documents. However, in 2009, a new Law No. 4 was passed. Employers are now banned from keeping the passports or travel documents of their workers. At the same time, rules relating to sponsorship and exit visas remained almost unchanged. However, practice shows, that despite the law, sponsors still keep their workers documents by giving an excuse of precaution measures of putting the documents in a safe and secure place, as they can be lost by workers or damaged during work. In this way, the international law that gives passport holders the right to keep their own passports with them is violated (Qatar Living, 2011). Additionally, when it comes to fair pay for work and minimum wages for workers, the Labor Laws No.14 and No.4 are very vague and unspecific concerning minimum wages. However, it is reported by ITUC (2011c), that the minimum wages are not defined by the State of Qatar. Because of this, some countries exporters (Philippines) of migrant labor to Qatar and other GCC states define minimum wages for their own nationals as no action is taken by the Qatar State.

When we consider the freedom of association and collective bargaining issues in Qatar, the law is really tough. Trade union rights are seriously restricted and a single trade union system is imposed by the law. This means that the only one trade union is allowed and that is the General Union of Workers of Qatar, where all members are Qatari (ITUC-SCI, 2011). The right to form associations, collective bargaining requires the prior approval of the government which makes those rights ‘legally forbidden’. Moreover, flexible determination and an excessively long list of ‘essential services’ in which those rights are prohibited or severely restricted makes everything even more unclear (Bureau of Democracy, 2011).

Freedom of speech in Qatar is one more topic, which has grabbed a lot of attention due to FIFA’s decision concerning the 2022 World Cup. While the constitution protects freedom of expression, in practice Qatar restricts freedom of speech and the press. Local media tend to self-censor, and the law permits criminal penalties, including jail terms, for any violation (Human Rights Watch, 2012). In general, a sentence of imprisonment applies for the violation of any rule in the area of association
formation, collective bargaining and strike. Since, the law is quite vague on these matters; one can be imprisoned for the smallest action which the government considers ‘against the law’.

The above issues and many others which could not be elaborated in this study due to its limited size and timeframe, brings us to question: How is it possible that such a county as Qatar was chosen by FIFA to host one of the biggest events in the world? It needs to accommodate thousands of people from all around the planet, and ensure their human rights will not be violated. But, prior to this, it has to ensure that thousands of people (migrant workers) who are working there to prepare the country for the event will at least have their basic rights fulfilled.

4.1.2 The 2022 FIFA World Cup Project

In December 2nd, 2010 Qatar was awarded a right to host 22nd FIFA World Cup, an international football tournament, which will take place in 2022 (FIFA, 2010). It was a decision which faced a lot of criticism, mainly due to issues mentioned above. However, if we consider the wealth this country has obtained, the FIFA event in Qatar is expected to be ‘amazing’ and have a significant impact on their economy.

According to Barr Management Consultancy publications, even prior to FIFA's announcement, Qatar had already outlined a plan to spend around US $115 billion, being 87% of GDP on infrastructure projects, as a part of the country's ambitious National Vision 2030, to modernize the country. The FIFA event has only accelerated the infrastructure spending program and can expect completion by 2022. As part of the plan, the government will spend more than US $40 billion on projects, while the remaining share will be from government entities such as Qatar Petroleum (Barrbiz, 2011). The construction under FIFA Project includes a number of high profile mega projects, largely in the transportation, tourism and housing sectors. Main construction projects include the Doha metro system, railway system, new airport, deep water seaport, Qatar-Bahrain causeway, 12 stadiums, and 90,000 hotels rooms (Barrbiz, 2011). As estimated by the Middle East Economic Digest, Qatar will spend US $65 billion on construction which is a ‘must’ for the World Cup (Qatar Projects Magazine, 2011).

As noted in the media, ‘the win of Qatar is the win of the German construction industry’ (Arabian Business, 2011; The National, 2011; Construction Week Online, 2012). In 2011, the German
president visited Qatar under the program ‘Qatar German Business Forum’, established in 2003, where among other topics, perspectives and chances for the German economy under the World Cup Project were discussed. Three German companies are participating actively in the Project preparation. In particular, the Bid Book for FIFA from Qatar was made by German architecture firm Albert Speer & Partner GmbH (AS&P). Also, it designed incredibly technologically advanced stadiums, which can be dismantled and donated to poorer nations after the World Cup as they are too big for the small State like Qatar. Deutsche Bahn AG is working as a supervisor for the construction of one of the biggest metro systems in the world, Doha Metro. And finally, Hochtief AG, one of the biggest construction companies in the world, is carrying out a majority of the construction works in Qatar (Tuttle and Fattah, 2011; Dorsey, 2011), including stadiums designed by AS&P and the Doha metro system, the Qatar-Bahrain causeway and many others. Also, to ensure a successful delivery of the World Cup, Qatar appointed CH2M HILL, a global full-service consulting, programme management, design, construction, and operations firm, as a Project Management Consultant (CH2M HILL, 2012).

Overall, the Project is extremely ambitious and Qatar is definitely going to benefit from it. It will bring positive international exposure for the country, provide a significant boost to the development of the gas-dependent sector of the economy, and also help improve investor risk perceptions of the country. Furthermore, it is a big step towards fulfilling Qatar’s ambition of becoming the political and economic centre of the Middle East.

Qatar has the power to ensure Project quality and perfection. However, one of the main resources which Qatar is lacking, is the labor. Thousands of people are needed to build the infrastructure for the whole World Cup. They will come to Qatar by themselves from poorer nations, such as India, Nepal, Bangladesh, Philippines and so on. But, the question is whether Qatar is ready to ensure that those people will be treated in accordance with the internationally proclaimed human and labor rights? This is one of the biggest issues concerning the 2022 FIFA Project. Will Qatar be able to make sure that proper working conditions are provided for the migrant workers before the 2022 World Cup to avoid criticism from the international community? Another question is, who else will benefit from the decision to grant the rights for the 2022 FIFA World Cup to Qatar except Qatar State itself? Or will it be FIFA, the main organizer of the biggest events of the World Cup Football tournaments?
4.1.3 FIFA

The Fédération Internationale de Football Association (eng. The International Federation of Association Football) or more commonly known as FIFA, is the international governing body of football with 208 member associations. It is based in Zurich, Switzerland and is responsible for football development and organizing major international football tournaments, notably the World Cup (FIFA, About FIFA, n.d.). Mr. Joseph S. Blatter has been president of FIFA since 1998. Being 76 years old, he was elected for the 4th time (on June 1st, 2011) despite a lot of contradictory comments from society concerning the choice of Russia and Qatar as the host countries for the 2018 and 2022 FIFA World Cup bids (FIFA, President, n.d.).

FIFA’s income is mainly event-related, in particular from selling television rights and marketing rights. The biggest event, and proven to be the biggest fundraiser, is the FIFA World Cup championship. FIFA also benefits from brand licensing. Through the organization’s FIFA Branded Licensing Programme, companies pay for the license to use the FIFA Brand Marks in the advertising, marketing, promotion and sale of their licensed products or programmes (FIFA, Income, n.d.). The vast majority of FIFA’s income is invested in football and football development with Corporate and Social Responsibility as a central pillar and development and social programmes as a key area of investment. Also, FIFA contributes to FIFA World Cup tournaments and to its member associations and confederations (FIFA, Expenditure, n.d.).

When it comes to the issue of CSR, in its Code of Conduct FIFA claims to be a responsible corporate citizen by following its proclaimed mission of ‘building better future’ through positive impact on environment and society. The strategy to achieve these goals is divided up into five core areas such as People, Game, Events, Society and Planet. Besides the area of Planet, which is not related to this study since it deals with environment, all other areas are relevant for this research. FIFA claims to provide a safe and healthy working environment for People - all member associations and for all team players. Also, it states that it ensures the Game of football reflects the highest values of society. When it comes to the Events, FIFA sees them as an essential part of CSR strategy, as it gives the possibility of speaking about specific matters on a global scale (FIFA, Social responsibility, n.d.). As an example, the anti-racism campaign which takes place every year since 2002 during big world events such as the South Africa World Cup 2010 (FIFA, Antiracism, n.d.). Under the Society topic, FIFA provides resources and engages with its member associations, commercial affiliates,
development agencies and others to support children and youth. For instance, FIFA cooperated with the International Labor Organization (ILO) and launched through its International Programme on the elimination of Child Labor (IPEC) the “Elimination of Child Labor in the Soccer Ball Industry” programme (FIFA, International cooperation, n.d.). A lot of attention in the area of CSR is drawn to the FIFA World Cup, since it is the biggest single-event sporting competition in the world which has a strong influence on the environment. However, any other aspects of CSR, such as human and labor rights during the preparation works for the tournament and during the tournament itself are never discussed and mentioned by FIFA.

FIFA itself and the World Cup as an event, face a lot of criticism from the civil society. They claim it is totally unethical despite its ‘eye-washing’ charity actions, as they are nothing in comparison to the wealth it has accumulated. As it is noted by Eddie Cottle in his book ‘South Africa’s World Cup: A legacy for whom?’, “Sport and the FIFA World Cup in particular, is more than just a game: it is a globalized commercially viable enterprise” (p. 4). He further states that since “the economic effects are usually negative for the host country and losses can be seen as a voluntary exchange in favor of the non-pecuniary positive effects of sporting events” (p. 43). FIFA is the main beneficiary of such mega sport events as FIFA World Cup (Cottle, 2011). Moreover, having the ultimate power over the sporting world, FIFA became famous as a commercial and totally corrupted body. It is continuously blamed in the media, not just for taking millions of alleged bribes on different matters, but also, even after disclosure that the alleged bribe was paid, no one from FIFA has ever been held accountable for any of these unethical actions. In 2008, in Switzerland, the International Sports and Leisure organization revealed that they paid US $100,000 to some official in FIFA, but refused to name the person in court (Cottle, 2011: 22).

The most recent scandal, a case of alleged bribery in which FIFA stands as a main actor is that of Qatar winning the right to host the 2022 FIFA World Cup. 10 out of 24 members of FIFA Executive Committee have either been suspected guilty of impropriety in relation to the 2018 and 2022 World Cup bids (Ziegler, 2011; Scott, 2011; Panja, 2011; Jones, 2011). However, having its own Ethical Committee and expecting a new FIFA President election in June, 2011, nothing has been done concerning this matter since December, 2010, when Qatar was announced as a winner. After June 2011, the FIFA President Mr. Joseph S. Blatter, said that he would not initiate any actions against Executives accused of alleged bribery until the Ethical Committee proves their guilt (Panja, 2011; Jones, 2011). Many more examples can be provided to the ‘corporation like face’ of FIFA and its
strong unethical behavior, which is the result of holding ultimate power in sporting world. However, due to the limited size of this study they cannot be discussed here.

Furthermore, it is important to note, that the book written by Addie Cottle on the 2010 FIFA World Cup in the South Africa case, provides a very detailed and comprehensive view on what is the true role of FIFA in such mega events as the FIFA World Cup and to what extent they benefit from it. Despite all this, FIFA and the whole world seem to be very curious about the 2022 FIFA World Cup. FIFA already established the website for Qatar World Cup (www.fifa2022qa.com) even though it will take place in 10 years from now. It seems to be a unique World Cup, since it is the first time a tournament has been hosted by a Muslim country, with very specific culture and rules, and moreover an extremely rich one. Thus, seeing the ambitions of Qatar, all “Should Expect Amazing!” in the 22nd FIFAWorld Cup tournament in the year 2022, according to the advertisement by FIFA and Qatar State.

However, how about International Labor Organization (ILO), UN Global Compact, multiple international NGOs concerned with human and labor right and, numerous international Trade Unions? Do they “Expect amazing”? Maybe! Amazing in the way that due to the World Cup Project and global society attention, Qatar will improve its policies and realities on human and labor rights.

4.2 International Organizations

Box 2: International Organizations

4.2.1 UN Global Compact
4.2.2 International Labor Organization (ILO)
4.2.3 The Building and Wood Workers’ International (BWI)
4.2.4 The International Trade Union Confederation (ITUC)
4.2.5 Perspective of International NGO’s
4.2.1 UN Global Compact

The UN Global Compact, initiated by UN Secretary General Kofi Annan in 1999 and became a formally launched organization in 2001, is a strategic policy initiative for businesses that are committed to aligning their operations and strategies with ten universally accepted principles in the area of human rights, labor, environment and anti-corruption (UN Global Compact, Overview, n.d.). Since this study is concerned with human and labor right, we will not focus on the issues of environment and anti-corruption in later descriptions of UN Global Compact initiative.

In the area of human rights there are two basic principles: first of all, businesses should support and respect the protection of internationally proclaimed human rights; and make sure that they are not complicit in human rights abuses. It is also mentioned that due to globalization and global sourcing it is crucial to make sure that these principles are ensured throughout the supply chain (UN Global Compact, Principle One, n.d.). In the area of labor rights UN Global Compact declares: businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced and compulsory labor. One of the statements on forced labor says “employees should be free to leave in accordance with established rules” (UN Global Compact, Principle Four, n.d.). UN Global Compact is a network which promotes the ten principles not just by participants from the business world (MNCs and other types of businesses) but also from UN Agencies, Business Associations, Labor Organizations, Civil Society, Academic Participants, Public Sector and World Cities.

When it comes to CSR, this actually outlines the UN Global Compact profile. All ten principles stand for how businesses can be good corporate citizens. It claims that business must not just avoid negative impacts, along with all other actors, but also make its part of positive contribution to society in the ways relevant to its business. However, the main concern in this study was how UN Global Compact monitors the achievement of declared principle by business entities and as the answer from Ursula Wynhoven, General Counsel (interviewee no. 27, on March 25th, 2012; see appendix1), to our inquiry was the following:

“We are a learning, dialogue and partnership initiative that seeks to be a complement not substitutes for Government action. We do not monitor companies, having neither the mandate nor resources to do so. Rather, our focus is promoting policies and processes companies should have in place and we
promote good practice examples, dialogue, tools and information to help businesses to improve their practices and meet the UN Global Compact principles and take action in support of UN goals”.

Indeed, UN Global Compact faces a lot of criticism in this regard saying that being conceived as a forum of learning and dialogue, the Global Compact deliberately refrains from sanctions and other measures of control. Also, observance of the principles is not directly controlled. The only check on observance is the yearly progress reports, which are not subjected to any further controls and actions (A Global Ethics Now, n.d.). Moreover, on the page of every participant’s information the following is stated: “Responsibility for the content of participants' Communication on Progress and any other public communication related to the Global Compact principles and their implementation lies with participants themselves and not with the UN Global Compact Office” (UN Global Compact, Participants information, n.d.). Despite the unwillingness of UN Global Compact to take responsibility for any actions towards its participants, the importance of such an initiative cannot be underestimated as UN Global Compact principles in the area of labor rights are based on the ILO Declaration on Fundamental Principles and Rights on Work adopted in 1998 (ILO, 2008).

4.2.2 International Labor Organization (ILO)

The International Labor Organization (ILO) is the international organization responsible for creating and overseeing international labor standards. It is the only 'tripartite' United Nations agency that brings together representatives of governments, employers and workers from 183 member states to jointly shape policies and programmes promoting decent work for all. This unique arrangement gives the ILO an edge in incorporating 'real world' knowledge about employment and work (ILO, About, n.d.). ILO works under standards adopted and modified starting from 1919, and covers issues in more than 20 areas concerned with employment and labor rights including migrant workers (ILO, Subjects, n.d.). Provisions of ILO are quite general and normally apply to all whom it may concern. ILO programmes have international as well as regional or local focus.

Under the ILO work, Qatar comes as a part of the Arab region. The ILO Regional Office for Arab States strives to promote decent working conditions in the Levant and the Gulf. The Regional Office in Beirut covers 11 countries: Lebanon, Syria, Jordan, Iraq, Kuwait, Saudi Arabia, Yemen, UAE, Oman, Qatar and Bahrain (ILO Arab States About, n.d.). As it is stated, the primary objective of the ILO Regional Office for Arab States is the promotion of decent working conditions throughout the
region. ILO has a fully operating Decent Work Country Programme (DWCP) for Oman, Bahrain, and Jordan for the time period 2010-2015 and new programmes are introduced for Lebanon and United Arab Emirates. However, there is no such or similar programme in Qatar (ILO, Arab States Decent work, n.d.).

Moreover, ILO faces a number of challenges operating in the region. For example, employment and social protection policies tend to be incomplete and fragmented, remaining outside the core of national policy debates, and that the promotion of fundamental rights at work has not been prioritized on any level, as well as the impossibility to establish social dialogue (ILO, 2011). However, despite mentioned complications in the work, the ILO is trying to pursue its policies in the region as far as possible. A good example of this is the new draft of labor laws for a few countries, including Qatar, which are under review with a view to aligning national legislation with ratified conventions or facilitating new ratifications. Among others, the most important are the freedom of association and collective bargaining (ILO, 2011).

Additionally, when it comes to the issue of migration and migrant workers, Qatar did not ratify ILO’s main conventions on Migration matters such as Migration for Employment (Convention No. 97) as well as Migrant Workers (Supplementary Provisions) Convention (ILO Convention No. 143) ensuring the basic human rights of migrant workers (ILO, Ratifications, n.d.). In total, Qatar ratified 6 out of almost 200 ILO Conventions. Those ratified are in the area of child labor, minimum working age and labor inspection. Also, it is notable that three of them are concerned with forced labor; however, there are none in the area of migration (ILO, Ratifications for Qatar, n.d.). In general, ILO is concerned with overall conditions of different aspects on employment and labor rights in the world as well as sometimes in a particular country. However, it does not deal with specific projects such as the 2022 FIFA World Cup, despite the fact that multiple actors are engaged and the issue of labor rights is quite complicated.

### 4.2.3 The Building and Wood Workers' International (BWI)

The Building and Wood Workers' International (BWI) is the Global Union Federation grouping free and democratic unions with members in the Building, Building Materials, Wood, Forestry and Allied sectors. It was formed in 2005 and groups together around 328 trade unions representing around 12
million members in 130 countries with the common mission: to promote the development of trade unions in building and wood sectors throughout the world, as well as promote and enforce workers’ rights in the context of sustainable development. They have a Special Consultative Status to the Economic and Social Committee of the United Nations (BWI, About, n.d.).

Multinational companies signing the Global Company Agreements with BWI commit themselves to respect workers’ rights based on the core conventions of the International Labor Organization (ILO). Among 16 companies who signed the agreement, the German construction company Hochtief AG is one of them which are working currently in Qatar. It was also the first construction company of the world to commit itself to the social principles of ILO (BWI, Multinationals, n.d.). Moreover, BWI has reached a number of International Framework Agreements (IFAs) with MNCs especially in the construction sector with an aim to focus on the core labor standards of the ILO’s 1998 Declaration of Fundamental Rights at Work (Davies et al. 2008). In the area of migration and migrant workers, the main concern is with supply chains and contracting/subcontracting workers, which makes the issue of migrant labor exploitation even more tough and hard to tackle (BWI, Migrant Workers, n.d.).

Concerning the Qatar World Cup, BWI together with the International Trade Union Confederation (ITUC) and other trade unions are warning FIFA, through an international trade union campaign, to stop the 2022 world cup in Qatar, unless the football governing body imposes conditions on the Qatar hosts to uphold workers’ rights. Education Secretary of BWI in an in-depth interview with Mr. Tos Q. Añonuevo (interviewee no 26, April 3rd, 2012; see appendix 1) stated:

“We have participated in the meeting with FIFA on November, 2011. The Qatar Project is a big chain reaction of different parties, so, to do something we have to chase on different levels of the chain. The scenario of FIFA 2022 World Cup in Qatar is different than South African FIFA or Brazil FIFA, as we can actively participate there. But the biggest problem in Qatar is that the labor union is not allowed, so we are not able to involve in this matter. Right now we are building up the cases but BWI does not have inside information about what is going on there, for information we have to rely on the journalists and other NGOs.”
4.2.4 The International Trade Union Confederation (ITUC)

The International Trade Union Confederation (ITUC) is the main international trade union organization, which represents the interests of working people worldwide. It is the part of UN Global Compact (UN Global Compact, Labor, n.d.). The ITUC was founded in 2006 and groups together the former affiliates of the International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labor (WCL), along with trade union organizations which have no global affiliation (ITUC, About Us, n.d.).

Among others the core areas of ITUC work relevant for this study are the following: forced labor and labor rights, human and trade union rights, and migration. There are two ITUC campaigns relevant for this research: Play Fair and World Day for Decent Work (WDDW). Play Fair is a global campaign targeting the issues of global sports events and decent work. The campaign is the international alliance of NGOs and trade unions working to improve workers’ rights and working conditions in the industry with the special attention to Olympic and FIFA sporting events (ITUC, Play Fair, n.d.). Another campaign, WDDW is held on the annual basis since 2008 on 7th October, the day for mobilization all over the world when all the trade unions in the world stand up for decent work (WDDW, 2011).

When it comes to Qatar and the 2022 FIFA World Cup, ITUC is the most active union on this matter. In the newsletter from May 31st, 2011 ITUC had a global press release where they discussed the challenges through a documentary on migrant workers for the Qatar project. On May 2nd, 2012 ITUC sent a letter to Qatari authorities and has called for a meeting with the Qatari Labor Minister after it was mentioned in the news (Shane, 2012; Toumi, 2012; Alarabianews, 2012; Ahramonline, 2012) that the Qatari authorities plan to establish trade unions in Qatar, however no response have been received yet (ITUC Letter, 2012; see appendix 2). It also launched the campaign “No World Cup in Qatar Without Labor Rights” (ITUC, 2011a). On this issue, ITUC works in close collaboration with BWI.

4.2.5 Perspective of International NGO’s

Multiple international NGOs, who are working in the area of human and labor rights, might have concerns with the 2022 FIFA World Cup Project. Most of them are active in the human rights
advancement, among others, Amnesty International, Human Rights Watch, The International Federation for Human Rights (FIDH), Human Rights First. For example, Amnesty International is highly concerned with such issues as labor rights and in particular labor rights of migrant workers. It works with particular projects as well as countries demonstrating a lot of interest in the Middle East. Being quite active during the 2010 FIFA World Cup in South Africa (Amnesty International, 2010), it is also concerned with the 2022 FIFA World Cup Project in Qatar as the one which will deal with a lot of issues on human rights; however, issue of labor rights of migrant workers under the Project is not very much highlighted (James, 2010). Besides those human rights NGOs, there are ones which are specialized in the area of labor rights, such as International Commission for Labor Rights, The International Labor Rights Forum (ILRF) and many more. This Project brings them a large scope for active participation and promoting labor rights of migrant workers.

4.3 Multinational Construction Companies for the Project

German MNC’s engagement in the 2022 World Cup Project in Qatar (Dorsey, 2011; Cox & Doherty, 2011; Germany, 2011) is widely spoken about. As it was noted by the ITUC (2011c) Albert Speer & Partner GmbH (AS&P) is the key architecture of the 2022 World Cup Project; Deutsche Bahn AG (DB AG) is working on the creation of Doha’s metro and railways system; and Hochtief Aktiengesellschaft (AG), German biggest construction company, is going to do most of the actual construction work under the Project.

We would like to present a general overview of the above stated companies with respect to the 2022 World Cup Project and their overall activities in Qatar. The summary of collected data and conducted interviews will provide a basis for the further analysis and discussion. On the base of primary and secondary data, this part will present the companies’ relation towards areas of CSR, Ethics, ESCM and Labor migration.
### Box 3: Multinational Construction Companies for the Project

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### 4.3.1 Albert Speer & Partner (AS&P)

Albert Speer & Partner is a German-based architecture company with over 40 years of international planning and building experience. The variety of projects ranges from structural design, urban planning and urban and regional development to recreation and tourism planning, conceptual transport planning and project management as well as planning-specific preparation of major events and expert opinions for policy advising. With its innovative approach to architecture and multiple international projects Albert Speer & Partner is considered to be one of the best architects in Germany as well as worldwide (AS&P, Profile, n.d.).

### The 2022 FIFA World Cup Bid

AS&P always keeps up with the major world events, being one of their main architects. As an example, here are some of them: 2009 FIFA Club World Cup, Abu Dhabi, United Arab Emirates; 2010 FIFA World Cup, South Africa; Olympic Games 2016, Baku; etc. Particularly interesting is the fact that AS&P was asked by South Africa as well as by Qatar for assistance with the development of

AS&P together with the ProProjekt GmbH and Serviceplan Agency Group for Innovative Communication GmbH have developed the bid documents for Qatar for their 2022 FIFA World Cup bid. Qatar’s World Cup concept is presented in the over 700-page Bid Book and additional supplements which include the focuses such as accommodation, transportation, training venues, stadiums as well as other relevant issues. The bid documents were presented to FIFA in May, 2010 and the decision to grant Qatar with the right to host the 2022 FIFA World Cup was made in December, 2010 (AS&P, 2009). It might be interesting to see the Bid Book to find out whether they are any other issues mentioned, besides direct designing, which architects deal with. However, it is confidential and not publicly available information and AS&P has strict rules concerning the communication of bid concepts.

**CSR and Sustainability**

Concerning the issues of CSR, Joachim Schares, Member of Management and Partner of AS&P (interviewee no. 2, March 5th, 2012; see appendix 1) stated that “such issues as CSR, supply chain management and labor employment are out of the field of architects”. Since, Albert Speer & Partners is an architectural company, it is concerned solely with the design of the infrastructure site and its range of competences is limited to architectural work, without consideration of any further construction works on the designed project.

At the same time, it was presented in the AS&P Showcase (2009) that sustainability earns a lot of concern in the Qatar Project covering environmental, economic and social issues. However, the issues of comfort, environmental impact and energy were put at the forefront of FIFA’s decision in considering Qatar as a host nation, while social issues are not spoken about at all. The AS&P also does not have any official sustainability report and is not a part of the UN Global Compact initiative. Still, AS&P has an essay on sustainability which is part of the general brochure about AS&P and states “... after all, Albert Speer and his partners could be considered the green conscience of the sector”. The seven pillars of sustainable planning and architecture are discussed in the essay but it deals solely with issues of sustainability and efficiency in terms of environmental impact (AS&P,
Image brochure, n.d.). So, we can see that architectural work and considerations about sustainability and CSR in a Qatar Project are limited to “green” matters and environmentally friendly designs.

### 4.3.2 Deutsche Bahn AG

Deutsche Bahn AG (DB), one of the world’s leading passenger and logistics companies that operates in 130 countries, with its subsidiary DB International GmbH, is the major strategic partner in the development and construction of a transport network for Qatar in the Persian Gulf (Deutsche Bahn AG, 2011). DB International GmbH was funded in 1966 in Germany and works in the area of engineering, system consulting and business consulting. (Deutsche Bahn International, 2012).

**DB International in Qatar**

Deutsche Bahn International entered Qatar in 2008, when the biggest contract in the company’s history was signed, which was estimated at US $23 billion for building a substantial part of the infrastructure, particularly rail and underground lines in Qatar and Bahrain (Welt Online, 2009). As a continuation, on 22 November 2009 Qatar Railways Company (RAIL), which is the subsidiary of Qatar Diar Group, and Deutsche Bahn signed the relevant agreement for the formation of the joint venture company, Qatar Railways Development Company (QRDC) (DB, 2011). This planning and management company, in which Qatar Diar Group (Qatar’s state-owned infrastructure and property development firm) holds 51% and DB International 49%, share the responsibility for setting up a railway organization and directing the entire planning and construction work to create one of the most modern metro and railway systems in the world, Doha metro (BBC, 2009). According to the contract, the construction will run till 2026, but Qatar aims to have most of the project done before 2022, as for the FIFA World Cup its necessary to have a good connection system among different venues of the event (Atkins, 2009). As it was noted by Dr. Rüdiger Grube, Chairman and CEO of Deutsche Bahn, the contract was of great strategic and operational importance, especially taking into account that it was signed under times of world economic downturn in 2009, comparatively not so good conditions of the German economy (Welt Online, 2009). Moreover, it happened to be one of the biggest-ever foreign deals for the German construction industry (BICS, 2009).

DB International’s role in the Qatar Project is more like supervisory work. Most of the employees directly employed by DB are managers and technicians, since DB International is taking over the on-
going engineering services, as well as the technical consulting and training of the Qatari staff. All construction work will be contracted/subcontracted to multiple Qatari and foreign companies operating in Qatar. In particular, one of the main construction companies which is going to undertake the project works for DB is Hochtief AG (Samuel, 2011).

**CSR and UN Global Compact Principles**

Such a huge project of DB draws a lot of attention from society concerning the issue of CSR. In its official documentation Deutsche Bahn stands as a good corporate citizen with a deep vision in CSR and other social matters. So, Deutsche Bahn states in its Code of Conduct “the company is convinced that social responsibility is a key factor for the long-term success of its company and consequently an indispensable element of its value-driven corporate management. All corporate activities are therefore bound by our obligation to be a good corporate citizen” (Deutche Bahn, Code of Conduct 2011:1).

Additionally, Deutsche Bahn signed the letter of commitment to UN Global Compact Principles on March 23rd, 2009. The same applies to Deutsche Bahn International GmbH as a subsidiary of DB. With this letter DB committed itself to support the ten principles of the Global Compact with respect to human rights, labor, environment and anti-corruption. This expresses DB’s intention to advance these principles. However, it is noted that they promised to do so “within our sphere of influence” which might give a bit of relaxation (Mehdorn, 2009). One of the key requirements for participation in Global Compact is the annual submission of Communication on Progress (COP) report which should describe company’s efforts to move towards the implementation of the ten principles. Also, public availability of the Sustainability Report is required as a part of COP process. By joining the Global Compact DB obligated itself to be open and committed to its stakeholders as well as the general public (Mehdorn, 2009). On March 29th, 2012 DB 2011 COP report was published. It refers to the company’s actions and outcomes within the frame of all ten principles of the Global Compact. However, in this study the emphasis will be given to the labor and human rights aspects of DB’s COP report.

As is stated in Communication on Progress (COP) report, Deutsche Bahn supports and respects the internationally proclaimed human rights (Rausch, 2011). It is said that “DB takes its responsibility to uphold and protect human rights and fundamental freedoms very seriously. We ensure that human
rights principles are respected and consistently implemented within the context of our global business activities” (Rausch, 2011: 3). This supports the principle that businesses should make sure they are not complicit in human rights abuses (Rausch, 2011). Within the Code of Conduct, DB states that it encourages its business partners to implement similar ethical principles based on internationally accepted values “We expect our business partners to conduct their business in a manner consistent with the principles detailed in this document” (Deutsche Bahn, Code of conduct, 2011:1). However, it is not specified how DB ensure that its business partners follow those principles.

One of the most important principles for business is to support the freedom of associations and the effective recognition of the right to collective bargaining. Within the Code of Conduct, DB states: “The DB Group acknowledges the right of freedom of assembly and the formation of interest groups. We stand up for the protection of these rights in all our business units worldwide and also expect our business partners to do so” (Deutsche Bahn, Code of conduct, 2011:1). However, only employees in Europe are covered by collective bargaining agreements. For the rest of the employees, the DB Group organizes the wage settlement processes. But all these actions are always within the framework of national labor law in each country of operation (Rausch, 2011).

When it comes to the health and safety issues, it is claimed that the majority of the company’s employees are located in countries which ensure minimum standards regarding health and safety by law (Rausch, 2011), hence makes DB to follow them. One more pressing issue is forced and compulsory labor, especially when it comes to countries with weak or absent at all legislative system. In respect to the claim that businesses should uphold the elimination of all forms of forced and compulsory labor DB Group states that it rejects any form of forced labor (Rausch, 2011).

**Sustainability Report**

Since Deutsche Bahn is a transportation company, its main concern in respect to sustainability and Corporate Social Responsibility is the environment. However, these issues fall beyond the scope of the current study. The latest Sustainability Report (2009) describes multiple aspects of Deutsche Bahn activities, but with a high concentration on environmentally friendly technologies and transportation including such matters as safety and innovativeness.
When it comes to the supply chain of the company, on one side, DB highlights the importance of the environmental and social standards of suppliers and their commitment to the standards adopted by DB, as it is purchasing materials as well as construction services. But, on the other side, when a more detailed description of the decisions about contracting is presented, the environmental aspect is mainly discussed and no emphasis is given to social matters (Sustainability Report, 2009). When DB is subcontracting its construction work in Qatar, this will be the time to see how DB “encourages” its business partners to follow ethical principles of work.

4.3.3 Hochtief Aktiengesellschaft (AG)

Hochtief Aktiengesellschaft (AG) is the eighth-largest provider of construction-related services in the world and the market leader in Germany with headquarters in Essen (Hochtief, Group). Founded by two brothers in Frankfurt-am-Main (Germany) in 1863, Hochtief developed from a little building firm into a worldwide construction services corporation with about 68,000 employees (Hochtief, History). Construction is Hochtief’s core competence. This comprises traditional construction business and construction management in the fields of building construction, civil engineering and infrastructure facilities (Hochtief, Portfolio, n.d.). Hochtief Solutions AG is the leading company of the Hochtief Europe Division within the Hochtief Group (Hochtief Solutions, Company Profile, n.d.)

Hochtief in Qatar

Hochtief’s presence in Qatar is of strategic importance for the corporation with several on-going projects. The Group has been working in Qatar since 2006. From that time it has developed to a close partnership with the Qatari government. In December 2010, Qatar Holding LLC (Doha) became a major shareholder of Hochtief with a stake share of 9, 09 % (Hochtief, Profile, n.d.). Hochtief is represented in Qatar by five subsidiaries, namely: Hochtief ViCon (virtual construction), Hochtief Construction (planning/construction), Streif Baulogistik (construction services), Hochtief Facility Management (technical facility management), Hochtief Global Trade (purchasing/procurement) (Hochtief, 2010).

Also, in April 2010, Hochtief Construction founded a joint venture with Lusail Real Estate Development Company, a subsidiary of the state-owned Qatari Diar. The company’s current main project in Qatar is the development of a new city, Lusail. It planned be be completed in 2020 and
provide accommodation for 200,000 people. Other examples of Hochtief projects in Qatar are Barwa Commercial Avenue, Qatar Bahrain Causeway, Water supply, Dubai Towers – Doha and Doha City Centre, etc. (Hochtief, 2010). All these projects have now become a part of the 2022 FIFA World Cup Project together with the new ones, for example, the construction of stadiums, which were designed by the German company AS&P. Thus, Hochtief will play a major role in the country's construction-intensive preparations for the World Cup 2022 (Halime, 2010). Further, key data about Hochtief AG relevant to this research taken from secondary sources will be presented as well as the primary data obtained received during the conducted interview with Hochtief’s AG representative.

**Hochtief and ILO**

The most prominent fact about Hochtief is that it was the first construction company worldwide which decided in 2000 to observe the standards of the International Labor Organization (ILO) (Hochtief, Corporate Compliance, n.d.). In line with this, the General Secretary of the International Federation of Building and Wood Workers, Ulf Asp, said: "Hochtief is leading the way. Globalization of the construction industry calls for global rules, which take account of social and ecological standards. The agreement with Hochtief is a major contribution to improving working and living conditions for many building workers and thus a contribution to sustained development" (BWI, 2000).

**Hochtief and UN Global Compact Principles**

Hochtief AG signed the letter of commitment to UN Global Compact on 22nd October, 2008, thus confirming its support of the ten principles of The Global Compact with respect to human rights, labor, environment and anti-corruption (Lütkestratkötter and Ehlers, 2008). Hochtief AG committed itself to advance those principles within the sphere of its influence. The most recent Communication on Progress (COP) report relates to the year 2010 and the next one is expected to be submitted on September 23rd, 2012.

For the support of human rights Hochtief has a responsibility to create optimum working conditions and offer the highest standards of occupational safety and health. The company considers itself as a member of a local community where ever it operates. It is important to do so as it always has primarily employed staff and subcontractors from the regions where the projects are located (COP,
2010). In general, the company provides very detailed and comprehensive descriptions of employees’ rights, human rights and human rights abuses, forced labor and freedom of associations in the Hochtief Code of Conduct, which was firstly adopted in 2005 and revised twice in 2007 and 2010 (Hochtief, Corporate Compliance, n.d.).

When it comes to freedom of association and the right to collective bargaining, Hochtief declares the following “the right of employees to establish associations or organizations of their own choice for the purpose of furthering and protecting the interests of employees, … In cases where inner-state norms restrict the right of association and the right of collective bargaining, employees must, as an alternative, at least be enabled and permitted to come together freely and independently for the purpose of conducting negotiations” (Hochtief, Code of Conduct, 2010:17). So, Hochtief supports the freedom of association but within the framework of the legislative system of any country of operation.

**Hochtiefs’ Code of Conduct**

In the issue of Ethical Supply Chain Management, in 2009 Hochtief adopted the Code of Conduct for Subcontractors and Suppliers and the Code of Conduct for Business Partners in 2011 (Hochtief, 2011). Hochtief acknowledges that it not only bears responsibility for the conditions under which its own employees work but also shares responsibility for the conditions under which the employees of its contractual partners do their work (BWI, 2000). Additionally, Hochtief has a general Code of conduct. However, in this study the focus will be given to the Code of Conduct for Subcontractors and Suppliers as is crucial for Hochtief to have this level of standard on ethical behavior as the company is responsible for more than 60,000 subcontractors worldwide (Hochtief, Sustainability report, 2011: 68).

The Hochtief Code of Conduct for Subcontractors and Suppliers defines the requirements for Hochtief subcontractors and suppliers regarding their responsibility towards people and the environment. Hochtief insists that its subcontractors and suppliers observe these requirements. Moreover, Hochtief expects its subcontractors and suppliers to achieve and encourage adherence to these demands by their own subcontractors and suppliers (Hochtief, 2009). Hochtief has the right to audit adherence to its Code of Conduct by its subcontractors and suppliers at any time and without
prior notification. In case of any violation of applicable laws or the Code of Conduct by subcontractors or suppliers, Hochtief has the right to terminate the business relationship.

By this Code of Conduct Hochtief makes the following requirements of its subcontractors and suppliers in respect to human and labor rights such as adherence to standards and provisions, which means legal systems of the countries of operation and International standards on ethical conduct especially as specified by the European Convention on Human Rights and the Declaration of the ILO on Fundamental Principles and Rights at Work; respect for the basic rights of employees, for example, not to employ anyone against his or her will or force anyone to work, ensure fair payment, observe the maximum working hours laid down in any country or, in cases where no such stipulation exists, to adhere to an average working week of 60 hours and recognize, as far as legally permissible, the freedom of association of employees and neither to favor nor discriminate against members of employee organizations or labor unions; safety of employees which implies taking all possible precautions to avoid accidents as well as train employees in health and safety (Hochtief, 2009).

4.3.4 CSR from Hochtief’s viewpoint

The main purpose of the conducted interview was to find out, how Mr. Bert Hoekstra, Chairman of the Management Board of Major International Projects Segment, and Managing Director at Hochtief Solutions Middle East Qatar W.L.L. (interviewee no. 1, March 16th, 2012; see appendix 1) on behalf of Hochtief AG, views CSR in respect to labor rights in their activities in Qatar. It becomes crucial for this study to see how those principles declared in Hochtief Code of Conducts are working in Qatar, especially under the 2022 FIFA World Cup Project.

Hochtief’s Scope of Work in Qatar

As it was described by Mr. Hoekstra, there are two main current projects in Qatar. One is Lusail City and the other one is Qatar/Bahrain Causeway, which is a 40 km bridge between these two countries and going to be one of the longest in the world. This is the priority for Hochtief right now, since no construction has yet started on stadiums which are going to be built by the design of AS&P. Also, one more important project in which Hochtief is involved is the construction of Doha Metro by DB International performing a lot of construction work under the project. In general, the majority of
construction works in Qatar is carried out by Hochtief Solutions and Hochtief Vicon (construction subsidiary of Hochtief in Qatar).

**Recruiting people**

It was highlighted by Mr. Hoekstra that Hochtief always aims to engage as many local contractors and subcontractors as possible and Qatar is not an exception. Thus, all employees on the projects are employed either directly by Hochtief or by contractors and sub contractors. Currently, employees of 45 nationalities are working and 14 000 of them are contacted and subcontracted employees. He said that very little staff are coming from Germany and normally they are people whose job is crucial for the project such as engineers and other field specialists. “We cannot bring hundreds and thousands of people from Germany, so we bring just the most important ones without whom any work can be done”.

Employees’ recruitment is indeed a very complex issue and has different aspects. Even though, most of the employees are recruited directly in Qatar, they are not Qatari nationals. They come to Hochtief through a supply chain from different countries in Asia, such as India, Bangladesh, Nepal, Philippines, etc. Those who are not directly employed by Hochtief but are working for Hochtief’s contractors and subcontractors, are normally part of the same supply chain. So, on the question of how Hochtief recruits those who are simply workers and builders, Mr. Hoekstar answered: “We receive them from different agencies with which we have agreements, normally they are Qatari. However, the quality of the work force is sometimes very low and once we went to Bangladesh and recruited people from there directly through agencies in Bangladesh. How our contractors recruit people, I am not sure, but probably through the same agencies as it is the most common way to employ people in Qatar, who are not Qatari”.

**Contracting/Subcontracting**

On this issue our main question was how Hochtief chooses subcontractors and suppliers, making sure that they follow the Code of Conduct adopted for them by the company? Here, Mr. Hoekstara said: “All suppliers and contractors are chosen on the basis of special requirements and are always legal entities working in Qatar and normally well-known. Each and every supplier/contractor is required
to submit a lot of official documentation and among other fill the Pre-Qualification Questionnaire for Contractors, Service Providers and Suppliers.”

“The Pre-Qualification Questionnaire” documentation (authors’ possession) was provided to us by Mr. Hoekstara and is a quite specific questionnaire covering 19 pages aimed at finding out a lot of details about Hochtief’s contractors or suppliers. First of all, according to it, the company contractor/supplier is required to have a Sponsor in Qatar. Further, there are questions about employees, records of training/staff selection, their nationalities and language spoken/understood, which is a very important detail. Since, as it was even mentioned by Mr. Hoekstara: “Very often it is quite an issue with a manual laborer to understand English or Arabic (most common language in the region)”. Also, among others there are requirements about health and safety including certification of OHSAS 18001 (Health and Safety Standard).³

It was noted by Mr. Hoekstra that when it comes to insurance in case of accident, Hochtief will pay compensation to employee or at least pay for medical treatment if the contractors denies to do this. It is also necessary to specify what contractor is subcontracting itself, providing list of projects and services as well as stating whether the company assigns (hires out) personnel to others or supplements its own forces with personnel from other firms. It is worth noticing that there are quite a few obligatory attachments which potential contractor/supplier need to provide, together with the Questionnaire, such as a copy of registration and classification for work in Qatar, list of its own contractors and suppliers, etc. Hochtief always keeps the right to verify any information stated in the Questionnaire but unfortunately it was impossible to receive a sample of such a Questionnaire filled in by any contractor as the information stated these would be kept confidential. Summing up the contractors issue it was said by Mr. Hoekstra: “Before we start working with a contractor we present him our conditions and requirements. If he cannot fulfill them no contract will be signed”.

Ensuring labor rights

Further, Mr. Hoekstara was asked questions concerning the responsibilities of Hochtief and contractors of ensuring workers basic human and labor rights such as accommodation, insurance, compensation in case of injury, payment, etc. Mr. Hoekstara provided us with the extracts from the “Conditions to Subcontract” documentation (authors’ possession) on subcontractor’s personnel

where it is stated that “subcontractor shall be solely responsible towards his employees for payment on his own costs and expenses of all salaries, wages, taxes and duties thereon social security contribution, workers’ compensation, accommodation, transport and any other benefits due to his employees in accordance with a labor law of the country in which the subcontract works are performed…” So, in another words, officially Hochtief does not bear any responsibility for people employed by contractors/subcontractors. However, as it was mentioned by Mr. Hoekstra, Hochtief does take some actions towards ensuring Ethical Supply Chain Management (ESCM). “Hochtief makes their contractors and subcontractors submit the documentation which states that all employees are getting their salaries from the money which Hochtief pays to contractor/subcontractor for its work saying: “It is required by Qatari law that you report to the state when, what and how you paid to your people. Even though they are not our direct employees we have to make sure that they get their salaries. Also, Mr. Hoekstra added “when it comes to labor camps and conditions of living, yes, it is the responsibility of contractor to make it appropriate, but usually we have a check on living conditions and workers camps before we sign the contract for work and we retain the right with us to do this kind of check whenever we want”.

**Working Conditions**

Surely, when it comes to Hochtief directly employed labor force the situation is better as Hochtief has direct control over them. Mr. Hoekstra stated: “We are fully responsible for our workers. We do our best to make their working conditions good. An example is that we have cooling rooms as well as enough drinking water as you know what the weather in Qatar is like! Also, air conditioning in our camps is a necessary element. We have medical centers at working places which take care of minor injuries as well as signed contracts with hospitals in the area which can take care of our people.”

**Workers Safety and Training**

Further, we asked about the training of employees and necessary equipment for work such as boots, ropes, and gloves. Mr. Hoekstra assured us that all the workers get some training before they start working: “Someone from Hochtief will be there to supervise the work and teach them how to do things; the biggest challenge we face is that workers do not speak English, so we can give guidelines and just hope from the appropriate translation they will really understand what they are supposed to do and how. Training is a necessary element as sometimes when you come to the building venue you
can meet workers who do not even know how to hold a hammer properly”. The interviewee also mentioned “We have some people who monitor working conditions on our contractors and subcontractors places. They just go there and check and report back to Hochtief. We want them at least to follow a bit what we stand for (our Code of Conduct) and what the Qatar State requires”.

**Ethical Supply Chain Management**

Even though it is officially stated that “contractors and subcontractors should observe themselves the conditions of labor”, Hochtief pays quite a lot of attention to ethical responsibilities in the supply chain ensured by its contractors and subcontractors in the area of human and labor rights of workers. However, Mr. Hoekstra admitted that: “We cannot control the whole supply chain, so if workers are lied to or cheated at some point in the supply chain, probably still being in Bangladesh, we have no power over this. The same with other things such as salaries: we pay them to contractors and get a report from them which we have to trust”. Also, it was said by Mr. Hoekstra “Normally we can properly check our contractors on labor conditions and other matters but to reach subcontractors and further down on the supply chain it is not always in our power”.

**Qatar Legislation**

The reflection on Qatar law concerning workers’ rights was quite brief: “It seems like it started becoming appropriate. We work there since 2007 and we can feel the difference. The low became stricter. Slowly, but they started caring about things. For example, now according to Qatar low, you cannot make your people work outside on construction venue from 11 am to 3 pm from June to September.” To the question what you find the most challenging in Qatar the answer was the following: “All the decisions in the country are made by few people and with few I mean no more than five! And, of course, weather!” And further he stated: “We always try to assure basic human and labor rights of our workers and take the responsibility towards our stakeholders. However, if there is something such as no workers unions and associations are allowed we can do nothing here as it falls within the low of this country.”
**Corporate Social Responsibility**

And finally, when asking Mr. Hoekstra the question about how he would define Corporate Social Responsibility for Hochtief and himself personally, especially in the Qatar context, the answer was as following:

“Corporate Social Responsibility for us is a very serious matter and we do our best to be a good corporate citizen. We always follow the legal system in the country we operate in and Qatar is not an exception. Also, for such a company as Hochtief who is on a stock exchange it is very important to follow all safety measures and other matters which can undermine the value of the company. Moreover, appropriate working conditions give us the needed level of productivity which is the main requirement of any project and this is what brings profit at the very end. If you ask about the ethical point, yes we do care about our employees and their wellbeing as the company consists of employees and without them we cannot do our work”.

**4.4 Bangladesh: the sourcing country of the migrant labor**

Presenting the multiple actors of the 2022 FIFA World Cup Project, it is necessary to remember that there are many more actors, other than the actors which are discussed above. Among others, one of the most important actors in this Project are the migrant workers. India, Nepal, the Philippines, Bangladesh and many other countries are the exporters of migrant labor to Qatar. However, in this research, focus has been given only to the study of migrant workers of Bangladesh and aims to find out the actual supply chain of migrant labor from their home country to their involvement in the Project.

Bangladesh, a nation of 160 million people, is one of the developing Asian counties. It has a strong economic growth with an annual GDP growth rate of 6% and gross national income (GNI) per capita US $1810 in 2010 (WDI, 2010). Bangladesh has a high poverty rate and is the eighth most populous and the most densely populated country in the world (UNFPA, 2011). The labor force size is estimated as 57% of the population (Ray et al., 2007). Due to the insufficient capacity of the local industries and inadequate education most of this labor remains unemployed. Bangladesh is fighting to emerge from poverty by exporting the surplus laborers to the world market. More than 7 million Bangladeshis work abroad and over a quarter of the million join the migrant work force every year.
(Ray et al., 2007). According to BMET (2011) data, the total number of short term Bangladeshi migrant workers increased from 6,087 in 1976 to 7,767,689 in 2011. World Bank, Migration and Remittances Factbook (2011) figures state that Bangladesh is ranked as number 7 among the nations who receive a sizeable portion of remittance. Remittance received in 2010 is US $11.1 billion that is 12% of GDP (World Bank, 2011; Bangladesh Bank, 2011), whereas net Foreign Direct Investments (FDI) inflows are US $590.1 million in 2010 (Board of Investment, 2011). Remittances are much higher than foreign aid (concessional loans and grants), and play a major role in reducing the country’s dependence on such aid (Siddiqui, 2006a). For the last two decades, remittances have been at levels of around 35% of export earnings, and thus, contributed directly to the country’s national economy (Siddiqui, 2004).

Remittances have a major developmental impact on the Bangladesh economy at both macro and micro levels. With US $11.1 billion it is the second largest source of foreign currency earnings after Readymade Garments (RMG) earnings which accounted for US $22 billion at the end of the fiscal year June 2011(Bangladesh Export Directory, 2011). At the macro level, the increase of remittance income not only solves the balance of payment problems, but also builds foreign exchange reserves, which led to lower the interest rate, inflation rates, relative unemployment rate, and so on (Hossain, and Habib, 2012; Rahman, and Banerjee, 2009). Apart from these macro level impacts, remittances directly contribute to the micro level, by the development of migrants' families and communities. Through creating sources of income it increases purchasing power of households, thus improving the standard of living and enhancing human capital through increase of investments in education, health and sanitation at household level. On the other hand, investments in commercial enterprises such as, agriculture, large scale housing, commerce, shops, craft industries, local human resource development, etc. contribute at the community level (Siddiqui and Abrar, 2003). That is why the Bangladesh Bank Governor Dr. Atiur Rahman mentioned that remittance can be the key factor which could reduce the overall incident of poverty of Bangladesh (BHRS, 2010). Since the labor export is important for the economic development of the country, there is a need for proper regulation on a local and international level to protect the rights of migrant workers.

Bangladesh has recently ratified the 1990 UN Convention on the protection of the rights of the migrant workers and members of their families. However, the national policy emphasizes the quantitative not the qualitative aspects of the convention (Protifolon, 2011). Since Bangladesh and some of the labor receiving counties have the absence of ratification of international instruments, the
bilateral agreements or memorandum of understanding (MoU) can served as an important mechanism for protecting the rights of migrants. As an example, Bangladesh has signed MoU with Iraq, Libya, Malaysia and Qatar on organizing of Manpower Employment (MoU, n.d.).

Additionally it is important to highlight, that Bangladeshi migrants are mostly unskilled and semi-skilled and they work in different sectors. Men migrant workers mostly work in construction, manufacturing, transport and others, and the women migrant workforce are mainly engaged in domestic work (Siddiqui, 2011). For more than 82% of the total Bangladeshi migrant workers the top destination countries are the Gulf Cooperation Council (GCC) countries. The most popular destination country is the Kingdom of Saudi Arabia (KSA), next, the United Arab Emirates (UAE), the Sultanate of Oman, the State of Bahrain, the State of Qatar and the State of Kuwait (Afsar, 2009; Siddiqui, 2006a). According to the Ministry of Expatriates Welfare and Overseas Employment (MEWOE), there are approximately 155,000 Bangladeshis working in Qatar in different sectors (bdnews24, 2010). One of the leading Bangladeshi newspapers ‘The Daily Star’ stated that Dipu Moni, the foreign minister of Bangladesh commented “Bangladesh looks forward to providing more skilled, semi-skilled and unskilled workers and professionals for the socio-economic development of Qatar, especially for the World Cup 2022 in Qatar” (The Daily Star, 2012). According to BMET (2011) database, 13,168 Bangladeshi migrants went to Qatar in 2011, which accounts for 2.32% of the total overseas employment for the year.

4.5 An overview of Bangladeshi labor migration

Researchers (Siddiqui & Abrar, 2003; Siddiqui, 2005; Siddiqui, 2006a; Ray et al., 2007; Sobhan et al. 2007; Afsar, 2007; Afsar, 2009; Siddiqui and Billah, 2012) have shown that the problems faced by the migrant workers, starts from their home countries when the migration process is initiated. So, it is necessary to discuss about all of these parties engaged to understand the complex process of migration. For better understanding of Bangladeshi labor migration, key actors of the migration, migrant workers recruitment process and the experience of the migrant workers in Qatar will be discussed in three parts. The outline of the findings for this part will be the following:
4.5.1 The key actors of the migration

The key actors of the migration include prospective migrant workers; Bangladeshi Government and other institutions, such as - Ministry of Expatriate Welfare and Overseas Employment (MEWOE), the overseas Bangladeshi foreign mission labor wings, the Bureau of Manpower, Employment and Training (BMET), the Bangladesh Overseas Employment Services Limited (BOESL), the Bangladesh Association of International Recruiting Agencies (BAIRA); and Recruiting Parties, like - Bangladeshi private recruitment agencies and travel agencies, their sub agents, the overseas Bangladeshi Community Group (OBCG) who act as middle men⁴ and the prospective overseas employers & recruiting agencies.

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⁴ In this study the overseas Bangladeshi Community Group (OBCG) is referred to as Bangladeshi middle men
Migrant workers

The prospective migrant workers are motivated to go abroad mainly because of their economic insolvency, unemployment, influence of neighbors and demonstration effect by economically efficient migrant workers. They migrate with an aim to get better employment opportunities and to earn higher income. In the migration process the major constrains they face are the lack of information, biased information provided by the opportunist groups, limited options to finance migration, high rate of interest from moneylenders and many other problems (Afsar, 2009).

Bangladeshi Government and other institutions

The Bangladesh government has five key ministries for dealing with international labor migration: the Ministry of Expatriates’ Welfare and Overseas Employment (MEWOE), the Ministry of Home Affairs, the Ministry of Foreign Affairs, the Ministry of Finance, and the Ministry of Civil Aviation and Tourism (Siddiqui et al., n.d.). The most influential among them is MEWOE. The other institutes who are actively involved with the migration are: the overseas Bangladeshi foreign mission labor wings, the Bureau of Manpower, Employment and Training (BMET), the Bangladesh Overseas Employment Services Limited (BOESL), and the Bangladesh Association of International Recruiting Agencies (BAIRA).

The Ministry of Expatriate Welfare and Overseas Employment (MEWOE)

This ministry has been established since in December 2001, and is responsible for promoting, monitoring, and regulating the migration sector. The main functions of the ministry are to increase overseas employment opportunities and ensure the welfare of expatriate workers by addressing the
problems experienced by expatriates (MEWOE, n.d.). The Ministry has 26 expatriate welfare centers to provide equal opportunities for people from all around the country to get overseas employment (Bangladesh, 2007).

*Bangladesh overseas mission - attaché or counselor of the labor wings*

The role of foreign missions is also extremely important in respect of migration. They explore the potential labor markets, attestation of the documents related to recruitment, provide consular services for Bangladeshi workers and ensure the protection and welfare of migrant workers (Siddiqui, 2004; Sobhan et al., 2007). There are currently 21 labor attachés in 16 Bangladeshi missions in different labor-receiving countries (Siddiqui and Billah, 2012). Their job is to protect the rights of migrants and ensure the welfare of the migrant workers through providing counseling, advisory and legal services to the distressed Bangladeshi workers (Bangladesh, 2007). Labor attaché of the Bangladesh mission in Qatar (interview no. 24, May 12th, 2012; see appendix 1) said that presently they are mostly focused on the market expansion in Qatar, because of the 2022 FIFA World Cup Project. However, Sobhan et al., (2007) mentioned in their findings that a section of officials of the missions along with the labor attaches are engaged in malpractice while they are having a nexus with recruiting agencies and employers.

*The Bureau of Manpower, Employment and Training (BMET)*

BMET is the executing agency of MEWOE and is engaged in planning and implementation of the strategies for proper utilization of manpower (Siddiqui, 2004). The Bureau is performing all functions relating to the migration process, including licensing of recruiting agents. According to the BMET statistics, the association currently has a membership of 853 registered agencies (BMET, n.d). Some of the other major functions of BMET are the processing of foreign demand for recruitment, control and issuance of emigration clearance for recruited workers, collection and analysis of labor market information, processing of individual complaints, etc (Siddiqui, 2005; Sobhan et al., 2007).

In 2002 BMET established a web base Data Bank to facilitate the searching of prospective overseas job seekers of Bangladesh through Internet (BMET, n.d). BMET also provides vocational training in 38 Technical Training Centers (TTC) for the local market and overseas and organizes pre-departure
briefing sessions (Migration F2F, 2012). Migrants are required to register with BMET prior to overseas migration and need to attend a pre-departure briefing training program run by BMET.

*The Bangladesh Overseas Employment Services Limited (BOESL)*

BOESL is the only state-owned recruiting agency in Bangladesh, which was established in 1984 with an aim to facilitate the recruitment of Bangladeshi workers abroad. They mostly operate under bilateral contracts with destination countries (Kuwait, Qatar, Oman, South Korea, etc) and therefore avoid all intermediaries and conduct all recruitment procedures and departure formalities by their own. Therefore, fees and overall migration costs charged by BOESL are much lower than the ones asked for by the private agencies (Bangladesh, 2007). However, currently it manages only 1% of the total number of outgoing migrant workers, while the remaining are conducted through either private recruiting agencies (40%) or on their own with the help of social networks 5 (59%) (Siddiqui, 2002). According to BOESL, this happens because of illegal visa trading and the promotion of private recruitment agencies (Migration F2F, 2012). However, there are no overseas job opportunities currently shown on their web page (BOESL, 2012).

*The Bangladesh Association of International Recruiting Agencies (BAIRA)*

In December 1984 Bangladeshi licensed recruiting agencies formed their own association to promote their common interests. The association interacts with the government, foreign missions, and employers to explore job opportunities abroad and facilitate the migration of Bangladeshi workers (Bangladesh, 2007). BAIRA currently has more than 800 member agencies (BAIRA, n.d). Thus, it became the fifth largest organization in the world responsible for sending human resources abroad (Migration F2F, 2012). BAIRA is mainly recruiting people for the GCC and the Middle East.

*Perspective of Bangladeshi NGOs’*

Bangladeshi NGOs’ major interventions are promoting migration and researching on the impact of and achieving the target of remittances. There are some advocacy organizations that are focused on advocacies on broad national development issues of migration, as well as the delivery of

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5 In this study ‘social networks’ stands for family, friends, neighbors, village acquaintances and any other kinds of personal and family relations of migrant workers.
humanitarian, psychosocial and even economic services (Ray et al., 2007:193). Interviewee no. 5 (April 8th, 2012, see appendix 1), Mr. Sakiul Millat Morshed, the Executive Director of Shikkha Shastha Unnayan Karzakram (SHISUK) mentioned, “in Bangladesh very few NGOs are working with migrant workers’ rights, their major interventions are promoting migration and remittance. This pro-migration attitude undermined the rights and wellbeing of the workers as human beings”.

However, he suggested some names of the NGOs who are working and researching on migrant works issues. They are namely, Shikkha Shastha Unnayan Karzakram (SHISUK), BRAC (Bangladesh Rural Advancement Committee), Welfare Association for Repatriated Bangladeshi Employees (WARBE) Development Foundation, UN WOMEN, Bangladesh Women Migrants’ Association (BWMA), Bangladeshi Ovibashi Mohila Sramik Association (BOMSA), and so on. There are also some other organizations which provide support to the Government of Bangladesh (GoB) in respect to the migration, overseas employment and remittance through their research, training and assistance, which are: International Labor Organization (ILO), International Organization for Migration (IOM), Bangladesh Institute of Development Studies (BIDS), Bangladesh institutes of Labor Studies (BILS), Refugee & Migratory Movements Research Unit (RMMRU).

**Recruiting Parties**

A powerful private sector has emerged centering around the recruitment industry of Bangladesh. This sector creates job opportunity for a large number of people. There are 853 registered private recruiting agencies (BMET, n.d), around 1,350 travel agencies and approximately 10,000 sub agents, an unknown amount of overseas Bangladeshi middle men and all of them are earning their livelihood through their involvement in processing migration (Siddiqui, 2006b). Another important party for the migration is the prospective overseas employers & recruiting agencies.

*Bangladeshi recruiting agency and the travel agency*

Bangladeshi recruiting agencies work under license from the government (Siddiqui, 2005). The main role of the recruitment agent is to find information about the demands for foreign employment, then search, select and complete contracts of employment in line with the work orders. They organize the visa, travel documentation, air tickets and arrange placement of workers in the receiving country.
Moreover, in Bangladesh some of the Travel agencies, which should ideally direct their activities within the arrangement of tours, travels, and selling of tickets etc, are acting as collaborating organization of recruitment agencies. In this way “sub agents, recruiting agencies, travel agencies have all gotten mixed up together and there is no way of knowing who is who” (Khan, 2006).

Interviewee no. 14 (April 17th, 2012; see appendix 1), a private recruiting agent of a Bangladeshi recruiting agency who send workers to Qatar and Kingdom of Saudi Arabia (KSA) describes their role in the recruitment process during an in-depth interview:

**Box 4: Interview of a private recruiting agent**

“We have recruited thousands of people in the Middle East over the last decade, so we are maintaining a big network in KSA and Qatar. When a vacancy notice is published for hiring workers we are informed by the local Bangladeshi people who are working in the companies in the Middle East that they have vacancies. There are also some expatriates working in some other companies (middle men), who have a close relationship with the employers or overseas recruiting agencies. They also inform us about new job opportunities.

While searching for labor, we have representatives (sub agents) all over the country, who have close connections with the local people and also with us. Their job is to hook up the interested workers, through providing them information concerning overseas employment and bringing them to us, so that we can further processed the formalities of recruitment.

Then, we combine and compare the job requirement with the prospective labor skills and quality. After selecting someone for a position we have to arrange passport, help them to have health test, and also assist them to do other paper work. To get the visa of KSA we have to apply to the embassy of KSA, in Dhaka. However, for Qatar, Kuwait, and Bahrain, we need to send the copy of the passport of the prospective workers to the Qatari Ministry of Interior (MOI). MOI issued visa for the workers and send it to us. Bangladeshi middle men in overseas help us to perform this procedure.”

However, Ray et al., (2007) states in their research that recruitment agencies can exploit the migrant workers in many ways. For example, they force the migrant workers to pay huge fees and also influence them to pay alleged bribes to get work permits and visa documents (p. 60). Moreover, after all these sometimes they also export people with fake documents which cause great suffering to the
migrants. Yet, based on the 1982 Ordinance, only government officials can lodge complaints against recruiting agents for violation of the provisions (Siddiqui, 2006b). In addition, there is a legal requirement that the recruiting agency should show the contract paper to their client, where the salary, duration of contract, living and food arrangements are written. But, they never show these contract papers, because the real contract differs on many matters with the one that migrant workers receive (Afsar, 2009). Interviewee no. 14 (April 17th, 2012; see appendix 1) mentioned that the workers usually can see the contract paper or work agreement prior to departure, because they have to show these papers to the immigration officers.

**Bangladeshi Community Group (OBCG) who act as middle men**

During the in-depth interviews, Managing Director of a Bangladeshi travel agency (interviewee no.6, March 13th, 2012; see appendix 1) described the role of the Bangladeshi middle men in overseas as follows:

**Box 5: Interview about Bangladeshi middle-men**

“There are some Bangladeshi people in Qatar, who work as expatriates in different companies. Sometimes some of them act as middle men in the recruitment process. They are maintaining contact with the individual employer and/or the companies in Qatar. They collect information about the companies that have vacancies or individual employers who require workers to accomplish some temporary jobs like construction, maids, watchmen, drivers, etc.

When any company or any individual employer in Qatar gets work permits from the Ministry of Labor (MOL) for employing people, the Bangladeshi middle men propose the individual employers to sell the work permit to them at a negotiable price and offer them to recruit labor on their behalf. After buying the work permits from the Qatari employers they sell these work permit visas to the Bangladeshi recruiting agencies or sometimes directly sell to the potential migrant workers or sub agents in Bangladesh. Through this trade of buying and selling work permit visas, the Bangladeshi middle men are making enormous profit and over time they are expanding their network of business.”
There is a risk that the middle men can cheat with the migrant workers by selling the work permit at a high price. As interviewee no. 14 (April 17th, 2012; see appendix 1), the private recruiting agent of Bangladesh said, “We are asking a high price for visas from the workers, because we are buying the work permits at a high price from the Bangladeshi middle men”. However, while asking about the extreme cost of migration, interviewee no. 17 (April 6th, 2012; see appendix 1), who officially works in a private manufacturing firm as account payable, but unofficially acts as a middle man, answered that “it is the Bangladeshi recruiting agents who are taking an unbelievable amount of money from the migrant workers and making piles of wealth by doing unfair trade”. He also blamed the Bangladesh government that “government is also responsible for the bad situation of the migrant workers, because they do not monitor the private recruiting agencies’ activities and do not regulate the fees they are charging for the migration procedure”. In addition, Siddiqui, (2002) mentioned that private recruiters and the middle men often shows dishonesty in the case of job contracts and a large inconsistency may exist between the promised wages and the actual benefits received by laborers.

**Sub agents in Bangladesh**

Sub agents, locally known as ‘dalals’ are the commission based employees of the Bangladeshi private recruiting agencies. They are not formally registered with the recruiting agencies whom they are attached with, and also do not possess any formal identification documents (Siddiqui, 2011). Sometimes they also work for the overseas Bangladeshi middle men. Their main responsibility is to supply manpower as per the demand of the recruiting agencies or middle men. They look for potential migrants even in the remote villages and convince people by telling inspiring stories about the overseas work and life. Once the potential migrants are convinced, and then the sub agent assists them throughout the administrative procedure of migration, which includes: issuing passport, helping them with the medical test and the visa procedure. They even accompany them to the airport to help with the departure procedure. In this way, the ‘dalals’ or sub agents gain the trust of the local people, because the rural people do not know the recruiting agencies, they only know those ‘dalals’ who act as the only way of connection between them and the agencies. Thus, the sub agents become crucial for the Bangladeshi private recruiting agencies as well as for the overseas Bangladeshi middle men in order to carry on their manpower business (Afsar, 2009; Siddiqui, 2002).

Sub agents may have personal experience of overseas migration or they collaborate with their relatives or friends who work as unofficial overseas middle-man. Interviewee no. 15 (April 6th, 2012;
see appendix 1), who is a grocery shop owner in Qatar, also acts as a sub agent for the Bangladeshi middle men in Qatar. He used to live in Doha for six months and the other half of the year he works in Bangladesh to collect workers. According to him, “I am helping the people of my village, so that they can obtain an overseas job in Qatar and can change their fortune.”

*Prospective individual employers in Qatar or Qatari recruitment agencies*

Interviewee no. 6 (March 13th, 2012; see appendix 1) mentioned that Qatari individual employers or Qatari recruitment agencies are indirect employers or sponsors who supply labor to the direct employers, such as MNCs or to the sub-contractor construction firms on demand. Sometimes they contact the Bangladeshi recruiting agencies, but most commonly they approach the Bangladeshi middle men in Qatar and engage in manpower trade with them.

### 4.5.2 Migrant workers recruitment

In this part, the findings on migrant labor recruitment channels, details of visa categories, and the cost of migration, as well as the process of recruitment, stages of migration and different ways of recruitment are presented.

*Figure 7: Migrant workers recruitment (authors’ own creation)*
Recruitment channels

Migrant workers who go to GCC countries for temporary work use a variety of recruitment channels. This study found, that mostly, migrants are visiting Qatar with the help of their family members, relatives and friends, in some cases also village acquaintances. These ‘social networks’ are the main source of information and guidance during the migration process. The migrant can arrange migration by themselves with the help of BOESL (the Bangladesh Overseas Employment Services Limited), which is a formal channel of recruitment. However, registered Bangladeshi private recruiting agencies, along with the sub agents and overseas Bangladeshi middle men are also very important recruiting channels for the migrants (Afsar, 2009; Ray et al., 2007; Siddiqui, 2004).

Visa categories

Bangladeshi migrant workers in Qatar are mostly recruited on a temporary basis. Bangladeshi nationals need to have a valid passport and visa to visit Qatar. This study found that there are mainly three types of visas, which are used by the migrants to make their passage to Qatar. The ‘fixed’ or ‘work permits’ visa, ‘Kafeel’ or ‘sponsor visa’ and the family visit visa, commonly known as ‘free’ visa.

Fixed work permit visa

The ‘Fixed work permit visa’ is issued for a specific type of work; it is the formal work visa. When the migrant receives a work visa they are allowed to know all the necessary information about the job requirements, working condition, wages and other relevant things. However, a study done by Afsar (2009) found that the majority of the migrants with work visas do not have appropriate information about their job conditions. In our case, interviewee no. 17 (April 6th, 2012; see appendix 1), while discussing about his work visa informed us that the Qatar government has stopped giving ‘fixed work permit visa’ for the Bangladeshi workers since 2008. This information was also cross checked through the Embassy of Qatar in Bangladesh. However, work visas for the ‘expatriate migrants’ who do executive jobs in MNCs are still issued, and has stopped only for the ‘ground level’ migrant

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6 Afsar (2009) and ITUC (2011c) use the ‘fee visa’ and ‘sponsor visa’ as synonyms, our findings show that these two visas are different
workers who do construction works, maids, cooks, drivers, and so on. However, work visas for the ‘expatriates migrants’ who do executive jobs in MNCs are still issued and has been stopped only for the ‘ground level’ migrant workers who are engaged in the construction works, maids, cooks, drivers and so on.

‘Kafeel’ or ‘sponsor visa’

Interviewee no. 14, (April 17th, 2012, see appendix 1), the recruiting agent, describes the ‘Kafeel’ or ‘sponsor visa’ as the most popular one and highly expensive. ‘Sponsors’ are the individuals or companies in Qatar who want to employ migrant workers and seek work permits from the Qatari Ministry of Labor (MOL). MOL issues work permits based on their application. These work permits are needed to get ‘sponsor visas’ for the migrant workers from the Qatari Ministry of Interior (MOI). However, migrant workers cannot get the ‘sponsor’ visas directly from the sponsors. There are always some Bangladeshi middle men or Bangladeshi recruiting agencies, who act as a bridge in between the sponsors and the migrant workers.

Interviewee no. 15 (April 6th, 2012; see appendix 1), the sub agent, mentioned that this kind of visa is expensive because the migrants are informed that the ‘sponsor’ visa would allow them to engage in a wide range of occupations by changing their sponsor. However, in reality a migrant cannot change his sponsor before two years. Most importantly, to change the sponsor a migrant has to apply to the MOI, where he has to submit the No Objection Certificate (NOC) from the present sponsor concerning the transfer of sponsorship. The present sponsor, the new sponsor and the employee need to sign the sponsorship transfer form altogether (MOI, n. d.).

‘Free’ visa

The ‘free’ visa is arranged by family members and close relatives. The ‘Free’ visa does not permit a migrant to work legally. When a migrant enters Qatar with a ‘free’ visa but wants to work regally, then he has to find a sponsor (prospective employer) to convert the ‘free’ visa to a ‘sponsor’ visa and the worker must have a sponsor's permission (exit visa) to depart the country (Interviewee no 15, April 6th, 2012, see appendix 1). The ‘free’ visa holders are completely depending on their social networks until they get any sponsor. Sometimes it is hard to find sponsors who could provide jobs to the migrants immediately after their arrival. Subsequently the migrants are under threat of becoming
irregular migrants (BHRS, 2010). “‘Free’ visa is not free of charge, but ‘sponsor visa’ is more expensive than ‘free’ visa” (interviewee no. 14, April 17th, 2012; see appendix 1), since at present ‘sponsor visa’ is the only legal visa which gives Bangladeshi nationals the right to work in Qatar.

The cost of migration

The cost of migration includes: the payments for government fees, recruiting agency fees, fees for visas, travel documents, airfare, and sometimes it also includes other unofficial expenses, like payment to the overseas middle men, sub agents and other helpers (BHRS, 2010). The cost of migration varies according to the recruitment channels they use. The more intermediates are involved in the process the more is the cost. “The minimum cost is paid by the migrants, who use formal channels (the Bangladesh Overseas Employment Services Limited, BOESL) and arrange migration by themselves. When the migrants seek help from the sub agent and, especially when the Bangladeshi middle-man in Qatar is involved in arranging ‘sponsor visa’, then the amount of money needed to be paid is even higher; Because, the money goes to the pockets of each party involved in the process”, said by travel agent interviewee no. 6 (March 13th, 2012; see appendix 1).

In addition, interviewee no. 12 (April 10th, 2012; see appendix 1), a return migrant who formerly worked as a construction worker in Qatar, informed us that the ‘sponsor visa’ cost approximately 500,000 Bangladeshi taka (Tk.) (US $6250) whereas the ‘free visa’ costs nearly half, almost 250,000Tk. (US $3125)7. In the context of Bangladesh, this is a vast amount of cash not easily affordable for rural families, since most of them live at subsistence level (Afsar, 2009). Officially the Qatari visa fee is only US$ 50. The Government of Bangladesh (GoB) has fixed the maximum cost of migration at approximately 85,000.00Tk. (US $1100) per person (Sobhan et al., 2007). However, none of our respondents had ever heard about the maximum fixed cost of recruitment stated by GoB. Ray et al., (2007) mentioned, about a study of International Organization for Migration (IOM) where it stated that an estimated average cost of migration per person would be just around US $1500 (p. 58). In our study, a migrant worker interviewee no. 7 (April 13th, 2012; see appendix 4) has paid in total 210,000 Tk. (US $2625) to a private recruiting agency for getting a ‘free visa’; it took for him 1.5-2 years to earn the money he spent.

7 The exchange rate is US$ 1 = 80 Bangladeshi taka (Tk.) as April, 2012.
Recruiting process

The overseas recruitment process of migrant labor from Bangladesh is quite cumbersome and messy. The Bangladeshi recruiting agencies collect information about the demands and orders for foreign employment on their own initiative, especially from the Overseas Bangladeshi middle men. Recruiting agencies also sometimes get information from BMET (The Bureau of Manpower, Employment and Training) (Interviewee no. 14, April 17th, 2012; see appendix 1). The attaché or counselor of the labor wings in the overseas Bangladesh mission is examines the authenticity of the demand notes issued by the foreign employers or foreign agencies. The Bangladeshi private agencies recruit workers as per specifications of the foreign employers and then process their cases for employment after taking permission from the BMET (Ray et al., 2007:172).

Technically, the recruiting agencies are supposed to recruit by searching the job-seeker data base of BMET, but in practice they recruit their clients on their own and later enter the job seekers name in to the BMET database (Siddiqui, 2011). In this way, they are very much depending on their own sub agents for recruitment. When they get some recruitment orders, they start searching for people with the help of sub agents and go through the process of selection and testing to match the people to the work requirements. Then they arrange a clearance certificate from BMET for each of the recruits. Gradually, they complete the procedure of organizing the visa, passport, air ticket, health check up and placement of workers in the receiving country against fees. They receive fees from the employer and/or from the workers, which depends upon the demand situation and competition among the supplying countries. These fees for different services that the agent can ask from the prospective migrants are fixed by MEWOE (the Ministry of Expatriate Welfare and Overseas Employment). However this is not followed in practice (Sobhan et al., 2007).

In the case of Qatar, it is very common that the prospective migrants use their social networks to deploy visas. Interviewee no. 13 (April 20th, 2012; see appendix 1), a return migrant, informed us that “every employed person who lives in Qatar tries to help their other family members to come to Qatar”. However, even if the ‘sponsor visa’ is arranged through the social networks, the migrants seek help from the private recruiting agencies and pay fees to get help with the travel formalities including issue of passport, visa stamp, air ticket and BMET clearance certificate which are needed for travel (Interviewee no. 8, April 17th, 2012; see appendix 1).
**Stages of migration**

*First stage: aspiration*

In the first stage of migration, the prospective migrants search for a family members/relatives/friends/fellows/villagers that could help them passively by providing information, or actively by participating in the process of migration in fulfilling their wish of overseas employment. Moreover, the private recruiting agencies also look for potential migrants and hook them up through their sub agents who are working in the villages. Initially, the migrant gets very impressive and sketchy information about the future job, salary, and work conditions. In the course of time, when the migrant become determined to go abroad, they start managing money to pay the cost of migration - basically visa, air ticket, heath check up, etc (Afsar, 2009).

*Second stage: finance*

A second stage of migration, the migrants are trying to arrange money, some selling or mortgaging their land, house or cattle. Many migrants do not have any savings, cultivable land or other resources; neither do they have access to low-interest credit schemes. As a result, they have to borrow from friends, relatives or from other informal sources at the high interest rates, sometimes 10% per month (Afsar, 2009).

![Stages of migration](image)

*Figure 8: Stages of migration (adopted from Ray et al., 2007:172)*

Third stage: preparation

At the third stage, to cover the cost of the work permit, air fare and other fees, the migrant generally makes a lump-sum payment to the sub agents and sometimes directly to the recruiting agencies. Then, the further preparation for travel is done with the help of the private recruiting agency or by the sub agents (Ray et al., 2007). Before departure migrant workers need to register in BMET (The Bureau of Manpower, Employment and Training) and have to attend a pre-departure briefing and training session of BMET. They also have to obtain a clearance certificate from BMET. In the study
done by Afser, (2009), it was found that the recruiting agencies or sub agents obtained BMET clearance certificates on behalf of the workers’ by offering an alleged bribe to the desk officer of BMET.

Forth stage: departure

At the fourth stage, when all the formalities are finished, then the migrants are ready for departing to their destination. After arriving in the overseas country with a temporary work permit visa or a ‘sponsor visa’ the migrant has to report to the Bangladeshi mission, but for the ‘free visa’ holder it is not required. Normally, the middle men take care of the migrants after arriving in the destination country and introduce them to the future employer (Ray et al., 2007).

Different ways of recruitment

From the in-depth discussion with the Bangladeshi private recruiting agent, travel agency officers, and middle men in Qatar and also with the migrants, it appears that the recruitment process for the migrant workers in Qatar is happening at least in three ways.

The first way

The first way or the most formal way is that, the multinational construction companies (MNCs) who are operating in Qatar, are collaborating with the subcontractor construction companies in different construction projects. The MNCs or the subcontracting companies by themselves recruit the migrant workers directly from Bangladesh, but this very seldom happens. In our case Mr. Bert Hoekstra, Managing Director of Hochtief Solutions Middle East Qatar W.L.L. (interviewee no. 1, March 16th, 2012, see appendix 1), mentioned that Hochtif directly recruited people from Bangladesh only once. They applied to the Qatari MOL (Ministry of Labor) for a work permit for the required position. When they get work permits from MOL then they contact the Bangladesh government ministry of Expatriate Welfare and Overseas Employment (MEWOE). Then, the ministry posts this news with the description of work requirements, salary and so on, on the web site of the Bangladesh Overseas Employment Services Limited (BOESL) and sometimes also publishes advertisements in the newspapers. In general, the migrant workers are illiterate or with a low levels of education, and do not have access to the internet, so the news of recruitment does not reach them. As a result, the
private recruiting agents who have the sub agents in different village bring this information to the potential migrants and initiate a recruitment process. Through this process the employees obtain a work permit visa. However, for Qatar a ‘work permit visa’ is currently unavailable for Bangladeshi workers, due to an unknown reason.

Figure 9: The first way of recruitment (authors’ own creation)

The second way

Second way is, the MNCs or the sub contractors simply contact Qatari recruiting agencies or individual agents. These Qatari recruiting agencies further communicate with the Bangladeshi ministry of MEWOE or the recruiting agencies in Bangladesh. This process is also not very common these days, as the visa received through this process is a ‘work permit visa’.

Figure 10: The second way of recruitment (authors’ own creation)

The third way

The third and the most common way of the migration procedure is, processing recruitment through the Bangladeshi middle men from the overseas Bangladeshi community group in Qatar. The
subcontractor construction companies in Qatar or the Qatari recruiting companies contact the Bangladeshi middle men, who are neither an official agent nor a legal participant in this process. This middle-man communicates with the private recruiting agencies in Bangladesh about the demand and order of the respective employment. But, sometimes they directly reach the migrant workers with the help of some sub agents or with the family and friend’s personal connections. For this kind of recruitment generally a ‘sponsor’ visa is issued.

These middle men who procure manpower demand, while buying sponsorship have to negotiate the price of a visa with prospective employers or employers’ agents. Then, they sell these visas to recruiting agents in Bangladesh. The recruiting agents have to buy visas at whatever price they ask. At the other end, the middle men operating in Qatar do not face any problem of legal threat as they are engaged in a confidential and unofficial trade. Another big problem is “the middle men are bidding the best price for the visa and agree on a sliding salary scale for the workers. As a result, we are compromising lower and lower salary for workers and offering a higher and higher price for visas” as it was described by the Bangladeshi recruiting agent, interviewee no. 14 (April, 17th 2012; see appendix 1). In this way, Bangladesh becomes the supplier of one of the cheapest labor forces in the world.

Figure 11: The third way of recruitment (authors’ own creation)

If the recruitment process is undertaken through the first or second way, then the original migration cost would not be so high. Because, through those ways of recruitment the MNCs or subcontracting firms, or the Qatari recruiting agencies can directly contact the Bangladeshi recruiting agencies. Ideally, the employer should pay the service charge to the Bangladeshi recruiting agencies for conducting the recruitment procedure. Interviewee no. 14 (April 17th, 2012; see appendix 1) again mentioned, “in the official document (contract paper) it is written that the plane fares of the migrant
workers have to be carried by the Bangladeshi recruiting agents and the return plane fares have to paid by the company where they are employed. In reality, the workers have to pay the plane fares by themselves” (see appendix 3). However, in the third way, which is the most common procedure of recruiting, due to the huge supply of migrant workers from different third world countries and as the Bangladeshi workers are mostly unskilled, instead of getting paid by the Qatari employer or subcontractor, the Bangladeshi recruiting agencies had to offer bribe to get the sponsorship papers or work permits from them.

4.5.3 The experience of the migrant workers in Qatar

In this research two respondents’ interviewee no. 10 and 11 (April 22th, 2012; see appendix 1), Bangladeshi migrant workers of Hochtief, informed us that they came to Qatar with work permit visa, and it was arranged by the company. However, there is ‘a story behind’ this. It is that both of them are skilled workers with more than 20 years of work experience. The company did not recruit them from Bangladesh. Before working in Qatar, they worked in the Kingdom of Saudi Arabia (KSA), and Dubai (UAE). They left Bangladesh around the 1990’s and went to KSA through a private recruiting agency. After working there for several years they came to Dubai. There, they worked for another German company and after five years when the project was over, they, along with other Bangladeshi fellows who worked for the same company, came to Qatar in 2009. The German company they worked for in Dubai, itself recommended them to go to Qatar and work for Hochtief in the new Projects.

The interviewees further mentioned that, there are only 10 Bangladeshi workers who are directly employed by Hochtief's and work on the construction projects in Doha, however there might be more Bangladeshi migrants working on the other projects of Hochtief. They also pointed out that around 4500-5000 people are working on the particular construction project they are working on. But, only 100-110 workers are Hochtief’s direct employees and the other workers are belong to the other sub constructing firms, where mostly Indian and Pilipino are working but very few Bangladeshi (about 5%) are working (Interviewee No. 11, April 22th, 2012; see appendix 4).
Language barriers

In the overseas country it is common that people face problems due to limited or no knowledge of the language. However, our respondent said that they just learnt a little Arabic and normally they need to communicate with their employers based on employers’ nationality. For example, the welder, interviewee no. 8 (April 17th, 2012; see appendix 1), works in a Qatari and Indian owned joint venture company, hence he mostly speak Hindi with the co-workers and managers who are Indian. On the other hand, the Hochtief’s worker, interviewee no. 11 (April 22th, 2012; see appendix 4) said that they need to speak English, so they learnt a little English for better communication.

Living standard: food and accommodation

Three of the interviewees (no. 7 April 13th, 2012; no. 8 April 17th, 2012 and no. 9 April 23rd, 2012 see appendix 1) from the subcontractor construction companies, informed us that employers only provide them with accommodation and they have to pay for their food. However, such living arrangements are often of a very low standard and over-crowded; generally the labor camps are situated near to the construction sites (Siddiqui, 2006a). Interviewee no. 7 (April 13th, 2012, see appendix 4) described that they have 3000 workers in one camp and 10 people in one middle size room and interviewee no. 9 (April 23rd, 2012; see appendix 4) said they live 13 people in one room. However, a different case was described by Hochtief’s employee Interviewee No. 11 (April 22nd, 2012; see appendix 4), that in the Hochtief’s camp only 3-4 people live in an air conditioned room and the company provide them food at the workplace as well as in their camp.

Working conditions: working hours and vacation

All of the respondents reported having long working hours. Their working hours also vary from company to company. Interviewee, no. 7 (April 13th, 2012; see appendix 4) works 8 hours a day (with one hour break) as a bricklayer, but is allowed to take a break during the prayer time. Officially, the interviewees are required to work for six days with one day off (Friday) in every week, but commonly they have to go to work on Fridays as well, and could usually enjoy a weekend holiday only once or twice a month. Interviewee no. 8 (April 17th, 2012, see appendix 4), the welder, works 12 hours (6am-7pm) and takes rest for 1 hour (9:30-10:00 and 12:30-13:00). The carpenter of Hochtief, interviewee no. 11 (April 22nd, 2012; see appendix 4) mentioned that they work 13 hours
including 1 hour break (12:00-13:00) with one day off per week. In the case of vacation, the plasterer interviewee no. 9 (April 23rd; 2012, see appendix 4) gets one month paid vacation after two years working and the Hochtief workers are entitled to 45 days paid leave after two years (interviewee No. 11, April 22th, 2012; see appendix 4).

Work safety and health issues

UNBconnect (2012) newspaper reported that “a Bangladeshi construction worker died falling from the rooftop of an under-construction building in Qatar” on January 23rd, 2012. However, our respondents’ state that their companies are providing them all the necessary safety equipment, such as helmet, gloves and shoes; there are fire extinguishers on site and also a fire man available for safety reason. Also, they have monthly or weekly safety meetings.

“Due to the hot weather at the construction site, people used to ‘pass-out’ very often. We don’t have any general physician on site, but in extreme cases an ambulance is called” (Interviewee no. 7, April 13th, 2012; see appendix 4). This scenario is evident as a common one for other companies.

Compensation in case of injury

In this study, very different results were received with regards to compensation paid to the migrant workers in case of injury or death.

Box 6: Migrant workers talk about health insurance and compensation

“I know that my company never paid health insurance or compensation in case of injury and I have no idea if some other companies pay compensation or not” (Bricklayer, interviewee no. 7, April 13th, 2012; see appendix 4).

“Some people got injured in front of me while working, fall down from roof or electrified, luckily, I never got injured. I heard that our company has insurance scheme, but I did not find anyone who ever receive the payment. It is extremely difficult to get the insurance money, even sometimes legal attempts need to be taken against the company to get the money. So if somebody dies, then it might be impossible to get compensation”(Welder, interviewee no. 8, April 17th, 2012; see appendix 4).
“In case of injury the company, where I am currently working, pays compensation. An Indian worker got injured in front of me and he got money as compensation” (Plasterer, interviewee no. 9, April 23\textsuperscript{rd}, 2012; see appendix 4).

“Compensation is paid by the insurance company, and the insurance premium is paid by our company” (Hochtief worker, interviewee no. 11, April 22\textsuperscript{nd}, 2012; see appendix 4).

Wages

Afsar (2009) reveals in her study that migrants face problems with regard to wages, which includes irregular payment, withholding of wages for two/three months, discrepancy between the promised and the actual wage, undue deductions without prior notice, and non-payment.

In our study, all respondents, but interviewee no. 8 (April 17\textsuperscript{th}, 2012; see appendix 4) reported about receiving their wages regularly on the monthly basis. Interviewee no. 8 (April 17\textsuperscript{th}, 2012, see appendix 4) said his company withholds wages for one month, but they are promised to get it back when they will go to Bangladesh for vacation. The migrant workers of the construction sector in Qatar get a monthly salary ranging from 1000 QR (US $275) to 1300 QR (US $356) while having a rough expenditure of 350-400 QR (US $100 approx.)\textsuperscript{8} per month. All of them get their salary in cash, only Hochtief workers get their salary through a bank (interviewee no. 11, April 22\textsuperscript{nd}, 2012; see appendix 4).

However, while sharing his experience, interviewee no. 9, the plasterer of a Qatari construction company (April 23\textsuperscript{rd}, 2012; see appendix 4) described: “the construction company I worked previously was a joint venture company. I worked there for 10 years. They did not pay salary regularly. There were 280 workers. Once the company got bankrupt, then the workers had to go to court and took legal actions. The prosecution ran for 2-2.5 years and after all these harassment we were able to get our salary.”

\textsuperscript{8} The exchange rate is US $1 = 3.64 Qatari Rial (QR) in April 2012.
Freedom of association and problem solving

In Qatar, freedom of association is not practiced, so in the case of nonpayment of salary or compensation for injury, the only way is to go to the court, but it happens very seldom. As the labor unions are also not allowed, if the workers are not satisfied with the salary, and other things then the only way of negotiating is through open discussion with the company. Day to day problems are shared with the supervisor, foreman, site engineer, and sometimes project manager, who all together try to solve the problems (Interviewee no. 7, April 13th, 2012; interviewee no 8, April 17th, 2012; see appendix 4).

Job related issues

Tasneem Siddiqui (2006b) described that in GCC countries the employers withhold all forms of documentation, such as job contracts and passports from the migrant workers to reduce the scope for job changing. The aim is to ensure minimal occupational mobility of the migrant workers. The majority of the unskilled and semi-skilled migrant workers do not have any knowledge about the labor laws of the migrated countries. As a result, they can be manipulated very easily by the employers. Moreover, employers can also violate the existing laws relating to wages, working and living conditions.

Our study shows that, interviewee no. 8 (April 17th, 2012; see appendix 4) was not satisfied with his salary. So he wanted to change his job. He found a new sponsor but the current sponsor would not give him permission to leave. Moreover, interviewee no. 7 (April 13th, 2012, see appendix 4), even did not try to change company because he believed that Qatari law does not permit changing sponsors as the company does not allow job changing. But, the existing Qatari law permits changing job and sponsor after two years of working (MOI, n.d.) However, worker, (interviewee no. 11, April 22nd, 2012; see appendix 4) said that, even though their passports and other official documents are held by the company, they can get them any time they want. So, they do not care much about this as they do not want to change jobs.
Chapter 5: Discussion and deliberation

This chapter aims to provide the answer to the research questions raised by this study and establish a background for more elaborated further discussion on theoretical framework with respect to findings of this study.

5.1 CSR strategies of MNCs to ensure labor rights of migrant workers

In order to find out the practices of CSR by MNCs the insight look is needed into their strategies of CSR. The existence of any strategy is the precondition for practical actions. Moreover, as it was noted by Googins and Rochlin (2005), the fundamental problem with CSR practice is that companies usually do not have a CSR strategy, but rather numerous disparate CSR programs and initiatives. CSR strategy should be integrated in a corporate strategy to be effective and need to be cohesive and consistent. However, O’Brien (2001) points out that very often there is a serious misalignment between the business and CSR strategies and functions. This misalignment often results in the allocation of scarce firm’s resources to CSR programs that provide minimal benefit to the stakeholders and the business itself or can even result into decisions that can damage the firm’s reputation.

The role of CSR is vital in construction sector as the one which makes a vast contribution to the social and economic development of every country but, on the other hand, has major environmental and social impacts. In most cases of construction sector the environmental aspect of CSR is highlighted while social one is quite neglected (e.g. Othman, 2009; Mills and Glass, 2009; Zou and Couani, 2012). However, this study prevail social aspect, in particular, human and labor rights of migrant workers working at construction venues.

In the case of 2022 FIFA World Cup project there are three companies which are engaged in different stages of the infrastructure building process performing different roles and having different responsibilities. Albert Speer & Partner (AS&P) is an architecture firm responsible for designing the relative infrastructure, while Deutsche Bahn is more like supervising company of construction works
of Doha Metro and Doha Railway System, and finally, Hochtief is a construction company responsible for building all this infrastructure.

Design

At first, it is important to understand to what extent these companies should be responsible for CSR actions. Since architects are one of the main players in the construction sector the corporate social responsibility (CSR) should be pivotal for them. It was found that CSR of AS&P in the Qatar Project is limited to environmental aspect, mainly to designing sustainable and environmental friendly architectures. AS&P have just brief overview of their actions with regard to sustainable planning and design, completely missing any statement, concerning CSR towards other matters except ‘green’ aspect. However, even on this aspect company does not have any kind of sustainability report. Moreover, company is not the part of UN Global Compact initiative, which, among others, also includes principles concerning environmental responsibilities. Hence, when CSR goes beyond being ‘green’, AS&P is not concerned with other aspects of construction, such as employment of people for the project or CSR in the supply chains. Any responsibilities for ensuring the human and labor rights of migrant workers working under the FIFA World Cup project and, particularly on the construction projects designed by AS&P, are not seen by company as those under its jurisdiction.

Supervision

Deutsche Bahn AG (DB AG) with its subsidiary DB International GmbH is one more company actively working in Qatar as a part of 2022 FIFA World Cup Project. Having established a joint venture Qatar Railways Development Company (QRDC) with Qatar Railways Company (RAIL), DB is responsible for constructing Doha Metro System and Railway System in Doha. The role which is given to the company is a supervisory role, meaning controlling the construction process and dealing with a technical aspect of the construction work. Thus, considering itself as supervisor Deutsche Bahn is mostly concerned with ensuring the technical details of the project as well as its overall success. However, being a supervisor, which means a project manager, beyond ensuring technical aspect of the work, it also requires taking responsibility for the safety and health at the working spot as well as for the overall employment under the project (Safe Work, 2009).
Accordingly, if the construction work will be performed by other companies or subcontracted, DB as the supervisor has to make sure that proper working conditions are maintained at the construction venues. In its Code of Conduct DB states that they encourage their business partners to ensure human and labor rights as they do. However, how far the real actions go beyond ‘encouraging’ is not specified in details. However, since neither DB in Germany nor DB International in Qatar have not responded to any kind of inquiry from our side, it is hard to state who eventually take the responsibility for migrant workers employed under the project. However, we assume that DB is not the one, as neither in its sustainability report, nor in Code of Conduct these matters are pointed, but the importance of social standards of suppliers and their commitment to the standards adopted by DB is highlighted.

Since DB is a part of UN Global Compact, has a regular Reporting on Sustainability as well as claims its Code of Conduct, it is possible to say that overall the CSR strategy exists, but mostly concentrated on environmental aspect, since it is a transportation company and Qatar State requires following certain environmental standards. The CSR strategy with regard to employees is more like public and seems to be present just in countries where the legal system requires it to be. However, under 2022 FIFA World Cup Project and in particular Doha Metro project, DB has no developed CSR strategy when it comes to being able to ensure human and labor rights of migrant workers.

**Construction**

Finally, the real builder of 2022 FIFA World Cup Project is Hochtief AG, a multinational construction company. Construction work is an ultimate point where the direct responsibilities should be taken as here the outcome will be a finished project. The current status and performance of Hochtief CSR initiatives is quite good with a developed multiple documentation in this regard. In 2009 Hochtief, along with just 4 more construction companies, was listed by Forbes among the global 100 most sustainable corporations (Kneale, 2009).

Hochtief has three typed of Codes of Conduct such as the one for Hochtief as a corporation overall, for its business partners and the one for suppliers and subcontractors. It is also a part of UN Global Compact Initiative and was the first construction company which complied with ILO principles on labor rights protection. Since it is a construction company, besides environmental aspect a lot of emphasize is put on employment and employees working environment. As the majority of
company’s employees are actual builders working at the ground it is important to develop a strategy to ensure their rights. Generally, Hochtief has quite a good record of being responsible towards its employees. With regard to 2022 FIFA World Cup Project in Qatar, Hochtief seems to have a strategy to ensure human and labor rights of migrant workers, but the strategy is a bit inconsistent and unclear when it comes to the employees working for its subcontractors. Despite the absence of legal requirements from the Qatar State, Hochtief does plan to implement CSR according to its Codes of Conduct and other initiatives it complied with such as ILO and UN Global Compact.

Well-constructed human and labor rights strategies are always derived from Codes of Conduct and other initiatives taken by company, however for being effective and efficient they need to be consistent and transparent about the future vision. Strategy represents a long-term scope and definition of the company, but at the same time it should always stay up to date and be available for revisions and updates. However, human and labor rights are as much about strategy and methodology as it is about the realization of that strategy and, what is more important applying this strategy into real practices.

5.2 CSR practices of MNCs within their supply chains

When it comes to practices on CSR strategies within the supply chain, in another words ensuring Ethical Supply Chain Management, the perceptions and views of practitioners as well as scholars are quite divided. As it was described in theoretical framework, from the theoretical perspective ESCM is something which needs to be taken very seriously by the lead company as avoiding it may have a drastic effect on the company’s reputation and business in general. Core company does need to take responsibility over its supply chain. However, when it comes to practice, we can see that companies are creating Codes of Conduct for business partners, supplier, and sub-contractors just to be able to transfer the responsibility. As it was noted by Amaeshi et al. (2008), the responsibility of main company in its supply chain is not boundary less and there is a limit till where the responsibility of main company over its suppliers and subcontractors reaches for. However, at the same time, this helps to avoid responsibility as it is hard to define that sphere of influence and company may simply state the absence of power to influence. On another hand, statement about ESCM put firms under pressure to bear indefinite responsibilities for their wide and long supplier and subcontractors networks. However, we believe that company should take responsibilities for their contractors and
suppliers as far along the supply chain as possible and further at least try to exercise positive moral influence through Codes of Conduct, corporate culture promotion and different campaigns.

When it comes to MNCs working in Qatar Project, the responsibilities along the supply chain differ according to the role of the company in the Project. Thus, for Albert Speer and Partners, who considers purely themselves as designers, the issue of supply chain and responsibilities along it, considers as out of their competence. So, consequently there are no practices from AS&P in this regard. In the case of Deutsche Bahn, the importance of environmental standards of suppliers and their commitment to standards adopted by Deutsche Bahn is highlighted in DB sustainability report 2009 and CSR strategies. However, social standards are mentioned as well but not specified. In general, based on their Code of Conduct and Sustainability Report we can state that DB is transferring responsibilities within the supply chain on the participants of that supply chain and is not ready to be accountable for suppliers and subcontractors action and activities. Specifically, in the FIFA World Cup Project in Qatar, where DB states to have a supervisory role, there is no too much hope that actions with regard to protection of human and labor rights of the migrant workers throughout the supply chain, will be initiated and voluntary taken by DB.

The main builder in Qatar Project, Hochtif AG carries on its daily work relaying the supply chain. Here we can see supply chain from different perspectives. Firstly, we can look at it from the perspective of using subcontractors for performing some construction works, which is supply chain of construction and other services. Another way to see it is when Hochtief recruits workers from recruiting agencies in Qatar; here we have a supply chain of migrant labor which made the whole way from Bangladesh and now is employed by Hochtief. However, it is possible to view a supply chain also as a supply chain of migrant labor which is employed by the subcontractor and now is still a supply chain of labor but seen by Hochtief as a supply chain of services as they are employed by others to perform work on behalf of Hochtief. We describe this just to show different possible way of viewing supply chain in this particular Project. However, in this study we view supply chain as a supply chain of migrant labor which comes from Bangladesh and finally is directly employed by MNCs or indirectly through subcontracting.

Hochtief has Code of Conduct for Suppliers and Subcontractors which transfers the responsibilities for ensuring human and labor rights to its suppliers and subcontractors. Moreover, in the document ‘Conditions to Subcontract’ (author possession) the responsibility is totally transferred to
subcontractor as the only fully responsible party for ensuring human and labor rights of workers. However, according to ILO conventions which Hochtief complies with, Hochtief should take the responsibilities for the labor in its supply chain. When it comes to real practices, from the interview with Qatar Project manager Mr. Bert Hoekstra we came to know that Hochtief does take responsibility for workers in the supply chain just in case the subcontractors or suppliers fail to do so, however Hochtief is not officially responsible for this. Instead, Hochtief make sure to choose a proper subcontractors and suppliers which will be responsible towards their own employees. For this, before signing the contract supplier or subcontractor has to fill up the Pre-Qualification Questionnaire for Contractors, Service Providers and Suppliers and along with this provide a lot of supportive documentation. In this way, Hochtief make sure that when it comes to taking responsibility for your own employees, ensuring their human and labor rights, ‘interventions’ from the side of Hochtief will not be necessary.

On another hand, form the interviews conducted with migrant workers from Bangladesh who are direct Hochtief workers as well as workers working for Hochtief’s subcontractors, situation with regard to responsibilities throughout the supply chain can be pictured a bit in a different way. Thus, when it comes to the directly employed Hochtief’s workers situation is better in comparison to subcontractors’ workers. As an example, Hochtiefs employees are receiving comparatively better salaries paid through bank, their leaving conditions are quite good, and insurance is provided by the company. But, the situation with subcontracting is quite unsatisfactory. Even though, Mr. Hoekstra ensured us that Hochtief make sure about working and leaving conditions of migrants workers which are employed by subcontractors by sending Hochtiefs people for the check up, the interviewed migrant workers stated that their salaries are low, leaving conditions are very poor, they have to pay for food, and they have no insurance.

From the situation described above we can see that actually Hochtief has no responsibility for any other workers, except directly employed by their own. However, with this they break the commitment to ILO convention about taking responsibility for employees in the supply chain. Hence, there is no sign of Ethical Supply Chain Management when it comes to practices of Hochtief to ensure labor and human rights of the migrant workers in the supply chain. However, it is important to notice that Hochtief has done the first step towards ESCM by developing comprehensive documentation for evaluation their subcontractors, but the greater step is ahead and this is monitoring. Despite statements of Mr. Hoekstra that there is always someone from Hochtief at the
subcontractor’s contraction venue to supervise the subcontractor and its conditions of work and life, in reality, Hochtief has lack of supervision and monitoring over subcontractors actions. One more example is that Hochtief pays salaries to subcontractors but has no information what is the ultimate salary which worker receives. It is even hard to say here what can be possibly considered by Hochtief as their ‘sphere of influence’. Of course they donot have power to influence if some of the migrant workers got cheated on some stage of the supply chain, either it is in Bangladesh or already in Qatar, which is reasonable and was also pointed by Mr. Hoekstra. However, in the case of the first range supplier or even further, it is Hochtief’s responsibility to ensure supplier’s commitment towards wages, accommodation, work conditions, health and safety, freedom of associations, or take their own responsibility if there are any failures. But, in order to be able to find those failures, taught monitoring procedure in needed.

As it was noted by Spence and Bourlakis (2009), supply chain responsibilities is consideration and response to issues which goes beyond economic, legal and technical requirements. Moreover, if we say that the responsibilities that company has for its suppliers and subcontractors are limited (Hall, 2000) we have to remember that at the very end any inappropriate social activities along the supply chain will be associated with the core company (Frenkel and Kim, 2004). According to our theoretical framework, the consequences for the lead company of not practicing ESCM could affect its reputation and, eventually could influence the share price on the stock exchange. However, once not practicing ESCM, but just making it a part of company’s official documentation, might reduce risk of damaging reputation and share value. However, in the long-run perspective avoiding talking responsibility for the supply chain might become a threat for business sustainability.

5.3 Root of the problems for ensuring labor rights in the 2022 FIFA Project

2022 FIFA World Cup Project in Qatar encompasses lots of actors: along with the multinational construction companies (MNCs) and migrant workers; the other important actors are: the Qatari government delegates who create the law and constitution of Qatar, FIFA; different International Organizations (e.g. UN Global Compact, ILO, BWI, ITUC, and International NGOs); different recruiting parties involved in the supply chain of migrant workers from Bangladesh to Qatar (e.g. Qatari employers/recruiting agents/sponsors, overseas Bangladeshi middle-men in Qatar,
Bangladeshi recruiting agencies and their subagents); Bangladeshi government institutes and governing bodies and Bangladeshi NGOs and human right activists. The problems for ensuring labor rights are rooted in the chain reaction of different actors, which will be further discussed in details.

Figure 12: Actors of the 2022 FIFA World Cup Project in Qatar (authors’ own creation)

Multinational Companies (MNCs) of the Project

While answering the first two research questions it was described that the MNCs who are working in this Project as architecture - Albert Speer & Partner considers that CSR for human and labor rights practice is out of their scope. Deutsche Bahn International, who acts as a supervisor for Doha Metro and railways system, strategically acknowledge their concern in this matter in their code of conduct. However, at the same time they define their responsibilities as “within the sphere of their influence”, which give the relaxing stand point for their contractors/subcontractors with the violation of labor rights. Moreover, they assure to operate complying with the legislation of the country of operation. Since, Qatar imposes less restrictive labor legislation MNCs could find the loopholes of being opportunist and get economic benefit by exploiting the migrant labors.

In the case of Hochtief AG, the builder and multinational constructor for the Project infrastructure, by signing and oblige to following ILO standards and UN Global Compact principles they committed to ensure human and labor rights of the migrant workers throughout the supply chain. Though, having very detailed and comprehensive description of promises for protecting human and labor rights in their “Code of Conduct for Suppliers and Subcontractors”, they shows their responsibilities not only towards their own workers but also for the contractors/subcontractors workers working
under their (Hochtief’s) supervision. On the other hand, in the official document of “The Condition to Subcontract” (authors possession), states that Hochtief is not responsible for any of their subcontractors actions in any possible way, which means they are not responsible for the workers of the subcontractors. Moreover, what makes situation even more unclear is that, during the interview Mr. Hoekstra said Hochtief do take responsibility for employees working under subcontractors but just in case they see that subcontractors fail to take responsibility. The explanation for this could be having a Code of Conduct for Suppliers and Subcontractors and special procedures of choosing subcontractors allow Hochtief to be almost absolutely sure that additional actions from Hochtief will be not needed. However, at the same time it brings the inconsistency in the CSR strategy and practice. Additionally, according to them all of their actions conform within the framework of legislative system of any country of operation. So, by operating in the state of Qatar where regulations about labor rights is not strongly enforce by law Hochtief can take autonomous choice in the case of ensuring human and labor rights.

**Bangladeshi migrant workers**

Bangladesh is an over populated third world country with a burden of huge surplus of labor. It is one of the biggest exporters of human resources to the Gulf Cooperation Council (GCC) countries. The 2022 FIFA Project in Qatar creates hope for them to come to Qatar and get a temporary job, a lot of migrant workers already started working for the Project and a lot are on their way to join in the battle. These workers are mostly unskilled or semiskilled and poor, insisted to go abroad for getting economic solvency and free from get rid of redundancy. Some of them are habitat of backward area and not well educated so they face constrain of lack of information and biased information, by this way easily humiliated by the opportunistic groups.

**FIFA, the organizer of the World Cup football tournament**

FIFA while cooperating with ILO, addressing their CSR strategy for “Society” along with planet, people, games and events takes strong stand points on the elimination of Child Labor. However, though having Code of Conduct and Code of Ethic, human and labor right aspects of CSR have never been discussed by them. Moreover, they are accused by the media for taking alleged bribes and help Qatar to win the right to host 2022 World Cup despite the whole world community’ concern about human and labor rights of workers in Qatar.
The Qatari government

Qatar is a rich country and one of the biggest oil exporters of the world, ruled by the monarch with a totalitarian system. As it was pointed by Mr. Hoekstara, one of the biggest problems for smooth business operation in Qatar is that all decision in the country are made by only few people (emirs). Also, ‘Sharia’ or Islamic laws are applied for inhabitant. When it comes to the labor law, it imposes multiple restrictions and complications on workers. The ‘Kafala’ system or ‘sponsorship system’, ‘exit visa’ requirements for leaving the country, the practice of holding workers travel and work documents by the sponsors of employees limits workers ability to change their work or depart from the country. Moreover, unspecific minimum wages allow the MNCs to set wages by themselves, trade union are not allowed, freedom of association, collective bargaining, right to strike are prohibited. In addition, international organizations and NGOs cannot protest in case of violation of human and labor rights for the restriction in freedom of speech.

International Organizations (UN Global Compact, ILO, BWI, ITUC, and International NGOs)

UN Global Compact has two basic principles of human rights and three in the area of labor rights, which together with other principles provide frameworks of CSR to drive businesses for becoming good corporate citizens. However, they are not substitute of legal body and do not have mechanisms for monitoring companies. So, at the very end multinationals are solely responsible for implementing these principles without being directly controlled. According to International Labor Organization (ILO) convention there are different standards for promoting and protecting human and labor rights, however Qatar did not ratified any of them to ensure basic labor rights and ILO does not have mandate to make obligation.

Building and Wood Workers’ International (BWI) works on the promotion and development of trade unions in building and wood sectors all over the world and endorses workers’ rights for sustainable development. However, Qatar does not allow forming trade union, so BWI can not actively participate as a watchdog to ensure labor rights due to lack of information and access. The International Trade Union Confederation (ITUC) is the main international trade union works for the interest of the working people worldwide. ITUC is the most active organization about the migrant workers’ rights in Qatar for 2022 FIFA Project by creating public awareness through global press conference, campaign, discussion and influencing the Qatari authorities to give the right for
establishing trade unions. The other international NGOs, for example- Amnesty International, Human Rights Watch, The International Federation for Human Rights, etc. have lot of scope to advocate and protest for protecting migrant workers and their rights for the FIFA Project in Qatar, however, except Amnesty International, others seems not very active yet, though currently highlighting these matters in front of media.

**Recruiting parties from Bangladesh to Qatar**

Migrant workers, who come from Bangladesh to Qatar for temporary works, use a variety of recruitment channels and also different recruiting parties are involved in the supply chain. ‘Social networks’ of the migrant workers are one of the main channels. Other private parties in the recruitment process includes Bangladeshi recruiting agencies and their subagents, Bangladeshi middle-men in Qatar and Qatari employers/recruiting agents/sponsors.

Bangladeshi recruiting agencies find the vacancy notice from the overseas Bangladeshi middle-men who works in different organizations in Qatar, sometimes they also get information from the website of the Bureau of manpower, Employment and Training (BMET), and then they collect prospective workers through their subagents all over the country. These recruiting agencies along with their subagents take unreasonable amount of money from the potential migrants, sometimes take bribe to give work permit and visa documents, sometimes provide fake documents or contract papers.

Bangladeshi middle-men in Qatar are the unofficial person in the chain of recruitment who finds the sponsors/recruiters/employers in Qatar and buy the work permits from them in a negotiable price then sell it to the recruitment agencies of Bangladesh, or sometimes directly sell it to the prospective migrant workers. As they are not any legal entity they can engage in any unfair practice and can sell the work permit at an extremely high price, can provide fake contract papers where inconsistency found between the promised wages and work condition and the actual situation.

Qatari employers/recruiting agents/sponsors sometimes employ workers for them or sometimes supply workers to the direct employers, who are subcontractors/MNCs based on their demand. Instead of contacting Bangladeshi recruiting agencies they sell the work permits to the middle-men, these work permits are issued by the Ministry of Labor (MOL) which they got by applying against
the vacant positions and the workers need this sponsorship/work permit documents to get ‘sponsor visa’ from Ministry of Interior (MOI) in Qatar.

Qatari government are not issuing ‘work permit visa’ for the unskilled and semi-skilled Bangladeshi migrant labor science 2008, but only for the skilled workers recruited as expatriate executives. So, migrant workers mostly getting ‘sponsor visas’ by the help of their social networks, Bangladeshi middle-men in Qatar or Bangladeshi recruiting agencies. The more intermediate parties are involved in this process the more is the migration cost. Generally, the total cost of migration (the cost of ‘sponsor visas’ and other official or unofficial expenses) has to be borne by the migrant. As their economic condition is at the subsistence level, they had to borrow money from others to facilitate their migration which requires several years to earn the money and pay back the debt. By this way they start their working life in Qatar from minus economic level instead of zero level.

Ideally, the employer need to pay the service charge to the Bangladeshi recruiting agents for helping them conducting recruiting procedure. However, in reality due to the huge supply of migrant labor from different third world countries and suffering non-competitiveness for being unskilled labor in the competitive global market, instead of getting paid by the Qatari employer/agencies/sponsors Bangladeshi recruiting agencies had to offer alleged bribe to get the work permit or sponsorship paper from them. Moreover, while the middle-men are negotiating about the price for the work permit with the Qatari employer/sponsor they are bidding best price for the work permit and agreeing lowest salary scale for the workers. By this way, compromising at each stages Bangladeshi migrant workers become one of the cheapest labor force of the world.

**Bangladeshi government institutes and governing**

Bangladesh government view this migrant workers as a means of earning remittance, as remittances have major development impact on the economy of Bangladesh, because it is one of the main sources of foreign currency earning. Even though, government pays more attention to market expansion by increasing overseas employment opportunities and the ways of increasing remittance earning, less focus is given on protection of the rights of the migrant workers. Problems faced by the migrant workers in the supply chain start from Bangladesh with the initial level of the migration process. Bangladesh mission in overseas needs to examine the authenticity of the demand notes issued by the
foreign employers of foreign agencies, but some of the labor attaches and other officials in the foreign missions are engaged in misconduct with the recruiting agencies in Bangladesh.

The Bureau of Manpower, Employment and Training (BMET) is the implementing body of the ministry of expatriate welfare and overseas employment (MEWOE). Bangladeshi private recruiting agencies need to take permission from BMET before sending workers abroad. Technically, the recruiting agencies are supposed to recruit by searching the job-seeker data base of BMET, however in practice the agencies recruit the workers by the help of subagents, and then later enter the prospective workers names into the BMET database. Before departing for overseas migrant workers need to register and get a clearance certificate form BMET. However, sometimes recruiting agencies or subagents get this kind of certificate for the workers by offering alleged bribes to the desk officer of BMET. In addition, Bangladesh Association of International Recruiting Agencies (BAIRA) has the member of 853 recruiting agencies (BMET n.d.) responsible for sending human resources abroad are not raising their voice against the recruiting agencies who are engaged in unethical practices.

**Bangladeshi NGOs and human right activists**

Bangladeshi NGOs, advocacy and research organizations are mostly working in the field of promoting migration, researching on impact of migration for development of economy, the ways of enhancing remittances income and providing advocacy and humanitarian, psychosocial and economic services. However, very few NGOs are working with pro-migrant issues like migrant workers’ human and labor rights.

To conclude this chapter, it can be stated that in the global age when unlimited actors are engaged into business, the problems can be arisen from everywhere and anywhere. For this reason, it is quite impossible for one actor to solve these problems, since they are the outcome of the chain reaction of different parties’ actions. Even if the MNCs have CSR strategies for ensuring human and labor rights, while practicing through the supply chain they demolish by themselves. Sometimes it happens due to the MNCs standpoint of ignoring their strategies and concentrating on earning boundless profit by taking the opportunity of loose legislative system, or sometimes due to the unethical actions of other actors.
Chapter 6: Theoretical reasoning

This chapter aims to provide an elaborated discussion on theoretical reasoning of empirical findings of this study. Through raising questions and providing answers we would like to revise the theoretical framework of this study, while also provide our own input into it.

6.1 Is making money the first priority?

According to Adam Smith (1776), ‘maximizing shareholders value’ and acting for ‘self interest’ is business main responsibility as an economic institute in the free market economy. Milton Friedman the creator of ‘Shareholder theory’ is the paramount representative of this neoclassical economists’ states that, the main “social responsibility” of the corporations executives is to maximize corporations profit (Friedman, 1970). These ‘fundamentalist’ viewers consider that corporations can earn as much profit as they want till the time they compliance with the law of the country where they operate. Now the question come: to what extent the corporations will consider maximizing profit as well as ensuring and protecting human and labor rights when the state does not impose strong legal obligations on them?

From the studied case of 2022 FIFA World Cup Project the MNCs, for example Albert Speer & Partner (AS&P), Deutsche Bahn International and Hochtief AG are practicing their CSR policy by complying with the legislative system of Qatar. However, the dilemma is, Qatar does not impose strong legislation for human and labor rights. So, even if the MNCs have well described strategy for ensuring labor rights, they get waver in practicing. As it has been already mentioned that, in Qatar MNCs can set minimum wages on their own, since this matter is not specified by the State. Moreover, workers cannot protest in the case of low wages payment, or any kind of dissatisfaction as trade unions, collective bargaining and freedom of choice are legally forbidden. In this situation, if the wages are established by the laws of supply and demand like prices for other commodities, based on Adam Smith’s capitalist concept of fair price on labor in the perfect competition market (Fairlamb, 1996), it is possible that there would be systematic undervaluation of labor as the supply of unskilled labor from different third world country is enormous, which creates ‘unequal playing field’ in favor of MNCs and against wages of labor. For example, in this case the workers working in
the Projects earn on average US $330 (1200 QR) per month while working 10 hours per day and with only 2 days off per month. Moreover, providing appropriate working condition only for the sake of increasing productivity, in Mr. Hoekstra’s words “which will bring us profit at the end”, reflects the view of considering workers only as a factors of production, whereas corporations have the responsibility to consider them as human resources with lot of potential and need to protect their basic rights.

However, Friedman (1970) also states that corporations need to behave in a ‘socially responsible’ way, providing that these ways of behaving do not harm their profitability. Furthermore, these neo-classical economists give an ethical utilitarian justification for the free market economy by stating that it is the efficient means of maximize utility. As the efficient corporation aim to maximize its outputs (profit) by minimizing its input (loss) through choosing among the best consequences of market exchange that contribute to the well-being of the ‘society’ at the least cost (Scherer and Palazzo, 2008). Nevertheless, they do not clarify what they mean by ‘society’, does it mean the broader society where all of us belong to, or is it just the ‘society’ of those group of people constitutes only by the business persons who share common interest (Marx and Engels, 1970). On the other hand, money making or maximizing profit/benefit through maximizing utility only for the interested group (business men) can be a short-term strategy of business. As business is a part of society, in a long run it needs to act for the development of the broader society.

Human responsibilities to one another are mediated through profit (Marx, 1976). So, profit can be viewed as an economic mean of delivering social progress through paying wages to the workers which increase their living standard, taxes to the government which uses for the welfare of the society (Stiglitz, 2006). David (1967) distinguishes two types of ‘social responsibilities’ of corporations. This general economic welfare for social development known as ‘socio-economic responsibility’ and the second is known as ‘human responsibility’ for preserving and developing human value (p. 47). However, Visser (2008) indicates that ‘socio-economic responsibility’ has two faces, which are economic contribution on one side and economic dependence on the other side (p. 490).

In the studied case of 2022 FIFA Project, MNCs are contributing to the ‘socio-economic development’ of the developing countries, as they are creating employment for the migrant workers who were comparatively economically vulnerable condition when they were in their home country
due to unemployment and poverty. Whatever wages they are getting while working in Qatar, they are sending these remittances to Bangladesh and directly contributing to the macro level economic development through enhancing the foreign currency reserve of the country. However, along with this positive effect the indirect contribution of MNCs create economic dependency for the economies of third world countries. In the case of ‘human responsibility’ the business can play a crucial role by providing equal opportunities, environmental sustainability, training and occupational health and safety for labor, and eliminating human rights abuse. By this way, through their ‘social responsibility’ business can contribute to the social and human development and CSR can be seen as “a bridge connecting arenas of business and development” (Hanlon, 2008:166). However, another dilemma comes out when in the global business unlimited interests groups or actors are involved in the supply chain which makes things more complicated, as it requires the MNCs to be more conscious in implementing CSR strategy throughout the multi-stakeholders supply chain where corporations have broader set of responsibility towards society.

6.2 Should the migrant workers be considered as stakeholders?

In the global arena CSR considers that corporation has a wide constituency to serve, these community includes stakeholders ranging from its immediate stakeholders - including shareholders or owners, customers, suppliers, employees, other members, to indirect stakeholders: NGOs, media, social activates, communities, governments, and other institutional forces (Melé, 2008). According to Freeman (1984) stakeholders are those groups which are either crucial for firm’s survival and success or can effect/be effected be the firm. If we look at 2022 FIFA World Cup Project from the perspective of being an MNC there might be such stakeholders as FIFA, Qatari government, suppliers and subcontractors, which are crucial for MNCs operation and participation in the Project. Also, into this category we can count different international organizations (e.g. ITUC, BWI, ILO), however, by the MNCs they might be seen as interested parties (Garve and Johansson, 2010) rather than direct stakeholders. They are neither crucial for their operation possibility, nor have too much direct power to influence their activities and are not influenced by MNCs activities in any possible way. However, they can influence the MNCs indirectly, sometimes vastly while bringing the pitfalls
and injustice done by MNCs in front of media and press. That could affect the MCNs repetition and the share price.

If we take the case of employees of the MNCs we have a few aspects to look at. First of all, such employees as engineers, managers and other top personal with a very special knowledge are crucial for firm’s work and are definitely seen as important stakeholders by the MNCs. As in the case of Qatar Project, since MNCs considered in this study are German background, employees are the part of labor associations and unions which stands for them and their human and labor rights and give them the “power of voice” in case of violations. The rights of these employees are normally taking into account by the MNCs and they are the part of ‘stakeholder dialogue’ (Pedersen, 2005) which means are considered by firm under the decision making processes. However, in FIFA Project in Qatar the part of those ‘top’ firm’s employees is not as big as the ground level workers. They comprise the majority of MNCs employees and perform actual construction works. In this Project they are migrant workers from different third world countries who came to Qatar with the hope to earn some money and help their families back home. These workers are stakeholders of the MNCs, but do they see them as such? Probably not in practice! Newell (2005) refers to such group of stakeholders as ‘poor’, in another words not legitimate one which are not considered by company in its decision-making process and are not a part of ‘stakeholder dialogue’. On another hand, Garvare and Johansson (2010) present an argument which can serve as good excuse here saying that there is a type of stakeholders named ‘latent’ which are simply unknown by business, hence cannot be considered as stakeholders. So, the question here is are those migrants workers ‘latent’ or simply not legitimate stakeholders. This question is particularly pressing when it comes to the supply chain of MNCs, their suppliers and subcontractors.

The analysis could be done on the example of Hochtief AG, German Construction Company, since in the case of Hochtief sufficient amount of information was received to be able to draw some conclusions. So, from the facts stated in the Hochtief’s “Code of Conduct for Suppliers and Subcontractors” we can see that company does care about how its suppliers and subcontractors ensure, among others, human and labor rights of their workers. In this way, Hochtief perceives them as indirect stakeholders and definitely not a “latent” (unknown) one. At the same time, in accordance with ILO conventions, which Hochtief complied with, Hochtief should be responsible for the workers along the supply chain which also means that they should be seen as stakeholders by the main company. Hochtief has Code of Conduct, where they state the responsibilities about workers
directly employed by them and also by the subcontractors. In contrast, in the document “Conditions to Subcontract” (authors possession), it is stated that subcontractors solely are responsible for their workers. Another document is “The Pre-Qualification Questionnaire for Contractors, Service Providers and Supplier” (authors’ possession), with which Hochtief makes sure that subcontractors and suppliers are responsible for their own workers. From all stated above, without considering who takes responsibility for workers, one is indeed true that Hochtief is aware of the existence of those group of stakeholders, otherwise no documentation will be developed with regard to them. Hence, from the discussion above we can say that, even though business is aware of the existence of such a stakeholder group as ground level workers, in our case they are migrant workers, it does not see them as a legitimate one and as such whose interests should be taken into account while making decisions. The reason for this could be that they do not have any power to influence the business.

Described above situation refers to the case when we have a supply chain and subcontractors are involved. However, when it comes to the workers employed by the company directly, they do take care and responsibility for their own employees not to get some benefits by doing this but at least not to create loses. Because, the record of fatal accidents at the working place have direct negative influence of the share value of the company. Since, Hochtief is one of the biggest in the world multinational construction companies it is obviously present on the stock exchange. For the company like this any ‘bad’ or ‘inconvenient’ news can have a drastic effect and resulted in shares value dropping.

The stakeholder theory is an ethical theory which is based on Kantian approach to ethics (Melé, 2008) the motive behind any action should be “good” and even the result turns to be “bad”, overall behavior counts as ethical due to ethical motives of actions. However, on the example of a studied case of 2022 FIFA World Cup we can see that MNCs approach their stakeholders from the utilitarian perspective on ethics, being concerned with the good results but motives behind the actions are usually not ethical at all, but rather based on getting economic benefits.

6.3 Is this all about ethics?

From the above discussion we could see that ‘Shareholder theory’ of Friedman (1962) and ‘Stakeholder theory’ (Freeman, 2003) are two extreme concepts. ‘Shareholder theory’ states any
CSR activities should be seen as a way to maximize profit, while ‘Stakeholder theory’ explains the company’s ethical intrinsic drives for CSR activities. Whereas, the ‘Three domain approach’ Shwartz and Carroll, (2003) considers all three responsibilities, namely economic, legal, and ethical, and suggesting that none of them is more significant relative to others. However, in explaining corporate social behavior of the organization the main focus usually goes to external influences, rather than internal motivations (Starik and Marcus, 2000). A firm’s CSR strategy is constructed in response to the intensity and coherence of external influences it face. In that case, applying Shwartz and Carroll’s (2003) ‘Three domain approach’ of CSR in the mentioned empirical situation of 2022 FIFA World Cup Projects, we can see that here the legal domain is weak, as the Qatar authority do not practice strict legitimacy, which gives MNCs the possibility to benefit from the loopholes, and creates less stringent environment, weak employee welfare and human right abuse. In the majority of the emergent and developing countries regulations on safety and health at work, trade union activities, freedom of association and environmental protection are absent or unknown (Waddock et al., 2002; Khan et al., 2010; Connell and Burgess, 2009), which is also the case in Qatar.

Shwartz and Carroll’s (2003) ‘Three domain approach’ is defined as an ‘opportunity compliance’ under legal domain, where a corporation takes the advantage of the weak legal system. Thus, despite the acknowledged importance of the organization’s to be socially constructed and act in accordance with shared perceptions, the absence of legal domain could undermine the desire to do so. Here, Freeman (1984) ‘stakeholder theory’ yields interesting insights revealing its ethical superiority towards the ‘shareholder theory’ (Friedman, 1962), as it also takes stakeholder rights and their interests into account. The migrant workers are perhaps the most important value relevant stakeholders, since they are the ones who create value through their works. However, crucial issue is how to align migrant labor’s interest with shareholder value maximization, especially when there are no legal obligations to execute CSR labor-friendly policies and programs (Faleye and Trahan, 2011), as in the case of Qatar.

Albert Speer & Partner (AS&P): Considering the ‘Three-domain approach’ of Shwartz and Carroll (2003) with regard to economic, legal and ethical responsibilities of the company, where all three of them are seen as equally important. However, for AS&P economic responsibilities are possibly at the top, since reputation of putting sustainable planning and design as the priority, can be seen as a valuable intangible asset of the business.
Deutsche Bahn International (DB): With regard to human and labor rights DB refers to legal aspect as the one which they will follow in any country of operation. Here, there is a direct indication on legal aspect of Shwartz and Carroll (2003) ‘Venn diagram’. However, what will happen if the legislation is weak in this regard? Since DB is a part of UN Global Compact, has a regular Reporting on Sustainability as well as claims its Code of Conduct, it is possible to say that overall the CSR strategy exists; with regard to employees it seems to be present just in countries where the legal system requires.

Hochtief AG: As the majority of migrant workers in Hochtief are actual builders working at the ground, it is important to develop a strategy to ensure their rights. Overall, Hochtief has quite a good record of being responsible towards its employees. However, if we consider Shwartz and Carroll (2003) ‘Venn diagram’, this is just for the sake of economic benefits, and to be even more precise, for not going into losses. Since, it was explained by Hochtief Qatar Project manager Mr. Bert Hoekstra, the construction company which is present on the major stock exchange market of the world cannot be irresponsible in respect to its employees.

According to Schwartz and Carroll (2003), CSR is composed of the three intersecting overlapping circles of economic, legal and ethical responsibility including all the seven inner sections, suggesting that each one of them represents instances of CSR (Geva, 2008:18). Thus, the application of the Venn model to CSR only considers a particular category and undermines its overall encompassing orientation. This model discusses the situation which shows commitment to multiple contradicting objectives (like, economic/ethics, legal/ethics) at a time, then how are the different corporate responsibilities to be reconciled in cases of conflict? (Geva, 2008:20) In this situation the role of the manager is reactively resolve existing conflicts rather taking proactive actions. Moreover, the middle space of this model, when the economic, legal, and ethical part overlaps, has been considered as the ideal situation of CSR. However, Schwartz and Carroll (2003) do not describe whether the model will be still applicable in the situation when one domain (in our case legal) is missing?

Considering the overall condition and the CSR strategies and practices by the MNCs of 2022 FIFA World Cup Project, where the legal responsibility is weak, Shwartz and Carroll (2003) ‘Three-domain model’ of Venn-diagram which recognizes the interrelationship among different domains through overlapping intersecting circles of three CSR responsibilities (economic, legal, and ethical) cannot capture the whole picture. Thus, we are presenting “Euler diagram of CSR” as an alternative.
approach to CSR ‘Three-domain model’. The Euler diagram is closely related with Venn diagram, though it is more flexible. Venn diagram must contain all the possible areas of overlapping circles which represent the conjunction and disjunction of its different categories; however, in Euler diagram it could be possible that some zones are missing (Sandifer, 2003). It is worth to mention here that the structure of “Euler diagram of CSR” is the opposite to “Venn diagram of CSR”. It represents additional relation or interdependency with one another, rather than tension of mutually exclusive domains.

Additionally, in the “Euler diagram” every part of the inner circle is a part of outer circle, but not vice versa. Like, economic is a part of legal, legal is a part of ethics. Since, legal activities are definitely considered as ethical, but ethical consideration is broader than ‘codified ethics’ that means law. So legal responsibilities are part of ethical responsibilities and it consequently brings economic benefit. Again, economic activities by avoiding legal responsibilities and engaging in to unethical business represent a ridicules notion of CSR. Doing business by avoiding legitimacy bring chance of being accused and loose reputation. That is why economic responsibility needs to be accomplished with following legal requirements. However, considering economic benefit solely and avoiding ethical consideration cannot bring sustainability. Moreover motive of being ethical brings direct and indirect economic benefits, so economic responsibility is a part of ethical responsibility⁹.

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⁹Assuming that, there is a positive correlation between ethical/social concerns of CSR with corporations’ financial performance (Roman et al., 1999; McWilliams and Siegel, 2000; Beurdenm and Gössling, 2008; Waddock and Graves, 1997), though such a correlation is difficult to measure (Griffin, 2000; Rowley and Berman, 2000).
In the ‘Three-domain model’ different responsibilities are in dynamic interplay with each other, and all of the domains are mutually exclusive. However, business organizations are part of society and their existence depends on the willingness and needs of the society. In other words, society is supporting them to carry on their business, so social or ethical responsibility of the business is more important than its economic undertaking. On the other hand, driving force of any business is profit, so the inner circle starts with economic responsibility of CSR. It includes the basic responsibility of the efficient execution of economic function through supplying products, services, selling them at a fair price, job creation, decent working condition and wages, tax revenue payments, and so on. By this way, the wealth is created not solely for the self-interest of the business entity, but for the socio-economic development of the society. Moreover, for consistent wealth creation for the society business needs to put exclusive focus on the bottom line and treat the humanity with dignity and respect, instead of exploiting them for its own interest.

The intermediate circle is the legal responsibility. In the developed countries this circle has a strong position and provides guideline for business conduct. However, in the countries where the legal control over corporation is ineffective, then this circle is inactive. In the absence of legal threat company’s behavior represents the legal responsibility; they can act in the legally responsible way for the obligation towards social wellbeing.

The outer circle is the biggest circle and can be viewed as ethical circle which encompasses the responsibility of the management to find out the ethical standards to ensure the stakeholders rights and social welfare. When corporations are promoting the common good for the society from their sensitive awareness or moral drive to address the social value, then the society will consider their motive by supporting their business. This will allow business to earn profit, which will act as an incentive for improvement of workers quality of life, environmental sustainability and human development. Profit is ethical as long as business acknowledges the social responsibility.

As the end point of this discussion we can say that, CSR is not the trade-off between different responsibilities, rather it is a combined system of interrelated responsibilities mutually interdependent on each other. Here, in the Euler diagram the values of the whole circle including three responsibilities are greater than the sum of the parts of responsibilities described in the Venn diagram. For example, fulfillment of economic responsibilities by the MNCs brings sustainability and reputation for them as well as creates jobs and good wages for the workers. This way of doing
business contributes to the society and the fair pay of labor is the fulfillment of legal responsibilities even if it is not enforced by the law. Thus, all these together servers the ethical purpose and enhance justice. As a result, CSR responsibilities create an enhanced combined effect for the society.

In this Euler model, the outer circle to inward reflects the sustainable business activities, and from the inner circle towards outer represents the internalization of social norms. These three dimensions of the Euler diagram go as outside and inside cycles. However, Geva (2008) also mentioned a similar kind of model known as “Concentric Circle”, which was developed by the Committee for Economic Development (CED), where ‘economic responsibility’ is considered as a core responsibility. It differs with our “Euler diagram of CSR” in the way that in Euler diagram ethical responsibility is considered as the base, since without having good motive legal responsibility can be either avoided or used in an opportunistic way of self-interested economic gain.

**Limitation of Euler model**

This proposition is not a solution to the problem of contradiction with CSR responsibilities which exist in reality; rather it aims to continue ongoing discussion; as these problems can never be fully resolved due to the lack of paradigm for the business and social fields. It is just a try to analyze a case study to judge ethical and/or unethical basis of actions from a particular viewpoint, with an aim to show how the CSR ought to consider ethical issues. Although ethic is one way of examining CSR, it has its own limitation as it closes down the social and political nature of organizations which are embedded in their practice. However, these “practices shapes the ethics not the vice versa” (Hanlon, 2008:158).
Chapter 7: Conclusion

The European Commission (2011) defines CSR as “the responsibility of enterprises for their impacts on society” (p.6). The prerequisite for meeting that responsibility is respect for applicable legislation and existence of collective agreements between social partners. Enterprises should have absorbed social, environmental, ethical, human rights and consumer concerns into their business operations and core strategy in close collaboration with their stakeholders to fully meet their CSR (European Commission, 2011). In this scenario, with the emergence of MNCs new responsibilities towards society, focus of CSR goes beyond the environmental and social concerns and includes human and labor rights issues (Mikael, 1999). To prove they are socially responsible companies, the MNC need to show respect to the basic international human and labor rights standard. Thus, increasing numbers of MNCs are committing to the UN Global Compact and promising to comply with ILO principles. In this way, they address human and labor rights in their corporate Code of Conducts and corporate strategies ‘upstream’ as a basis for CSR strategy and ‘downstream’ as a resource for CSR practice (Christopher, 2000). However, over the last decades the cases of abuse of labor rights by the MNCs are still remaining quite frequent. Moreover, some MNCs do not practice CSR on labor rights in reality and only refer to them in their Code of Conducts or corporate strategies only because they want to protect themselves from embarrassment in front of media, human rights organizations and international NGOs (Lozano and Prandi, 2005).

In the studied case of the 2022 FIFA World Cup Project in Qatar three MNCs are involved. An architecture firm Albert Speer & Partner (AS&P) does not have Corporate Social Responsibility (CSR) strategies for ensuring labor rights of migrant workers, who are working on the construction venues. On the other hand, Deutsche Bahn International has signed UN Global Compact and they claim in their Code of Conduct that they care about ensuring human and labor rights and also encourage their partners’ to do so. However, it is not clear how they practice human and labor rights of migrant workers working in the project of Doha Metro, where DB acts as a supervisor, since the process is not specified in their sustainability report and any other kind of official documentation available.

Hochtief AG, the main constructor of the 2022 FIFA World Cup Project, was the first construction company in the world who signed the ‘Global Company Agreement’ with Building and Wood
Workers International (BWI) and also signed the commitment letter with UN Global Compact initiative. Moreover, it committed to comply with the core ILO convention on human and workers’ rights, with this taking the responsibilities for ensuring the labor rights throughout their supply chain along with the contractors/subcontractors.

However, when it comes to the question about practicing CSR strategies for ensuring migrant workers labor rights some inconsistency about taking responsibility can be found. For example, in Hochtief’s ‘Code of Conduct for Suppliers and Subcontractors’ they partly transfer these responsibilities to the suppliers and subcontractors in the ‘Condition to Subcontract’ they totally transfer the responsibilities to subcontractors and they want to ensure that subcontractors will be responsible by evaluating them through the ‘Pre-Qualifications Questionnaire for Contractors, Subcontractors and Suppliers’. Moreover, Mr. Bert Hoekstra states that Hochtief shares responsibility for the workers in the supply chain just in the case subcontractors fail to do so. Additionally, supervision and monitoring of subcontractors actions are not very effective, as the findings indicate that living and working conditions, wages, health and safety of migrant workers who are directly employed by Hochtief are comparatively better than the workers working in subcontractors firms (see appendix 4). So, it can be stated that by not taking responsibility for the workers of the subcontractors in the supply chain, Hochtief breaks the commitment made by signing the ILO convention. Nevertheless, MNCs assure that they practice their CSR policies concerning labor rights, by complying with the legislative system of the country where they are operating. As Qatar imposes less restrictive labor legislation, the MNCs can exploit the loopholes and can make an autonomous choice to act in an opportunistic way for becoming economically benefited by exploiting migrant labor force.

In the global age, MNCs are engaged in the business where the supply chain spreads worldwide and unlimited actors are participating in the business, some of whom are legitimate stakeholders, and some might be latent actors as seen by the MNCs. So, while practicing CSR for labor rights through the supply chain, problems can arise from the direct and indirect actions of all parties involved in the supply chain. Therefore, when the legislative system of the country does not threat the companies to follow the law, even if the MNCs have well defined CSR strategies for the labor rights protection of the migrant workers will be unlikely practiced voluntary. By using a metaphor of a ‘big ball’ for the CSR strategies, we could see that the ‘ball’ becomes smaller and ‘disfigured’ when it starts rolling along the supply chain, and at ‘the bottom it just vanishes by itself’. This is because MNCs may have
weak monitoring and supervisory systems to manage the ethical supply chain, or they are simply not morally motivated to do so. Sometimes, it can be also due to the unethical actions of other actors involved in the supply chain. For example, governments have the tendency to see the migrant workers as commodities. The labor receiving countries government exploits the cheap labor for the economic benefits and the sending countries government uses them as the mean of foreign currency earnings. Thus, the governments act in favor of the MNCs and ignore the wellbeing or protection of human and labor rights of the workers. Therefore the abuse, and discrimination faced by migrant workers are rooted in the absence of a comprehensive legal protection for migrant workers who are often treated as a temporary cheap commodity by the MNCs, as well as by the sending countries’ governments to meet the development needs (Caram Asia, n.d.).

Due to the duel effect of migration, globalization can be seen as a crystal ball which reflects different colors, and how we see it is the matter of angle we chose to look from. It can be seen as a concept of peaceful unity. Conversely, it can be viewed as scattered spiky and low grounds. No matter how scholars characterize globalization and its impacts, it is true that it is the consequence of advanced communication, enhanced trade and capital flows, fast development of technology, and increased human mobility. A famous sociologist commentator on globalization, Roland Robertson has expressed the opinion that “globalization refers both to the compression of the world and the intensification of consciousness of the world as a whole” (Robertson, 1992: 8). Peter Stalker (2000) described that globalization concept is expressed in both descriptive and prescriptive ways. According to the descriptive concept of globalization the world becomes more bound up by the enormous flows of trade and finance, whereas the prescriptive concepts indicate 'how the world ought to be' tied up to bring social development for the sake of everyone's interest (p. 3).

Globalization facilitates the international flows of people. The large numbers of people, especially from the developing countries are migrating temporarily for employment to the developed countries. Free trade provokes more migrants from poor countries, as in the short term MNCs are exploiting them by giving lax wages (Scherer and Smid, 2000). On the other hand, in the long term migration can have more positive effect if the underdeveloped countries can restructure their economies by making better use of their labor force through free trade, which can create a broader development path (Stalker, 2000:57). According to Fields (2012), MNCs make any kind of decisions, from hiring workers, paying wages, training, and human resource management practices, which will bring them profit. Prahalad, et al., (2007) added, "without a clear pathway to profit, private investors are not
normally motivated to meet the poor's basic needs" (p.5). However, there are still a few companies who operate primarily to help workers to lead a better live. They are not making money by selling poor people’s labor but treat them with dignity and respect, by using new technology to deliver profitable solutions that help to reduce poverty and protect the environment (Stiglitz, 2006). Fields (2012) again described that, in today's globalized world, business have more choices than ever before, about where and how to operate.

The construction sector is different from the commodity or manufacturing sectors. Thus, economic benefit from CSR practice is not as direct and visible as it is in the case of consumer rights. Though, the motivation of the MNCs to practice CSR and ensure labor rights can enhance their reputation and achieve sustainability. According to Rendtorff (2009), the European commission draws an explicit link between CSR and sustainable development. In the age of globalization, as the social expectations to the firm are increasing, so the view of CSR implies a general strategy for strategic value-driven management. The basic principle of value-driven management is that the firm cannot ignore problems of human rights, environmental degradation and world conflict. Sustainable development requires rethinking corporate strategy in this light. Corporate strategies are the actions, decisions, and practices of the managers and leaders. Hence, “the main ingredient of good leadership is good character. This is because leadership involves conduct, and conduct is determined by values” (Gregory, 2006:33). Strong ethical values and practices come from ‘virtue ethics’, rooted in the thinking of Plato and Aristotle, focusing on the individual becoming imbued with virtues (honesty, integrity, fairness, truthfulness, benevolence, and no malfeasance). Whereas many ethical principles emphasize ‘doing’, but ‘virtue ethics’ emphasizes ‘being’ (Carroll, 1998:5).

Aristotle noted at the very beginning of his ‘Nicomachean Ethics’ that “the wealth is evidently not the good we are seeking, but it is merely useful for the sake of something else (Aristotle, 350 B.C.). Economist Amartya Sen nurtured this philosophy of Aristotle through searching the reasons of wealth generation. He mentioned that, the admirable reason of earning more income could be having more freedom to lead the kind of lives we have reason to value. For the same reason economic endeavor must not be treated as the end of itself. Expanding the freedom not only makes our lives richer, but also allows us to become a socially responsible persons and gives us the scope to influence the world, which brings the ultimate value of living (Sen, 2000:14).
Mega sports events, such as FIFA Football tournaments are not only bringing economic impacts to the organizing countries, but can also influence the socio-cultural system of those countries. These global events bring people from all around the world in the same place at the same time. The 2022 FIFA World Cup Project in Qatar will attract enormous attention of the world not just at the time of the event, but for all ten years of the event preparation process. It gives Qatar a possibility to show the world that they are not only a wealthy country, but also wise, advanced and progressive in terms of practicing freedom of speech to the people and press, as well as freedom of association to the hundreds and thousands of migrant works, which can bring legal protection of human rights and ultimately enhance their value of living.
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Appendix 1: List of interviews and interview questions

List of all interviews/contacts made with a brief description

<table>
<thead>
<tr>
<th>Interviewee no.</th>
<th>Contacted party</th>
<th>Name and description of the interviewee</th>
<th>Interview method</th>
<th>Contact channel</th>
<th>Date of communication/interview</th>
<th>Reasons for contacting</th>
<th>Received information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Hochtief Aktiengesellschaft (AG)</td>
<td>Mr. Bert Hoekstra, Chairman of the Management Board of Major International Projects Segment, and Managing Director at Hochtief Solutions Middle East Qatar W.L.L.</td>
<td>Email and in-depth face to face interview</td>
<td>Direct</td>
<td>March 5th, 2012 inquiry sent; 16th of March 2012 interview conducted in Corporate Headquarter, Essen, Germany</td>
<td>1. To find out how Hochtief AG, one of the main construction companies working in Qatar on multiple projects, is caring out its work in Qatar 2. Scope of work, in particular under 2022 FIFA World Cap Project 3. CSR activities, human and labor rights protection and responsibilities 4. Information on contractors/subcontractors. However, names of contractors/subcontractors are the confidential information and cannot be disclosed.</td>
<td>All necessary information was received including extracts from official documentation on contractors/subcontractors. However, names of contractors/subcontractors are the confidential information and cannot be disclosed.</td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Position in Company</td>
<td>Contact Method</td>
<td>Date</td>
<td>Notes</td>
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<td>2</td>
<td>Albert Speer &amp; Partner GmbH (AS&amp;P)</td>
<td>Joachim Schares, Member of Management Board and Partner of AS&amp;P</td>
<td>Email</td>
<td>March 5th, 2012</td>
<td>To find out the CSR strategy and activities of AS&amp;P under the 2022 FIFA World Cup Project. Since AS&amp;P is an architecture company, which developed the Bid Book for Qatar, it does not deal with any CSR issues. The information on Bid Book is confidential and cannot be disclosed. However, the access to some documentation was provided under the company’s password and login details.</td>
<td></td>
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</tr>
<tr>
<td>3</td>
<td>Deutsche Bahn AG (DB AG)</td>
<td>Number of people contacted though email and telephone in Deutsche Bahn in Germany and Qatar</td>
<td>Email and Telephone</td>
<td>Direct</td>
<td>March, April 2012</td>
<td>1. To find out how Deutsche Bahn AG, constructor of metro and transportation system in Qatar, is caring out its work in Qatar. 2. Scope of work, in particular under 2022 FIFA World Cup Project. 3. CSR activities, human and labor rights protection and responsibilities. 4. Information on contractors/subcontractors. 5. Main challenges of working in Qatar. Multiple transfers to different departments by mail and phone, however, no answers received. Responsible for Qatar project officials in Deutsche Bahn International never responded to any of our emails or calls.</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>The Refugee and Migratory Movements Research Unit (RMMRU) – Bangladeshi research Organization</td>
<td>Dr Tasneem Siddiqui (Chair of RMMRU and Professor in Political Science, University of Dhaka)</td>
<td>Email and direct face to face contact</td>
<td>A representative in Bangladesh</td>
<td>February 6th, 2012</td>
<td>1. Searching for contact details of the migrant workers who is currently working in Qatar, as well as return migrants who came back from Qatar. 2. Seeking information about the NGOs who deals with migrant issues. 3. Asking for some research articles based on migration. 1. Received information about the NGO – Shikha Shastha Unnayan Karzakram (SHISUK) (interviewee no 5) 2. Some research articles were received and posted to us by post.</td>
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<tr>
<td>No.</td>
<td>Contact Details</td>
<td>Method of Communication</td>
<td>Role in Bangladesh</td>
<td>Date</td>
<td>Details</td>
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<tr>
<td>5</td>
<td>Shikkha Shastha Unnayan Karzakram (SHISUK) - a Bangladeshi NGO</td>
<td>Executive director</td>
<td>Email and direct face to face contact</td>
<td>A representative in Bangladesh</td>
<td>April 8th, 2012</td>
<td>1. Searching for contact details of the migrant workers, who are currently working in Qatar for construction works and also return migrants who came back from Qatar. 2. Seeking for labor recruitment agencies name and contact details. 3. Looking for information about NGOs who deals with migrant issues. Received telephone numbers of nine workers. Among them three of the workers (interviewee no 7, 22 and 18) are currently working in Qatar; The rest six are return migrant from Qatar, only one of them (interviewee no 12) was reachable.</td>
<td></td>
</tr>
</tbody>
</table>
|   | A Bangladeshi travel agency | Managing Director | Email, direct face to face contact; telephone interview | A representative in Bangladesh | March 13th, 2012 | Information seeking for:
1. Bangladeshi private recruitment agencies name, addresses and telephone numbers who particularly send labors to Qatar
3. One ‘Work Permit’ latter/documents of a migrant labor for contraction work in Qatar
4. Contact numbers for the workers, who are currently working in Qatar for construction works. | 1. Received contact detail of seven private recruiting agencies
2. Telephone numbers of four Bangladeshi persons who works as middle-man in Qatar (interviewee no 17 and 23)
3. Snap shoot of a ID card/work permit of a Bangladeshi migrant worker |
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</table>
| 7 | A Bangladeshi Construction workers of sub contractor companies (three) | Bricklayer of a Lebanese construction firm | Telephone interview | SHISUK (interviewee 5) | April 13th, 2012 | 1. Job finding procedure and the process of migration to Qatar
2. Working and living conditions, salary structure, insurance matters, etc
3. Labor rights and restrictions. | All questions were answered openly without any hesitation, important information obtained. |
<p>| 8 | | | | Interviewee no 16 | April 17th, 2012 | | |</p>
<table>
<thead>
<tr>
<th>9</th>
<th>Plasterer of a Qatari construction company</th>
<th>Telephone interview</th>
<th>A representative in Bangladesh</th>
<th>April 23rd, 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td><strong>Bangladeshi construction workers of Hochtif (two)</strong></td>
<td>Driver</td>
<td>Telephone interview</td>
<td>Interviewee no. 17</td>
</tr>
<tr>
<td>11</td>
<td>Carpenter</td>
<td>Telephone interview</td>
<td></td>
<td>April 22nd, 2012</td>
</tr>
<tr>
<td>12</td>
<td><strong>Return migrants formerly worked as a construction worker in Qatar (two)</strong></td>
<td>A. R.</td>
<td>Telephone interview</td>
<td>SHISUK (interviewee no 5)</td>
</tr>
<tr>
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<td></td>
<td>1. Job finding procedure and the process of coming to Qatar</td>
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<td>2. Work condition, salary structure and living condition</td>
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<td>3. Labor rights and restrictions</td>
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<td>4. Reasons for coming back</td>
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<td>5. Asking for help to provide telephone number of some Construction workers in Qatar</td>
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<td>All questions were answered openly without any hesitation; important information obtained as well as a telephone number of a Bangladeshi person (interviewee no 16)</td>
</tr>
<tr>
<td>13</td>
<td>M. M.</td>
<td>Telephone interview</td>
<td>A representative in Bangladesh</td>
<td>April 20th, 2012</td>
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<td></td>
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<td></td>
<td>All questions were answered openly without any hesitation</td>
</tr>
<tr>
<td>14</td>
<td>Private Recruiting agent of a Bangladeshi recruiting agency (one)</td>
<td>Private Recruiting agent</td>
<td>Telephone interview</td>
<td>Interviewee no 6</td>
</tr>
<tr>
<td>15</td>
<td>Sub agents in Bangladesh (one)</td>
<td>Owner of a grocery shop</td>
<td>Telephone interview</td>
<td>A representative in Bangladesh</td>
</tr>
<tr>
<td>16</td>
<td>Bangladeshi Middle-man in Qatar (two)</td>
<td>Works in a government hospital as a medical officer</td>
<td>Telephone interview</td>
<td>Interviewee no 12</td>
</tr>
<tr>
<td>17</td>
<td></td>
<td>Works in a private manufacturing firm as account payable</td>
<td>Telephone interview</td>
<td>Interviewee no 6</td>
</tr>
<tr>
<td>18</td>
<td>Other</td>
<td>Mr. S (Owner of a Tailor Shop in Qatar)</td>
<td>Telephone interview</td>
<td>SHISUK (interviewee no 5)</td>
</tr>
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<tr>
<td>19</td>
<td>Mr. H (most probably a sub agent in Qatar)</td>
<td>Telephone interview</td>
<td>Interviewee no 6</td>
<td>April 18th, 2012</td>
</tr>
<tr>
<td>20</td>
<td>Denial for interview by the Bangladeshi migrant workers in Qatar</td>
<td>Mr. X</td>
<td>Telephone interview</td>
<td>Interviewee no 18</td>
</tr>
<tr>
<td>21</td>
<td>Mr. Y</td>
<td>Telephone interview</td>
<td>Interviewee no 18</td>
<td>April 15th, 2012</td>
</tr>
<tr>
<td>22</td>
<td>Mr. Z</td>
<td>Telephone interview</td>
<td>SHISUK (interviewee no 5)</td>
<td>April 16th, 2012</td>
</tr>
<tr>
<td>23</td>
<td>Mr. W</td>
<td>Telephone interview</td>
<td>Interviewee no 16</td>
<td>April 6th, 2012</td>
</tr>
<tr>
<td>24</td>
<td>Labor Attaché, Bangladesh Mission in Qatar</td>
<td>Mr. Maksudul Rahman</td>
<td>Telephone interview</td>
<td>A representative in Libya</td>
</tr>
<tr>
<td>25</td>
<td>Building and Wood Worker International (BWI)</td>
<td>Eddie Cottle (Regional Policy and Campaign Coordinator)</td>
<td>Email and facebook</td>
<td>Direct</td>
</tr>
<tr>
<td>26</td>
<td>Mr. Tos Q. Añonuevo (Education Secretary)</td>
<td>Email and telephone interview</td>
<td>Eddie Cottle (interviewee no 24)</td>
<td>April 3rd, 2012</td>
</tr>
<tr>
<td>27</td>
<td>International Trade Union Confederation (ITUC)</td>
<td>Mr. Stephen Benedict (Coordinator, Human and Trade Union Rights)</td>
<td>Email and Telephone</td>
<td>Direct</td>
</tr>
</tbody>
</table>
| 28 | UN Global Compact | Ursula Wynhoven, General Counsel | Email | Direct | 25th of March 2012 | 1. Does UN Global Compact have any concerns with 2022 World Cap Project in Qatar?  
2. How UN Global Compact monitor companies which signed Letter of Compliance with UN Global Compact and check how they do in reality?  
3. What is the any procedure to validate companies' Communication on Progress (COP) reports? | The answer receive said that UN Global Compact is not engaged with this issues concerning project. Also, companies and their reports is not a subject to any check due to lack of resources and absence of mandate. |
| 29 | ILO | Genève Headquarter, Switzerland | Email and Telephone | Direct | 27th March | 1. Does ILO have any concerns with 2022 World Cap Project in Qatar?  
2. What ILO is doing in respect to improve the labor rights in Qatar and what it the achievements?  
3. Does ILO plans any actions or activities in respect to Qatar considering that now the whole world is watching them due to |
<p>| | | | | | | No response was received to our inquiry by email; by telephone our request got rejected due to inability to serve the purpose of individual request. |</p>
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<tbody>
<tr>
<td>30</td>
<td><strong>Human Rights Watch</strong></td>
<td>New York Headquarter, USA</td>
<td>Email and Telephone</td>
<td>Direct</td>
<td>March 29th, 2012</td>
</tr>
</tbody>
</table>
|     | future World Cup tournament? | 1. Does Human Rights Watch have any concerns with 2022 World Cup Project in Qatar?  
2. What are the actions of Human Rights Watch? | The request got rejected due to the high volume of inquiries and inability to serve the purpose of individual request. |
<table>
<thead>
<tr>
<th>No.</th>
<th>Organization</th>
<th>Address</th>
<th>Contact Method</th>
<th>Date</th>
<th>Questions</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>31</td>
<td>Amnesty International</td>
<td>London Headquarter, UK</td>
<td>Email and Telephone</td>
<td>April 5th, 2012</td>
<td>1. As Amnesty International has a lot of concerns with regard to 2022 World Cup Project in Qatar we aimed to find out about real actions and plans, if any, with regard to this project? 2. What are the actions of Amnesty International under such projects and similar issues of human and labor rights in general?</td>
<td>The request got rejected due to the high volume of inquiries and inability to serve the purpose of individual request.</td>
</tr>
<tr>
<td>32</td>
<td>FIFA (International Federation of Association Football)</td>
<td>Zurich Headquarter, Switzerland</td>
<td>Email and Telephone, Fax with official inquiry</td>
<td>March 5th-7th, 2012</td>
<td>1. To find out how FIFA is going to cope with issues of human and labor rights in Qatar? 2. Do these issues where considered by FIFA while granting the right to host a 2022 Tournament in Qatar?</td>
<td>Request for interview was rejected multiple times due to inability to serve the purpose of individual inquiry.</td>
</tr>
</tbody>
</table>
### Interview Questions

#### Hochtief’s Interview Questions

1. What is Hochtief’s scope of work currently in Qatar under 2022 FIFA World Cup Project?
2. Is Hochtief working on the same projects which are designed by AS&P?
3. Which part of Hochtief Group is mainly working in Qatar? Is this Hochtief Vicon or Hochtief Solutions or any other?
4. How Hochtief recruit people in Qatar? And from where? Especially those construction workers at the ground level?
5. How about their working and leaving conditions?
6. Do you provide any training to them fore they start working?
7. Is work in Qatar mainly done by Hochtief itself or through subcontracting?
8. How Hochtief select contractors and suppliers?
9. Do you expect your subcontractors and suppliers to follow the Code of Conduct for Suppliers and Subcontractors and how do you monitor them?
10. To which extent Hochtief is responsible for its subcontractor’s workers?
   - Who provide accommodation?
   - Who provide necessary working equipment?
   - Who provide insurance?
   - Which party pays compensation in case of serious inquiry or death?
   - Who pays salaries to those workers? If Hochtief, do you pay to subcontractor or worker directly? If subcontractor, how do you make sure workers received it?
   - Does Hochtief have any additional contract with workers employed by subcontractor?
11. In general how do you monitor your subcontractors’ actions?
12. Is there is any language barrier between those construction workers and Hochtief managers?
13. There is no freedom of associations in Qatar, so how Hochtief do in this regard? Follow the Qatar law or its own Code of Conduct?
14. Are there any legal requirements from Qatar State to follow concerning human and labor rights of workers?
15. Since almost all construction workers are migrants from third world countries and their rights are mainly ignored in Qatar, there is a lot of attention to FIFA Project as well as to parties involved in Project including MNC. Is Hochtief ready to cope with this attention and ensure that it will not happen to damage company’s reputation and image as currently hochtief is one of the best construction companies in the world with regard to sustainability and CSR matters?
16. What measures Hochtief plan to take to ensure healthy and occupational requirements of those migrant workers?
17. What means term CSR for Hochtief and for you personally being the manager of Qatar Project? Is this to comply with the legal system of the country of operation or be simply ethical?
18. What Hochtief see as reasons of being socially responsible? And what are the benefits of doing so?
Questions for migrant workers

1. **Background**
   - Can you please tell me your name and age?
   - Your education background
   - Skills for construction works or other skills if you have any?
   - What did you do before coming to Qatar?
   - Why do you leave your country, what was your motivation for going abroad?

2. **Recruiting channels used for migration**
   - How did you get the information about job opportunities in Qatar?
   - Did you choose Qatar as your destination for work among other Middle East countries by yourself, or the recruiting agency just selected you and sent you to Qatar?
   - From where you came to know about the recruiting agencies?
   - How did you contact them?
   - Which services they offered to you?

3. **Stages of Recruitment**

   *Information seeking*
   - Did you know before coming to Qatar what kind of job you have to do?
   - Did you know before coming to Qatar which company you will work for?
   - Which type of knowledge and assumptions you had about Qatar before coming here?
   - Did you see your working contract and can you understand it?

   *Prior to departure*
   - Did you sign any contract paper with your recruitment agency?
   - How much money you had to pay to the recruiting agency?
   - How do you manage your money including your plane fair?
   - Which visa did you obtain to come to Qatar?
   - How much you had to expend for migration procedure in general?
   - Did you get any training from Bangladesh government or any local NGOs in Bangladesh before coming to Qatar?

4. **Job status & job related information**
   - For which company you are working here in Qatar?
   - Is it a construction firm?
   - If yes, then what is the name of the firm?
   - What are you constructing (for example, stadium, building, roads, railways, bridge, etc)
   - What is your job role there?
   - Did you ever work in construction firm before?
   - If not then how do you learn it, or how can you manage your work?
- Who is your boss? Is he Qatari or Bangladeshi or from another country?
- Do you know English or Arabic language? If not, then how do you communicate with co-workers and managers/supervisors?

**Job related matters**

- Do you have your passport and your work contract with you?
- If not, who is keeping your official documents?
- Are you allowed to leave your work whenever you want and go to another work or back to your country?

**Working conditions**

- What are your working hours?
- When do you have days off?
- When do you have holidays? How long they are?

**Work safety and health matters**

- Are you provided with safety equipment, like helmets, gloves, ropes, etc?
- Does your company provide you any kind of safety training?
- Do you have any kind of insurance?
- Is there doctor available at the construction venue if you get sick during the work?
- Do you receive medical treatment when you are sick?
- In case of injury who is covering the cost of medical treatment?

**Food and accommodation**

- Are you provided with food and drinking water?
- Who is providing you with accommodation?
- What is the condition of your accommodation?
- How many people live in one room?
- How much you have to pay for it?

**Freedom of association and collective bargaining**

- Can you have employee association or labor union?
- If you are dissatisfied with your work can you communicate your feelings? And to whom?

**Wages**

- How do you receive your salary by cash or through bank?
- If through bank, who chose the bank? You or your employer?
- Do you receive your salary regularly?
- Do you get your salary on monthly, weekly, or daily basis?
- Is it possible for you to save some money and send to your family back home?
Seeking advisory, legal and welfare services

- Do you know any NGOs in Qatar that can provide you help in case it's necessary?
- Are there any NGOs you know that are providing some skill development training?
- What help you can seek from the Bangladesh embassy?
- How Bangladesh embassy is responding to your problem?

Questions for recruitment agents

1. How do you know that there are some work opportunities in any Middle East country?
2. Do you have agents who go to the villages and look for potential migrant workers?
3. Do you send labor to Qatar?
4. How many people you have send to Qatar?
5. Which type of visa do you arrange for them? Is it “work visa”? Or “free visa”?
6. Who is your partner in Qatar? Is it a Qatari agent or Qatari firm or some Bangladeshi agent who lives in Qatar? Who is the sponsor for the sponsor visa?
7. Are there any construction firms (European or Qatari) which directly recruit workers through your agency? Or there is always a middle agent (organization) in between?
8. What is the procedure of arranging the “sponsor visa” or “free visa”?
9. What is the procedure of arranging “work visa”?
10. Did Qatar State stop giving work permits for Bangladeshi workers?
11. How much money you take from the person for arranging “sponsor visa”?
12. How much money the worker has to pay for “work visa”?
13. How much you pay to your partner agency in Qatar?
14. When the workers receive the contract papers?
15. When do they receive the work permit?
16. Who arrange the contract papers or work permit for them? Is that you or the Qatari partners?
Appendix 2: ITUC Letter to Qatar Government

Michel Sommer
President
Président
President
Sharan Burrow
General Secretary
Secrétaire générale
Generalsekretärin
Secretaria General

Sheik Hamad bin Khalifa Al Thani
Emir of the State of Qatar
Doha, Qatar

HTUR/JSV
2 May 2012

Trade Union Rights in Qatar

Your Majesty,

It has come to our attention through the media that the Government of Qatar is proposing to take steps to respond to the concerns raised by the International Trade Union Confederation (ITUC) and Building and Wood Workers International (BWI) regarding workers’ rights. That the government appears to be taking our concerns seriously is appreciated. The details of the government’s proposed reforms remain unclear, however, and from the scant information available we have serious concerns over the failure of the national labour legislation, even with the proposed reforms, to comply with the international minimum labour standards set forth in the core conventions of the International Labour Organization (ILO).

As to trade union rights, the media state that legislation is now pending that would allow for the establishment of an independent Qatari-led labour committee (or ‘union’) that would be charged with receiving complaints and representing workers’ interests. In all reports, foreigners will have the right to vote but not be members of the board of this committee. The proposal sounds very much like the labour committee proposed late last year. In a letter to you dated December 16, 2011, the ITUC explained its serious concerns with that proposal.

Foremost, the committee appears to be the creation of the government and not the result of a democratic, worker-led process (which would not be possible under current legislation). We suggested that rather than create a committee to speak for citizens and migrant workers, the approach consistent with international law would be for the government of Qatar to adopt and implement laws that allow all workers to form or join a union and freely elect leaders to speak on their behalf.

As to the reforms to the sponsorship (kafala) system, we again appreciate that the government of Qatar is responding to the criticisms of the international community. From the media, it appears that the government will eliminate the requirement on migrant workers to surrender passports and that individual contracts alone will now govern employment relations between employers and migrant workers rather than the existing system. Again, this information alone is insufficient to assess whether migrant workers will be adequately protected from potential exploitation by their employers. The media has provided no details, for example, on the matter of fees or on any regulations governing the terms of these individual contracts. We also remain concerned as to the consequences for migrant workers who may seek to terminate a contract upon suffering exploitative working conditions. It appears that the worker would have to return to the country of origin and reapply for work with a new employer, which could impose substantial costs on the worker.

We cannot underscore how important it is that the government gets this right, and does so quickly. Contracts for the 2022 World Cup are already being let and migrant workers are already being recruited from Asia to build the stadia and related infrastructure. Based on the information available to us now, the ITUC and BWI will have no choice but to proceed with our campaign to withdraw the 2022 World Cup from Qatar. As we have explained, this campaign can only be avoided if the Government of Qatar adopts legislation consistent with the ILO fundamental labour rights and effectively enforces them in practice. This does not appear to be the case, even with the adoption of the proposed reforms.

The ITUC and BWI suggest a meeting with Labour Minister Dr. Sultan bin Hassan al-Dhabit al-Dousari and other relevant officials as soon as possible in order to review and discuss in detail the proposed labour reforms and to identify areas in which we believe the government needs to do more. As we have stated previously, we are willing to work with you and provide whatever assistance necessary to ensure that all workers in Qatar enjoy the rights that are guaranteed to them under international law.

Sincerely,

Sharan Burrow
General Secretary
ITUC

Ambet Yuson
General Secretary
BWI
Appendix 3: Employment contract and work permit

Employment Contract

On ….... The……... between

between

1. Mr. Capacity:

Address:
First Party

2. Mr.…..

Holder of Passport No…

Personal/ Family ID No…

Living in…

Address…..

Second Party

The two parties agreed on the following:

The Second Party agreed to work for the First Party in the occupation of…. In the State of Qatar with a monthly salary of ……

1. **Duration of Contract:**

   a) The duration of this contract is one / two years commencing on the date of starting duty in Qatar. The first three months will be considered a probation period during which the First Party has the right to terminate the contract by giving the Second Party one week prior notice. The First Party shall bear repatriation expenses of the Second Party. If the probationary period is satisfactorily completed the contract shall be in force for its unexpired term.

   The contract expires at its expiry date without further notification. However, if the First Party wishes to continue contracting, He should notify the Second Party in writing about his desire for renewal (30) thirty days at least before the expiry date of the contract period.

   b) Both parties have the right to terminate the contract without assigning any reason by giving the other party, before such termination, one-month prior notice in case the service of the employee is less than five years. In case such service exceeds five years the notice shall be at least two months.
2. **Travel Expenses:**
   a) The First Party shall bear the travel expenses of the Second Party from the city of Dhaka in Bangladesh to the work place in the State of Qatar, as well as the costs of the return passage. These expenses shall not cover costs of acquiring a passport or payments against any guarantees.
   b) The First Party shall be exempted from payment of return expenses of the worker in the following two cases:
      i) In case of resignation before the expiry date of the contract.
      ii) In the event he commits a breach resulting in his dismissal without notice and without a service gratuity in accordance with the provision of the Qatari Labour Law.

3. **Salary and Gratuity:**
   a) For daily and Monthly workers: The basic pay is QR… per month/day against the basic hours of work (48 hours per week) and Second Party shall be entitled a paid weekly rest day every Friday. He shall also receive cash payments against overtime worked in accordance with the provisions of the Qatari Labour Law.
   b) For workers of production of piece work of task work: The basic pay is QR… against a daily performance rate according to the trade or occupation as follows:
      …………………………………………………………………………………………………
      …………………………………………………………………………………………………
      …………………………………………………………………………………………………
      …………………………………………………………………………………………………
      …………………………………………………………………………………………………
      In the event of absence of any production work the wage of the Second Party shall be QR…
   c) The First Party hereby undertakes to enter the overtime as provided for in paragraph (a) or the quantity of work completed per day according to paragraph (b) in a special card to be delivered at the end of the working day to the First Party for registration. End of Service Gratuity: …………………………………………………………………………………………………

4. **Accommodation and daily living:**
   a) The First Party shall provide the Second Party the accommodation with the appropriate sanitary and health conditions.
   b) The First Party undertakes to supply the Second Party with cold fresh drinking water.

5. **Medical and Social Care:**
   a) The First Party shall provide the Second Party with the required medical care in accordance with the rules and regulations in force in the country of employment.
   b) The First Party undertakes that the Second Party will receive his payable indemnity for labour injuries, disability or death during work or arising therefrom according to Qatari Laws in this regard.
6. **Leaves:**

a) The Second Party is entitled for a normal yearly paid leave not less than two weeks.

b) The Second Party shall receive full pay during the following official holidays

- Eid Al-Fitr (Three days)
- Eid Al-Adha (Three days)
- Eid Al-Istiqlal (One day)

   The Second Party is also entitled for three days leave with full pay during the year. These days are announced by the Government or decided by the Employer for all workers.

c) The Second Party is entitled for sick leave with pay after six months of continuous service with the First Party in accordance with the Qatari Labour Law.

7. **General Provisions:**

a) The Second Party undertakes to perform his duties in accordance with the average rates of daily performance known in his occupation. In the event the Second Party failed to do so, He shall be subject to the table of penalties in this respect.

b) The Second Party is not permitted, during the contract period, to work for others, and the First Party shall not have the right to engage the Second Party in any work with another employer unless in cases permissible by Qatari Laws.

c) The Second Party shall undertake to refrain from interfering or involve himself in any political or religious affairs and His Excellency should observe and respect the local customs and traditions.

d) The provisions of this contract agreement are governed by the Qatari Labour Law and its executive decisions, and as such they constitute the basis to resort to in the events of any dispute arising between the two parties unless the conditions of contract include more favorable advantages to the Second Party.

e) This contract shall come into force after ratification of competent authorities in the two countries.

8. This contract is made in Arabic and English versions and issued in one original and three copies, one copy to be given to the Second Party.

First Party
Second Party
Example of work permit for Qatar
Appendix 4: Experience of the migrant workers who currently work in Qatar

<table>
<thead>
<tr>
<th>Discussion issues</th>
<th>Migrant workers who work in the sub-contracting firms</th>
<th>Migrant workers who work in Hochtief</th>
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</thead>
<tbody>
<tr>
<td>Main issues for discussion</td>
<td>Sub-issues for discussion</td>
<td>Bricklayer of a Lebanese construction company</td>
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<tr>
<td>Background</td>
<td>Employment Status</td>
<td>Unskilled</td>
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<td>Skills for construction works</td>
<td>Unskilled</td>
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<td>Previous works</td>
<td>Unemployed</td>
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<td>Migration contacts</td>
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<tr>
<td>Recruiting channels</td>
<td>Recruiting agency/ middle-men/ sub-agent</td>
<td>Through private agency and dalal; he had plan to go to Dubai and tried for one month, however was not able to; then he came to Qatar</td>
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<td>Recruitment</td>
<td>Visa category</td>
<td>Firstly free visa and then received a sponsor; cost of migration was in total approx. US $2700</td>
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<td>Country of destination</td>
<td>Live in Qatar since</td>
<td>2007</td>
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<td>Job related issues</td>
<td>Language barrier</td>
<td>Do you have your travelling and working official documents with you?</td>
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<td>Learnt little Arabic from the co-worker after coming to Qatar</td>
<td>Held by company</td>
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<td>Little Arabic; use mostly Hindi with co-workers and managers are also Indian (Qatari and Indian joint ownership)</td>
<td>Held by company</td>
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<td>Does not need Arabic, since mostly English is used; learnt a little English for better communication</td>
<td>Held by company</td>
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<tr>
<td>Working conditions</td>
<td>Working hours</td>
<td>Holidays/Vacation</td>
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<td>8 hours a day (one hour break) but allowed to pray when its prayer time; 6 days a week with Friday off but normally have to work on Fridays as well; mostly, get only 2 days off per month</td>
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<td>12 hours (6am-7pm), rest for 1 hour (9:30-10:00 and 12:30-13:00)</td>
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<td>Health and medical treatment</td>
<td>Due to the hot temperature people 'passed out' very often; in these situations the ambulance used to be called because there is no any general physician on the construction venue</td>
<td>There is always a standby general physician at the construction site; in case of extreme illness ambulance is called to bring them to the hospital</td>
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<tr>
<td>Work safety and health issues</td>
<td>Compensation in case of injury</td>
<td>Company never paid health insurance or compensation in case of injury; no knowledge do other companies pay compensation or not</td>
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<tr>
<td>Living standard</td>
<td>Food</td>
<td>Has to bring food by themselves but drinking water is provide by the company</td>
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<td><strong>Wages</strong></td>
<td><strong>Accommodation</strong></td>
<td><strong>Freedom of association and problem solving</strong></td>
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<td>Do not have to pay for accommodation; 3000 works of his company lives in a camp; 10 people in a middle size room</td>
<td>Not allowed to have labor union, if they are not satisfied with the salary and other things; the only way of negotiating is the discussion with the company</td>
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<td>Provided by the company</td>
<td>No labor union; in case of injustice some people go to the labor court but it happen very seldom</td>
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<td>Live in the camp near to the construction site; 13 people in one room</td>
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<td>Accommodation provided by the company; rooms have air-condition; 4-5 people live in one room</td>
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