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Human Rights Watch

Via e-mail:

To: [REDACTED]

Zurich, 21 August 2020

### **FIFA World Cup Qatar 2022 and wage protection**

Dear Mr Page, dear Ms Javid,

Thank you for your letter dated 22 July 2020 and we would like to echo your appreciation for the valued and constructive engagement we share with Human Rights Watch on a range of human rights-related matters.

Firstly, please let me reassure you of FIFA's ongoing commitment to human rights. Over the past few years we have embedded FIFA's statutory human rights commitment across key areas of our activities with FIFA taking a leading role in sports and having a proven record in respecting and protecting human rights in accordance with FIFA's [Human Rights Policy](#). These efforts range from fighting discrimination on and off the pitch, to the protection of human rights defenders who work to advance human rights in relation to FIFA's activities, as well as the integration of human rights requirements into the bidding, preparation and hosting of all FIFA tournaments and in other business relationships.

An important part of these activities relates to the FIFA World Cup Qatar 2022. The respective commitments, objectives and key initiatives are outlined in the joint [sustainability strategy](#) for the tournament, developed and implemented by the three tournament delivery partners FIFA World Cup Qatar 2022 LLC (Q22), the Supreme Committee for Delivery and Legacy (SC), and FIFA. Indeed, we are grateful for the helpful and important input provided by Human Rights Watch alongside many other stakeholders to the human rights risk assessment and the key initiatives developed as a result to address such risks that inform this strategy (as described in [this report](#) on the development of the strategy).

In line with this sustainability strategy and our responsibility under the UN Guiding Principles on Business and Human Rights, FIFA and the other tournament organisers work diligently to ensure respect for the rights of all workers linked to the preparation and hosting of the FIFA World Cup in Qatar. These include workers engaged in the construction of FIFA World Cup 2022 infrastructure, such as stadiums or training sites, as well as workers who deliver services for the tournament. FIFA and its Qatar-based subsidiary Q22 thereby work in close partnership with the SC, including through joint initiatives and projects.

Through this work, FIFA is aware of the importance of wage protection measures in Qatar and this is why FIFA and the other tournament organisers have put in place robust systems to prevent and mitigate wage abuse on FIFA World Cup sites, as well as mechanisms for workers to raise potential grievances and practices to provide for remediation where companies fail to live up to our standards. As part of this ongoing process, we test and review the systems in place, to ensure that they remain fit for purpose and to enable any further improvements that may be needed in the interest of the workers.

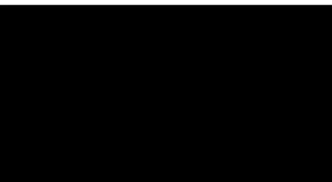
Immediately upon receiving your request for information, we kindly asked you whether you are aware of any ongoing cases of FIFA World Cup workers that may not have been addressed, and we followed up on this request three weeks later, again urging you to report any allegations so that we could investigate such allegations accordingly in the best interest of workers. In response, on 14 August 2020 you advised us of a complaint you had received from a worker of a company employed on FIFA World Cup sites. We are taking this allegation very seriously, as we do any such allegations, and are currently reviewing the information you provided together with the SC. As always, we will investigate the case fully and will take appropriate measures to address any wrongdoing by the respective company in the best interest of the concerned worker.

Once again, we kindly urge you to share any allegations you may receive with FIFA and the SC as early as possible, and ask that you also encourage workers to report any grievance they may have to the SC's Workers' Welfare hotline (see [here](#)). This will enable us to verify such information and to take appropriate action wherever it is needed, as always in the best interest of respective workers.

Please find further information below in response to the queries you raised in your letter. We hope that this information is helpful to the finalisation of your upcoming report.

For now, we trust that our efforts to protect and defend the rights of workers as detailed below, discussed in our call earlier this week, and in various public reports, will be appropriately and fairly described and contextualised in your final report and any related communications.

Sincerely yours,



Joyce Cook, CBE, OBE  
Chief Social Responsibility & Education Officer

## **Information in relation to points raised in the 22 July Human Rights Watch letter to FIFA:**

*On cases of delays in payment of workers and the mechanisms in place to address these in the interest of the affected workers:*

FIFA, Q22 and the SC have a zero-tolerance policy for wage abuse. When cases of late payment are identified concerning FIFA World Cup workers, usually through our own monitoring or grievance mechanisms, the systems in place to address them include:

- Direct engagements with workers who raise concerns to understand and validate claims;
- Engagements with the respective contractor and possible main contractors to resolve the issue and ensure payments are made, including through setting deadlines and attaching consequences should these not be met;
- Where the case concerns a sub-contractor, the leveraging of main contractors to step in and pay workers directly in order to shift the burden away from the workers;
- Reporting of cases to the respective authorities for further investigation and action, including in hardship cases the detention of company owners;
- The inclusion of contractors on a watch-list and, if necessary, the black-listing of companies who are then prohibited to work on FIFA World Cup sites until credible improvement of company systems have been implemented and demonstrated.

In addition to the above measures that are led by the SC as the developer of the FIFA World Cup infrastructure, and in line with its responsibility under the UN Guiding Principles, FIFA follows up closely with the SC in addressing particular cases. FIFA, Q22 and the SC discuss and review the existing systems and ways to further improve them on a regular basis. As part of this process, FIFA provides its own views, recommendations and requests concerning the SC's systems as well as the mechanisms provided by the government. Throughout the past years, the SC and its Workers' Welfare team has proven time and time again to be a very competent and credible partner that puts the interests of FIFA World Cup workers first.

*On measures regarding workers who help prepare the FIFA World Cup other than those employed on FIFA World Cup sites under the SC's purview:*

Over the past years, workers who were contracted by the SC to provide services to the SC or Q22, such as regarding catering, security or cleaning have benefitted from the same protection system put in place for construction workers on FIFA World Cup sites under the SC's Workers' Welfare Standards. These include the respective measures regarding wage protection.

As the tournament preparation enters a new stage and workers in several other sectors become involved in preparing the event, including for instance on hospitality, logistics, security and transportation, the protection measures are being expanded to these workers as well. The systems, which cover workers employed by companies with contracts with Q22, FIFA or the SC, include for instance:

- The pre-screening of companies during the tender process;
- The inclusion of respective clauses referring to the SC's Workers' Welfare Standards in contractual agreements;
- The conducting of capacity building with company representatives;

- The regular monitoring of compliance with the clauses and respective follow-up measures
- The provision of a grievance mechanism for workers and the requirement of contracting partners to put in place their own respective mechanisms, including formats that allow for workers' concerns to be raised in a systematic manner, such as Workers' Welfare Forums or worker committees.

FIFA, Q22 and the SC work jointly on this initiative to ensure the best possible use of capabilities and leverage amongst the three tournament delivery partners.

In addition to that, FIFA, Q22 and the SC participate actively in several platforms to promote best practice around workers' welfare in Qatar. These include for instance the Karama Initiative of large developers in Qatar, and the multi-stakeholder process on human rights in the hospitality sector involving the Qatari government, the ILO, trade unions and the Institute for Human Rights and Business.

Finally, in leading by example, the FIFA World Cup tournament organisers develop new ground for wider progress in Qatar. Various positive spill-over effects leading to better protection of tens of thousands of workers beyond those involved in the preparation of the FIFA World Cup have been observed and documented over the past years. For example, several contractors have raised their standards on all their sites in Qatar in order to meet the higher standards to become eligible for FIFA World Cup projects, or have made benefits required on FIFA World Cup projects available to all of their workforce. Furthermore, the SC is in close contact with relevant Ministries and the ILO to support the country-wide strengthening of standards building on good practice and learnings from FIFA World Cup sites. In that respect, FIFA was also encouraged to see the recent positive assessment by the UN Special Rapporteur on contemporary forms of racism of the systems in place to protect FIFA World Cup workers, who characterised these systems as 'impressive changes' and 'sweeping reforms' and recommended that the same standards are applied across the country (see [here](#)).

*On measures regarding the protection of FIFA World Cup workers during the Covid-19 pandemic and FIFA's engagements with the SC in this respect:*

Building on the existing systems, the SC put in place far-reaching Covid-19-specific protection measures for FIFA World Cup workers. SC representatives repeatedly presented these measures to relevant stakeholders, for instance through calls organised by the Centre for Sport and Human Rights, with participation from Human Rights Watch representatives. Furthermore, the SC published a Q&A on its website (see [here](#)). In these and other exchanges, we were pleased to see the positive feedback and recognition by external stakeholders, including trade unions and civil society organisations, about these measures.

Overall, wage-related questions have been dealt with in accordance with the existing standards and systems of the SC under the Workers' Welfare programme (see the answers to the previous questions) and in line with the Covid-19-related requirements set out by the Qatari Ministry of Public Health, and the Ministry of Administrative Development, Labour and Social Affairs. That said, additional protocols were implemented to meet the specific needs of the changed context. As an example, workers in isolation or quarantine were contacted regularly to learn about their situation, including with respect to the payment of their wages.

Over the past months, FIFA has been engaging closely and very regularly with the SC on the Covid-19-related measures in place, has provided its views and recommendations, and receives several updates per week on the situation. Our engagements with the SC were also informed by repeated exchanges with external stakeholders over the past months, such as with the International Labour Organisation, the Building and Woodworkers' International, and several civil society organisations.

*On recruitment of workers and wage-related pre-screening of contractors for FIFA World Cup sites:*

The SC's Workers' Welfare Programme conducts pre-mobilisation approval audits to ensure that contractors and sub-contractors proposed to be employed on their sites are in compliance with the Qatar Labour Law and the SC's Workers' Welfare Standards. These audits include an assessment of the company's track record with respect to wages through an analysis of the Wage Protection System records. Where companies are found to have had issues in the past, they are required to provide evidence of rectification and improvement of their systems, as well as comprehensive commitments to adhere to the Workers' Welfare Standard prior to being on-boarded.

FIFA considers these mechanisms by the SC to be robust and similar proceedings are being introduced in the on-boarding process of business relationships by Q22 and FIFA with respect to Qatar-based workers.

*On FIFA's engagements with third parties regarding labour rights of FIFA World Cup workers and wage-related questions:*

Over the past years, FIFA has developed close relationships with external stakeholders who work to protect workers' rights in Qatar. Amongst the organisations FIFA engages with on a regular basis are the Building and Woodworkers' International, the International Labour Organisation, and several civil society organisations focusing on labour rights in Qatar and the region. FIFA also mandated an external expert company to assess the remedy mechanisms in place for workers and other potentially affected constituent groups, which also cover potential complaints of workers regarding wage issues.

It should be noted that the SC, as part of its four-tier monitoring system, has for several years been working with independent entities who assess their processes and mechanisms and publish the results of these assessments. FIFA has been instrumental in helping to develop this system. For further information, we would refer you particularly to the reports published by Impactt Ltd and by the joint working group with the Building and Woodworkers' International which include observations with respect to wage protection (see [here](#)).

Such reports and feedback from external stakeholders generally confirm that late or non-payment of workers is a challenge with companies operating in Qatar. At the same time, these assessments and conversations show that the SC's systems generally provide robust safeguards against late payments of workers by companies employed on FIFA World Cup sites and provide testimony to the commitment by the SC and FIFA to address any issues that may be identified.

*On engaging with Qatari government agencies regarding labour rights:*

The Supreme Committee is a quasi-government entity and its head has the rank of a Minister in Qatar. This allows FIFA to raise particular matters with respect to labour rights and the governments'

mechanisms in that respect directly through its collaborative relationship with the SC. One area of discussion has over the past months been government intervention in enforcing wage protection as well as the effectiveness of the Workers' Support and Insurance Fund.

FIFA has furthermore regularly recognised the important progress made over past years while calling upon the Qatari authorities to continue with their reform agenda in collaboration with the International Labour Organisation.

*On the communication about our efforts to ensure respect for labour rights of workers helping to prepare the FIFA World Cup and associated challenges:*

Both FIFA and the SC have published regular updates on our labour rights-related efforts associated with the FIFA World Cup in Qatar. These reports include updates by both FIFA and the Supreme Committee on our own works. They also include reports developed by independent entities with a role to critically assess our work in that respect, such as the Building and Woodworkers' International, Impactt Ltd, and FIFA's Human Rights Advisory Board (see [here](#) and [here](#)).

FIFA and the SC have repeatedly been commended for their openness to inform transparently about their systems and related challenges in form of public reports, presentations at public conferences, as well as in exchanges with stakeholders. We will continue this approach of transparency and constructive engagement in the months and years to come, and, in this same spirit, we look forward to our ongoing meetings together, and to discussing the information provided in this letter in our next call.