

HUMAN RIGHTS WATCH

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Appendix VI: Letter to the Qatar Supreme Committee for Delivery & Legacy

July 22, 2020

Hassan Al Thawadi, Secretary General,
Supreme Committee for Delivery & Legacy

Via email: [REDACTED]

Re: Wage Abuses of migrant workers in Qatar

Dear Mr Hassan Al Thawadi,

I write to express our appreciation for the Supreme Committee for Delivery and Legacy’s engagement with Human Rights Watch and to inquire further about your organization’s policies to prevent employers’ wage abuses against migrant workers in Qatar.

Human Rights Watch has promoted workers’ rights around the world for more than 20 years, including across the Gulf countries. As you will know, Human Rights Watch issued a report in 2012 on the situation for workers’ rights in Qatar and has reported on workers’ rights in Qatar and neighboring countries since.

We welcome the Supreme Committee for Delivery and Legacy’s and FIFA’s commitments in the FIFA World Cup Qatar Sustainability Strategy document, to promote workers’ “rights in projects and supply chains directly linked to the FIFA World Cup™”. We also welcome that organizers recognize that the workforce in Qatar that is making the world cup possible comprises “full-time and temporary employees, contractor, sub-contractor and supplier employees, and volunteers, providing key

services in areas such as construction, food and beverage, cleaning, event management, hospitality, transport and security”.

In 2019 and 2020, Human Rights Watch conducted research into wage abuses in Qatar. Human Rights Watch is committed to fair and accurate reporting and seeks to understand the perspectives of the Supreme Committee and FIFA. We have attached a summary of our main findings based on our interviews, as well as questions we have concerning policies and actions, particularly what measures the Supreme Committee and FIFA have taken or are taking to prevent wage abuse on World Cup sites and to advocate for better protection of workers’ rights, including their right to fair wages, in Qatar.

We would be grateful for a written response to our questions in as complete a manner as possible by August 10, 2020. This will allow us to reflect your responses in our upcoming report this year.

Please reach out to my colleague Maham Javaid at [REDACTED] who will answer any questions you may have, and receive responses to the attached questions.

Thank you for your time and attention to this letter.

Sincerely,
Michael Page
Deputy Director
Middle East and North Africa Division
Human Rights Watch

Summary of HRW’s findings and questions relating to employer’s wage abuses against migrant workers in Qatar

Human Rights Watch conducted the research for this report between January 2019 and May 2020. Researchers conducted detailed interviews with 93 migrant workers from 60 different companies and employers, whose conditions are the focus of this report – 11 of these workers are female domestic workers whose salary payment conditions slightly differ from other migrant workers.

Out of the 93 workers Human Rights Watch spoke to, 59 workers reported unpaid wages or serious delays in receiving their wages. Twenty-nine workers said that their employers did not honor the wage amount stipulated in their contract, out of these 29 workers, 12 face arbitrary deductions by their employer, 8 were underpaid without any explanation, and 9 faced ‘warehousing’ – a common practice in which workers are employed by labor supply company but due to a lack of clients they are not sent out for jobs, as a result of this they are also not paid any wages. Fifty-five workers cited the lack of overtime payments as a major problem they faced, an issue they said could be improved if all workers were provided with timesheets and pay slips. Not only were their overtime hours worked recorded inaccurately, but in the majority of cases, employers completely disregarded their overtime hours—although they worked up to 18-hour days, their employers only compensated them for 8 hours of a regular day’s work.

Seven workers told Human Rights Watch that their employers forcibly kept their bank-issued ATM cards, these employers also reported that this practice was companywide.

Thirteen workers told Human Rights Watch that they faced ‘contract substitution’, this is when workers sign an employment contract in their home country, but after reaching Qatar they find the employer has substituted the original contract with another with less favorable terms. ‘Contract substitution’ is especially concerning because migrant workers often pay their own recruitment fees, sometimes after taking a loan at high interest rates; they reported taking these loans for their fees based on the knowledge that they would be paid the amount the contract stipulated. But when the employer substitutes the contract after workers arrive in Qatar, the workers are often left in debt.

Twenty workers reported that employers avoided paying their gratuity, delaying these payments to the point where the worker agreed to return to their home country without their earned end-of-service benefits.

Our preliminary research finds that the power imbalance between employers and workers caused by the *kafala* system, coupled with the recruitment fees workers often have to pay make migrant workers vulnerable to wage abuse even as they arrive in Qatar. One of the major hurdles to workers’ timely wages is Qatar’s supply chain payment policies that leave

workers without salaries until every contractor and subcontractor above them in the chain is first paid.

Although the Wage Protection System has been a positive step towards ensuring workers are paid accurately and on time, Human Rights Watch research shows that the system is ineffective – too many workers say they are enrolled in the system and yet suffer from months of delayed wages without any government intervention. Domestic workers are still not given the protection of the labor law and have even fewer options for legal recourse than other workers. ILO research has recommended many other measures Qatar can adopt to improve workers' payments such as project bank accounts and subcontract payment monitoring systems.

Despite the creation of Qatar's Labour Dispute Resolution Committees, there are a number of barriers for workers that prevent them from taking their wage-related cases to court. These include migrant workers' lack of control over their own legal status in the country; fear of retaliation at the hands of their employers; the slow pace of the committees' decision; and not having enough legal documentation to prove their account. In many cases of wage abuse, despite migrant workers receiving positive verdicts from the committees, workers are still left homeless and penniless for months on end, with not even enough resources to feed themselves.

Human Rights Watch also found wage abuses at FIFA 2022 World Cup Sites. In one case a trading and construction company, which is working on a World Cup stadium, delayed five months of salaries for roughly 500 managerial staff and two months of salaries for about 500 laborers between September 2019 and February 2020. Staffers at this company reported that this was not the only time salaries had been delayed. In another case, Human Rights Watch found that staffers and laborers at a construction company that was responsible for civil, water and masonry work on the external part of a World Cup stadium experienced wage delays for up to four months at least five times in 2018 and 2019. One staffer at the company told Human Rights Watch that his company continues to work through the pandemic and his salary continues to be delayed.

We found that Covid-19 has exposed and amplified the ways in which migrant workers' rights to wages have been violated. Despite the government offering loans to employers to pay workers' wages, employers have used the pandemic as a pretext to delay and reduce wages and repatriate workers without paying outstanding dues. Human Rights Watch

spoke to 7 workers from different companies that said employers had reduced their wages due to the pandemic, meanwhile those that had been facing delayed and unpaid wages before the pandemic, continue to face wage abuses during the pandemic.

For a report that Human Rights Watch plans to publish in 2020, we would be grateful for any response to the following requests that you could provide us by August 10, 2020:

1. Human Rights Watch and other organizations have continued to find cases of wage abuse of workers on World Cup sites, despite Qatar's Wage Protection System and the Workers' Welfare Standards. Does the Supreme Committee have data regarding wage disputes on construction sites for venues of the 2022 FIFA World Cup? If so, could you please share these details with us? Please provide a breakdown of wage abuse cases between January 2019 and May 2020, including by the type of wage abuse (unpaid wages, underpaid wages, lack of overtime pay, delayed wages), and if they are a sub-contracting company? What has the Supreme Committee understood to be the reasons for such wage abuses? And what specific steps has the Supreme Committee taken to prevent or respond to such wage abuses for workers in World Cup sites?
2. For workers that are not on World Cup sites but are working on constructions sites or for companies in the hospitality and service industries that are necessary to hosting the World Cup, such as those working on the Metro and other infrastructure projects, in food and beverage, cleaning, event management, hospitality, transport and security, what specific measures is the Supreme Committee taking to prevent and respond to wage abuses?
3. What steps has the Supreme Committee taken, including engaging with FIFA and creating policies and mechanisms, to ensure that workers on World Cup sites receive their salaries during the Covid-19 pandemic?
4. Does the Supreme Committee have a policy to recruit workers only from labor supply and construction companies that have clean records regarding recruitment practices and the Wage Protection System? If so, how does the committee ensure that such companies have not previously committed wage abuses and are not currently committing wage abuses?
5. What engagement has the Supreme Committee had with the Qatari government regarding policies and mechanisms on preventing wage abuses, on workers' recruitment fees, and bans that prohibit workers from free association, collective bargaining and strikes? What has the Supreme Committee been advocating with the government specifically regarding workers' rights? Please provide an update on

these talks including whether such conversations relate to workers' rights that could impact workers beyond those employed at World Cup sites.

Date: 17 August 2020

Ref. No.: [REDACTED]

Michael Page
Deputy Director
Middle East and North Africa Division
Human Rights Watch
[REDACTED]

Subject: Response to letter relating to wage abuses of migrant workers in Qatar

We refer to your letter dated 22 July 2020, summarising Human Rights Watch's (HRW) findings and questions relating to your organisation's research into employers' wage abuses in Qatar.

All workers under the purview of the Supreme Committee for Delivery & Legacy (SC) are covered under the SC's Workers' Welfare Standards (WW Standards) and enforced by the Workers' Welfare Department (WWD), to ensure adherence to specific requirements for ethical recruitment, salaries and benefits and accommodation. In addition to construction workers, the scope of our programme also covers workers involved with security services, facility management, housekeeping/clinics, transport, food and beverage, among others. Through our robust Compliance and Audits mechanism, we continuously monitor companies' compliances with the requirements of the SC WW Standards and Qatar Labour Law and have enforcement measures in place to rectify any non-compliance.

Protection of wages

We continuously monitor payment of wages on our programme. When incidences of non-compliance are identified, we implement the enforcement measures made available to us through our WW Standards. We have always maintained a spirit of transparency. For example, we reference our [5th Annual Progress Report](#), in which we highlight the issue of delayed wages as a challenge we are working to overcome.

Through our forensic auditing process and the grievance mechanisms we have made available to workers, we quickly identify cases of salary delay issues. In each case, we undertook rectification options available to us, including:

1. **Reporting to the Ministry of Administrative Development Labour and Social Affairs (MoADLSA)** – the SC has reported non-compliant contractors to MoADLSA. In the majority of instances, MoADLSA has taken punitive action that included issuance of warnings to defaulting contractors, placing an administrative block on their activities and in isolated, egregious cases, arrest of contractors' owners.
2. **Payment suspension and direct payment to workers by main contractor** – based on the SC's direct instruction, some main contractors made direct payments to affected workers from the defaulting sub-contractors. In the case of one contractor, this arrangement continued for at least six months, until the sub-contractor's financial situation improved.



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3. **Watchlisting/blacklisting** – when non-compliance persisted, we placed offending contractors on our watch-list / blacklist prohibiting their mobilisation on any SC site until there was evidence of satisfactory rectification.

Our external monitor, [Impactt Ltd.](#) - a leading ethical trade consultancy firm - plays a vital role in our four-tier auditing system. As part of their quarterly audits, Impactt examines the salary disbursement records, conducts socio-economic surveys with workers, and reports any cases of non-compliance along with their root causes. The SC promptly follows up with our main contractors and their respective sub-contractors to resolve any issues Impactt reports, undertaking the rectification measures available to us outlined above. By their next quarterly audit, Impactt follows-up to ensure satisfactory closure of any non-compliances. As with our Annual Progress Report, to maintain transparency, Impactt annually releases an independent public report outlining the challenges it identified during that reporting period, including delays in salary payments. Impactt's reports, along with all the SC Annual Progress Reports, are published online at [\[https://www.qatar2022.qa/en/opportunities/workers-welfare/news-reports\]](https://www.qatar2022.qa/en/opportunities/workers-welfare/news-reports).

During the COVID-19 pandemic, the SC has implemented wide-ranging policies to ensure the welfare of our workers (<https://www.qatar2022.qa/en/about/faq#COVID-19>). The SC mandated that all workers on its programme are routinely provided with their salaries, food, transportation and accommodation in accordance with the guidelines released at the onset of the pandemic, by MoADLSA. This includes payments to workers in isolation and quarantine. High-risk workers identified by the SC (workers with pre-existing chronic conditions and those aged above 55) were promptly relocated to a separate accommodation to ensure their health and well-being. In addition, they were temporarily suspended from work, yet they continued to receive their salaries, benefits and accommodation. The SC constantly engages with all our contractors and deals with matters on a case-by-case basis when issues arise directly related to salary payment.

Pre-mobilisation and recruitment

Since January 2017, the SC has implemented a workers' welfare pre-mobilisation approval process to ensure that contractors, before they enter our sites, comply with Qatar Labour Law and the WW Standards. When shortcomings are identified, contractors are required to provide evidence of rectification prior to being on-boarded. Approval is withheld to contractors who have defaulted on WW Standard's requirements or are on our 'watch-list', until they have rectified their respective issues and provided comprehensive commitments to adhere to the WW Standards.

Concerning recruitment practices, the WW Standards are clear on the process to be followed for every contractor engaged on an SC project. SC contractors are only permitted to use recruitment agencies registered with MoADLSA. The contract between the recruitment agent and contractor must include mandatory clauses that include free recruitment and mobilisation of workers; contractors' responsibility to bear the full cost of recruitment; no retention of workers' personal documentation; and the strict prohibition of using unlicensed brokers/sub-agents.

The SC has also implemented a Universal Reimbursement Scheme to ensure recruitment fees are reimbursed by contractors to employees. The SC has collaborated with over 230 contractors to date to reimburse approximately 47,900 workers (only 29,300 of which are SC workers), with over \$31 million committed to be



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reimbursed over the following three years. In addition, 180 contractors have “formalised” their commitment by attesting it with MoADLSA. This ensures that reimbursements continue post-demobilisation.

Workers’ voice

The WW Standards require that every contractor with 50 or more workers establish Workers' Welfare Forums (WWF) for each of their accommodation sites. WWFs provide a safe environment to raise a wide range of issues which include salary delays, accommodation, food, transport and health and safety concerns. Workers democratically elect their representatives, and collectively address their grievances to Workers’ Welfare Officers (WFO) through their representatives on a monthly basis. We have found WWF to be very effective in identifying worker grievances. The Building and Wood Workers’ International (BWI) attends WWF meetings during their Joint Working Group visits and engage with Workers’ Representatives to enhance awareness on the role of WWF, WFO and the SC grievance hotline. They have attested to the transformational nature of these forums and their effectiveness in amplifying workers’ voices.

A key component of our workers’ welfare programme is ensuring the legacy that will define Qatar’s FIFA World Cup in 2022. We work closely with MoADLSA and other partners in Qatar to continuously transfer knowledge and best practices. One clear indication of this legacy, is the announcement in April 2019 by the International Labour Organization (ILO) and MoADLSA of their intention to expand the WWF system country-wide - they will be implementing this mechanism across Qatar providing workers with Joint Committees where they can collectively raise their grievances.

We trust the information enclosed gives you the answers required and will be adequately contextualised in your report. If you seek further clarification on any of the points raised within please do not hesitate to get in touch.

Supreme Committee for Delivery & Legacy