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Stephen Cockburn
Deputy Director, Global Issues Amnesty International
1 Easton Street,
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Subject: Response to letter relating to the non-payment of wages to workers employed by Qatar Meta Coats W.L.L. on the Al Bayt Stadium Project

Dear Stephen,

Reference made to Amnesty International letter dated 20 May 2020, regarding the non-payment of wages to workers employed by Qatar Meta Coats W.L.L. (QMC), subcontractor under GSICJV the main contractor on the Al Bayt Stadium Project.

Aspire Zone Foundation (Aspire) was made aware of the delayed salary payments in July 2019, as a result of the Supreme Committee for Delivery & Legacy (SC) Workers Welfare Department's (WWD) ethical recruitment audits and workers' interviews – a key component of the SC robust Workers Welfare Standards (WW Standards). Subsequently, the SC notified Aspire that they have received various complaints on the issue via our dedicated and anonymous SC WWD Grievance Hotline. Since that time, Aspire together with SC have been working to find a solution for the affected workers. We strongly agree that they should not be penalised because of their employer's financial restrictions.

The Aspire, the SC and Al Bayt Stadium main contractor GSICJV management have done regular follow ups with QMC regarding the issue of delayed salary payments which resulted in an outcome of the salaries for July and August 2019 were paid on 24 October 2019. In 9 February 2020, QMC committed to pay the remaining outstanding salaries by 13 February 2020 that was clearly mentioned in a commitment letter issued by QMC. Unfortunately, QMC didn't honored their commitment and failed to do so, claiming that their financial distress as the reason. As result of the non-compliance and the issues with salary payments delays QMC were reported by the SC WWD, to the Ministry of Administrative Development, Labour and Social Affairs (MoADLSA). MoADLSA confirmed to SC WWD that there are still pending salary payments owed to QMC workers and had recently informed SC WWD that QMC has been forced to make the necessary payments once the banks reopen after the Eid holiday. QMC has also been recently sold to a new owner and MoADLSA is dealing with new ownership on this matter.



The Aspire and SC continues to monitor and manage the current situation by implementing other enforcement measures with the main focus being the payment of the outstanding salaries to the affected workers. For example, we suggested that the main contractor GSICJV withhold the remaining payment from QMC and pay the outstanding salaries directly to their workers. However, as you are aware, this proposal was faced with legal and financial barriers. Every solution proposed, and where possible implemented, such as payment suspension; rectification at contractor's cost; blacklisting; and reporting to MoADLSA, was made available to the SC through our WW Standards. To claim that they "*appear to have no real bite*" undermines the impact they have had in managing our supply chain, and we are disappointed you have asserted as such. Isolated instances of egregious non-compliance occur on occasion. In the vast majority of cases, Aspire and SC have a credible track record of reaching a desired outcome. However, in this case, whilst we have been able to rectify some of the issues, we have not yet arrived at an acceptable conclusion. We will continue to pursue the options available to us until the workers have received their outstanding salaries.

The actual true fact that it was the enforcement of the SC WW Standards that brought the matter to Aspire and SC attention in the first place and with respect to your question regarding the due diligence check on QMC, the WW Standards are clear when it comes to the processes to be followed for the onboarding of contractors. As part of SC WW Standard pre-mobilisation due diligence process, QMC provided the SC WWD with a copy of their recruitment agreement in line with the SC requirements and Qatar Labour Law. The agreement clearly allocates the responsibility of paying the recruitment fees to its management. As you know, contractors in SC projects are only permitted to use recruitment agencies registered with MoADLSA. Furthermore, the contract between the recruitment agent and the 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 WWD conducts its own due diligence as detailed above, without exception.

This was the case with accommodation inspections, and review contractors' ongoing reporting requirements and management of grievance mechanisms.

QMC's non-compliances of the SC WW Standards have been listed above. The core reason behind their violations is their precarious financial condition coupled with the irrevocable assignment of its right to receive direct payments from GSICJV to a third-party bank, due to their financing arrangements. QMC's management neglected to adhere to its commitments with respect to Workers' Welfare obligations, including payment of outstanding salaries to the workers.

The steps taken by Aspire and SC are summarised as follows:

1. The WWD conducted nine ethical recruitment audits of QMC since 2018.
2. QMC were reported to GSICJV for rectification in mid-2019.



3. The SC WWD reported QMC to MoADLSA which resulted in QMC being “administratively blocked” by the MoADLSA until issues were rectified by QMC.
4. Joint meetings were conducted with, GSICJV and QMC management to regularly follow-up and attempt to resolve the issues.
5. QMC management commitment was sought and received on 30 January 2020 to clear all salaries up until December 2019, by no later than 6 February 2020. This deadline lapsed, and a further commitment was given for 13 February, as mentioned above.
6. GSICJV was noticed by SC WWD to demobilise QMC due to repeated non-resolution of critical issues, including non-payment of outstanding salaries.
7. QMC was placed on the SC WWD “watch-list” and cannot be employed on any Aspire or/and SC project until further notice.

The Aspire together with SC has engaged in significant efforts to enforce SC WW Standards and rectify the issues - over a nine-month period. To claim that the Aspire or/and SC “*may be said to be contributing to these adverse human rights impacts by not enforcing the Standards against its contractors and sub-contractors*” is incorrect and demonstrates a lack of understanding as to how SC WWD audit and inspection system works.

We trust the provided information herein provides the answers to quires raised by Amnesty International and will be fairly reflected and adequately contextualised in your report.

Your Sincerely,

Mohammed Khalifa Al-Suwaidi
CEO
Aspire Zone Foundation