



Hassan Abdullah HR Al Thawadi
Secretary General
Qatar 2022 Supreme Committee
Doha, Qatar

HTUR/JSV

24 April 2013

Workers' Charter

Dear Secretary General Al Thawadi

We have received a copy of the *Qatar 2022 Supreme Committee Workers' Charter*. While understanding that this document represents a mere statement of principles, which will be followed by concrete contractual language, we are nonetheless very disappointed both with the process and what the Charter's contents portend.

As you know, the International Trade Union Confederation (ITUC) and Human Rights Watch (HRW) jointly submitted in December 2012 a comprehensive proposal for a labour clause to be included in the construction contracts commissioned by the Supreme Committee. At no subsequent time did Supreme Committee consult with either organization on that proposal; indeed, our proposal was treated as the beginning and end of consultations. This is unacceptable and represents in our view bad faith on the part of the Supreme Committee. We urge the Supreme Committee to send to us by May 31, 2013 draft contract language, with the opportunity to comment upon it before the language is finalized.

In the past year, the ITUC, BWI, HRW and Amnesty International have spoken with various government officials as to importance attached to the right of all workers - including migrant workers - to be able to exercise their fundamental right to freedom of association. These concerns have been explained in detail and indeed are the basis of a complaint filed by the ITUC and BWI with the ILO's Committee on Freedom of Association - to which the government of Qatar has now twice failed to reply. The absence of any reference to freedom of association in the Charter is disconcerting, as we assume that this signals the absence of freedom of association in the contract language. We would view any contract language that fails to include binding language on freedom of association as insufficient.

Further, with regard to "*Unlawful Practices*", we appreciate that the Charter calls on all contractors and subcontractors to prohibit child labour, forced labour and trafficking. However, the Qatari government has so far done nothing to reform/dismantle the punitive kafala system which contributes to the exaction of forced labour of migrant workers by their employers. In the absence of a deep reform of this system, which would allow

workers to easily remove themselves from exploitative situations and to transfer to another employer, trafficking will continue despite the injunction in the Charter and the best contractual language.

Finally, Qatar's labour inspection system remains poor, as it does not have the sufficient number of staff with the skills and training necessary to enforce its labour laws among a workforce of over 1 million migrant workers. Together with the great difficulty that migrant workers face in accessing the justice system, it is hard to imagine how the government will be able to ensure that any contract provisions as to labour are being respected in practice. While the construction firms would have an obligation to respect workers' rights, this does not obviate the need of the government to protect these same rights in law and in practice.

Again, we reserve final judgment based upon a review of the contract language. We again call upon the government to provide a draft by the date indicated so that we may engage in good faith consultations and arrive at contractual language that meets international standards.

Yours sincerely,



Sharan Burrow
General Secretary, ITUC



Ambet Yuson
General Secretary, BWI