

United States Senate

WASHINGTON, DC 20510

October 26, 2017

The Honorable R. Alexander Acosta
Secretary of Labor
U.S. Department of Labor
200 Constitution Avenue NW
Washington, D.C. 20210

Dear Secretary Acosta:

We write to you concerning the complaint against Qatar currently before the International Labor Organization (ILO) regarding Qatar's failure to uphold the principles of the Forced Labor Convention and the Labor Inspection Convention (Conventions).^[1] These Conventions are important tools that advance fundamental human rights and strengthen efforts to reduce human trafficking around the world. At the ILO's upcoming 331st Session of the Governing Body, we request that the U.S. take action to prevent a termination of ILO oversight of the issues raised in the complaint, and continue to advocate for close international scrutiny over Qatar's labor policies. We request that the U.S. further pursue an outcome that will most effectively facilitate a meaningful reduction in the risk of human trafficking and exploitation of Qatar's workforce.

As the U.S. government's representative to the ILO, the Department of Labor (DOL) has a critical opportunity to demonstrate global leadership by continuing to hold the government of Qatar accountable for its policies. Spurred by a petition requesting a formal Commission of Inquiry (COI), the ILO has been engaged in an ongoing dialogue with the government of Qatar to assess whether Qatar meets its obligations under the Conventions. To date, the government of Qatar has not sufficiently addressed the allegations in the COI petition, though it has demonstrated its willingness to engage in dialogue. Therefore, it is imperative the ILO does not allow the complaint to be dropped. The ILO must continue to hold Qatar accountable and demand policy changes.

The current complaint against Qatar was originally made to the ILO in 2014 by worker delegates from 12 countries. In particular, the complaint focused on "widespread and systematic violations" of the Forced Labor Convention that affect the migrant worker population of about 1.6 million. Relying on evidence from a number of reports by governments, international bodies, and civil society, including the U.S. State Department's 2013 Trafficking in Persons Report, the complaint highlighted:

- The highly exploitative recruitment and employment system currently in place, which facilitates forced labor by unscrupulous employers and includes practices such as contract

^[1] See *Complaint concerning non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution*, available at: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_348745.pdf

substitution, high recruitment fees, late or non-payment of wages, and passport confiscation.

- The government of Qatar's failure to implement a legal framework sufficient to protect the rights of migrant workers, in particular a sponsorship system that makes it very difficult for workers to leave an abusive employer.
- The government of Qatar's failure to provide effective redress mechanisms for victims of forced labor and to prosecute the perpetrators of forced labor.

Since the initial complaint, the ILO has given Qatar several years to implement changes to bring its policies in line with the Conventions, through deferment of a final decision concerning a Commission of Inquiry. In recent years, Qatar has introduced a number reforms, including sponsorship reforms, introduction of the Wage Protection System, a new law setting up a labor dispute committee, and a new law on domestic work. While these steps are positive, we do not believe they have gone far enough in addressing the structural issues that continue to make workers vulnerable to exploitation and forced labor, and it is unclear whether these reforms have been implemented effectively.

Qatar will be hosting the 2022 World Cup, a tremendous privilege that underscores its responsibility to uphold basic human rights. With the world's attention focused on Qatar's efforts to build the infrastructure necessary to host the tournament, we need to continue pushing Qatar to address the structural deficiencies that create vulnerability to exploitation and forced labor in its workforce. One step Qatar could take is eliminating the requirement that workers must notify their employer and receive permission before leaving the country.

We understand the ILO may soon conclude a program of technical cooperation with Qatar under which Qatar will agree to take necessary steps to comply with international labor standards and build up the capacity to fully implement and enforce legal reforms. We request that DOL closely review the content of any technical cooperation agreement, as well as Qatar's commitment to implementing all components of the agreement, to ensure the resolution of the issues raised in the complaint.

Given the significant concern about the continued lack of access to justice and redress for workers who have been abused by employers in Qatar, we request that the U.S. ensure the ILO continues to carefully scrutinize Qatar's labor policies and demand meaningful changes in policy that clearly reduce the risk of forced labor and exploitation in Qatar's workforce.

Sincerely,



Marco Rubio
U.S. Senator



Robert Menendez
U.S. Senator