
SECOND REPORT BY THE FIFA HUMAN RIGHTS ADVISORY BOARD

*INCLUDING THE BOARD'S RECOMMENDATIONS
AND FIFA'S RESPONSES*

SEPTEMBER 2018

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PART A – THE ADVISORY BOARD’S WORK IN GENERAL AND SPECIFIC RECOMMENDATIONS

1. Introduction

The FIFA Human Rights Advisory Board was established by FIFA in early 2017 to help strengthen its efforts to ensure respect for human rights. The Board is an independent body composed of eight international experts in human, including labor, rights and anti-corruption issues from the United Nations, trade unions, civil society and business who have been appointed for an initial term of two years.¹ The Board provides FIFA with advice and recommendations on all issues that it considers relevant to the implementation of FIFA’s human rights responsibilities under Article 3 of the FIFA Statutes, as elaborated in FIFA’s Human Rights Policy.

The eight members of the Board provide advice on an independent basis and receive no financial or other compensation for their time from FIFA or from any other football entity. This is the Advisory Board’s second formal report.

We issued our first report in September 2017.² Given that 2018 is a World Cup year, the Board agreed with FIFA to launch our second public report, together with FIFA’s responses, after the tournament at the end of the summer. However, to avoid too lengthy a gap in ensuring transparency around our work, in May 2018 we issued a short update statement as an addition to our formal reporting process.³ In it we provided a summary of the time-sensitive advice we had given FIFA regarding the 2018 FIFA World Cup in Russia and evaluation of the bids for the 2026 FIFA World Cup, and also our views on the progress being made by FIFA in these areas. We reproduce that information in this report for completeness.

We used our first report in September 2017 as a level setting opportunity to review FIFA’s existing systems for managing human rights risks in a range of critical areas.⁴ We structured its contents according to the core areas of FIFA’s responsibility to respect human rights under the UN Guiding Principles on Business and Human Rights (UN Guiding Principles) in order to help drive alignment with John Ruggie’s earlier public report on what FIFA needed to do.⁵ Consequently, Part A of our 2017 report ran to 30 pages and included an overview of FIFA’s progress across the core areas of the responsibility to respect: namely, adopting a policy commitment, embedding it throughout the organisation, identifying and addressing human rights risks, tracking and reporting on implementation, and enabling access to remedy. It also contained 33 recommendations, covering specific as well as systemic issues.

¹ See <https://www.business-humanrights.org/en/fifa-human-rights-advisory-board>

² Available at http://resources.fifa.com/mm/document/affederation/footballgovernance/02/91/92/38/fifahumanrightsenweb_neutral.pdf

³ Available at https://www.business-humanrights.org/sites/default/files/documents/AB%20Update%20Statement_May%202018_Final.pdf

⁴ Available at http://resources.fifa.com/mm/document/affederation/footballgovernance/02/91/92/38/fifahumanrightsenweb_neutral.pdf

⁵ See John Ruggie, “For the Game. For the World.”: FIFA and Human Rights’, April 2016, available at <https://www.hks.harvard.edu/centers/mrcbg/programs/crri/research/reports/report68>

In Part A of this second report, we have focused on a series of priority areas, including the 2018 FIFA World Cup in Russia, the bidding process for the 2026 FIFA World Cup, steps to address heat and other risks to workers involved in the 2022 FIFA World Cup in Qatar, players' rights, discrimination against women in Iran, and further strengthening FIFA's institutional approach to engagement and communication on human rights. As explained further below, this reflects our move to making more specific recommendations on urgent issues with the expectation of prompt responses by FIFA, in addition to recommendations addressing longer-term institutional changes.

In Part B, FIFA responds to the recommendations contained in our September 2017 report as well as several of the priority issues raised in this report.

Our Work in General

The Board has met in person three times to date – in March 2017, October 2017 and February 2018 at FIFA headquarters in Zurich, for two days each time. We will hold our fourth meeting in Doha, Qatar in October this year.

Over the last 18 months, we have refined our own methods of working as an independent Board and deepened the frequency of our exchanges with FIFA. We have consistently had frank and open exchanges with FIFA about the human rights risks the organisation faces and what needs to be done about them – from our regular interactions with the secretariat,⁶ who proactively ask for our advice on a range of matters, to our discussions with President Infantino and Secretary-General Samoura as well as other colleagues from across the Administration. We have appreciated their frankness about the opportunities and challenges they face.

Since our last report, we have renewed our engagement with the Governance Committee through our formal point of liaison on the Committee, Rainer Koch, vice president of the German Football Association. Our chair, Rachel Davis, and Sylvia Schenk discussed our work at the Governance Committee’s January 2018 meeting, and Mr Koch joined us for part of our last Advisory Board meeting in February 2018. In addition, our chair also met in person with the chair of the Governance Committee, Mukul Mudgul, and Mr Koch in Moscow where the Governance Committee was meeting in advance of the 2018 FIFA World Cup.

We warmly welcome the appointment of Ian Binnie, former Justice of the Supreme Court of Canada and a recognized expert voice on business and human rights, to one of the independent positions on the Governance Committee, and we look forward to working closely with him. In addition to the involvement of independent members with human rights expertise in the Committee, we believe it is equally important that representatives from within the football family become engaged in this topic. The broader the appreciation and understanding of the role that human rights play in sports, the greater the opportunity for them to be fully embedded in football’s governance and culture globally. So we are pleased that Mr Koch and Mr Binnie will co-chair the Committee’s working group on human rights.

While in Moscow, our chair also met with the secretaries-general of the six regional confederations to discuss the Advisory Board’s work and the connection to their own responsibilities as independent confederations. FIFA covered the travel costs of the chair’s trip; she did not receive daily stipends, nor did she attend any World Cup matches.

⁶ In this report, the “secretariat” refers to the members of FIFA’s Sustainability and Diversity Department that have responsibility for human rights and act as the secretariat to the Advisory Board under the Board’s TOR.

We have benefited greatly from engagement with a number of expert stakeholders since our last report. We continue to welcome feedback on our work, as reflected in this report, as well as broader information about issues falling within our mandate.

Tracking FIFA's Progress Against Our Recommendations

The Board and the secretariat have been closely tracking FIFA's progress against the recommendations we have made to date. FIFA has met a number of them already, and implementation is ongoing or at advanced stages in many other cases.

Annex 1 contains a summary of FIFA's progress against the specific recommendations from our first report, as well as against two sets of recommendations we made in December 2017 and February 2018, which we are reporting publicly here.

According to the tracking system agreed upon by the Board and FIFA, the status of each of the Board's recommendations is classified along a scale from 1-4:

- 01** means implementation has not yet started;
- 02** means implementation is ongoing;
- 03** means implementation is at an advanced stage; and
- 04** means it has been fully implemented (or closed out).

FIFA maintains the tracking system on its internal server and the Board and FIFA independently enter their perspectives on progress in the shared tool. The Board has the final say on whether implementation has met our expectations or not and whether the recommendation can thus be considered as closed. Given that the Board's role is advisory, FIFA may decide to reject a specific recommendation or adopt a different approach. Where this is the case, it is accompanied by an explanation of FIFA's reasons and an analysis of why an alternative approach is being adopted.

To the Board's knowledge, no other global sports organisation has established an accountability mechanism like this to track progress on its human rights commitments.

Reflecting on the progress FIFA has made, and what still needs to be done, we remain committed to supporting and challenging FIFA as it works to strengthen its efforts to respect human rights. We hope that our reports will not only be useful to FIFA but also to those stakeholders who lack the direct insight that we have into what FIFA is doing. Of course, one of the most important overarching recommendations we have made to FIFA is to step up its own communication about its human rights efforts, as ultimately stakeholders need to hear more – and more regularly – from FIFA about what it is doing. The publication of FIFA's first human rights report in early 2019 provides an important opportunity to do so.

We now turn to our specific recommendations to FIFA on a range of priority topics.

2. SPECIFIC RECOMMENDATIONS TO FIFA

Compared to our approach in the first half of 2017, the Board now provides recommendations to FIFA on a rolling basis, in order to address issues in a timely manner as they arise. We explain below when recommendations were made so that stakeholders can see how we are interacting with FIFA on a regular basis.

A note on numbering: In our first report, we numbered our recommendations according to substantive areas of FIFA's responsibility to respect human rights (policy commitment, risk assessment and so forth). For ease of reference, we change this approach in this report and number the recommendations in the order they were submitted to FIFA. Please see annex I for a list with all previous recommendations and their respective numbers.

2.1 2018 FIFA World Cup in Russia

a. Construction workers' rights

The Decent Work Monitoring System in Russia covering the FIFA World Cup 2018 stadia was launched by FIFA and the Local Organising Committee (LOC) in April 2016 and ran until March 2018.⁷ From mid-2017, FIFA stepped up its efforts to work in collaboration with the other parties to the Memorandum of Understanding (MOU) supporting the system, and to use its leverage together with the LOC to engage the main contractors for each stadia and the state authorities to seek to address a number of severe risks to workers. This includes a range of actions FIFA took in response to the Board's recommendations in this area, which FIFA explains in Part B of this report.

For a discussion of the steps undertaken by FIFA in relation to the board's recommendations regarding construction workers' rights in Russia, see: **p. 41-51**

In our last report, we recognized that the system has led to some clear improvements in the extent of protections for workers on construction sites. We also recognize that, since mid-2017, there was improved cooperation at the operational level between FIFA and the LOC and Building and Wood Workers' International (BWI) in particular.

At the same time, the system overall continued to be hampered by weaknesses inherent in the way that contractual relationships were organized on the stadia construction sites, and the predictable limitations on leverage for FIFA and for the LOC that resulted from this. It was also limited by inherent challenges in the protection of labour rights in the Russian construction sector. This included the need to rely on state-based systems to address certain impacts (for example, where there was a fatality or an allegation that workers had not received the wages

⁷ For further information about the system, see <https://www.fifa.com/worldcup/news/monitoring-system-strengthens-working-conditions-on-russia-2018-stadiums>

they were promised) when those systems either took a long time to provide remedy or only provided partial remedy. All these factors made it harder to make substantial progress on some of the most systemic risks to workers, related to wages and health and safety requirements in particular (as explained further below).

Notwithstanding the closer engagement between FIFA, the LOC and BWI under the MOU, the effectiveness of the protections that were in place to mitigate specific severe risks to workers remain contested between the parties. Consequently, there has still been no formal public communication on jointly agreed results of the system.

FIFA has published two short updates on the functioning of the system.⁸ In June 2018, BWI published its own analysis, including of the number of fatal accidents connected to renovation and construction of the stadiums used for the tournament – a total of 18 fatalities since the 2018 FIFA World Cup was awarded.⁹ The Board understands that FIFA and BWI agree on the number of deaths and their causes, although that information has not otherwise been made publicly available. While BWI's report recognised where some progress was certainly made through the decent work monitoring system, this figure must raise questions about the overall effectiveness of the system in mitigating the most severe risks to construction workers.

FIFA and the Board have regularly discussed progress against the Board's recommendations on this topic in the period since our last report. We agreed that the Board's recommendations in this area (recommendations 12-17; 30; 33-34 in Annex and the further recommendations below) would remain relevant through the end of the construction work in Russia, since they were not simply about instituting or strengthening monitoring and follow up processes – which we recognize that FIFA and the LOC made progress on – but about whether those processes adequately improved outcomes for workers on the most severe risks to their rights.

In December 2017, the Board made a series of recommendations to FIFA refining the recommendations in our September 2017 report on this topic and addressing outstanding issues. Our December recommendations were:

⁸ See note 7 above; see also

<https://www.fifa.com/sustainability/news/y=2017/m=6/news=fifa-statement-on-human-rights-watch-report-on-russia-2894986.html>

⁹ BWI also reports that an additional three fatalities occurred on the St Petersburg stadium construction site before the 2018 FIFA World Cup was officially awarded. The full report is available at

<https://www.bwint.org/cms/news-72/new-report-fifas-foul-play-at-the-2018-world-cup-russia-1084>

- R35** That, building on recommendations 3(e) and 3(h)¹⁰ from the Board's first report, and following discussions with the other MOU parties, FIFA should be transparent about the actual number of fatalities on 2018 FIFA World Cup construction sites and, to the greatest extent possible, the results of all investigation reports.
- R36** That, building on recommendation 3(g)¹¹ from the Board's first report, FIFA should take a more proactive stance on investigations of fatalities and should use its leverage, together with the LOC, to directly engage the main contractors to seek to ensure that they are providing an adequate response. Where they are not, FIFA should look at how appropriate assistance and support can be provided to families of the victims by the LOC in the first instance.
- R37** That, building on recommendations 3 (f) and 3(i - renumbered)¹² from the Board's first report, FIFA should use its leverage to help ensure that comprehensive health and safety measures are put in place to prevent major accidents, particularly on work at heights, by working closely with the LOC and engaging with all relevant parties, including the responsible contractors, the government and the parties to the MOU. These should include strict compliance with the health and safety measures pertaining to scaffolding, tower crane operations and harness management, including "near misses". In addition, site inspections should be more frequent and focus on stadium sites with bad health and safety records and those that would pose the most serious dangers to workers.
- R38** That FIFA should seek, together with the LOC, to proactively identify a solution to address any delayed or unpaid wages, especially for migrant workers, given the predictability of this risk from past major sporting events in the country. FIFA should engage proactively, together with the LOC, with stadium owners and the main contractors on how they will meet their responsibility to ensure workers have received a fair wage, including the payment of promised bonuses as well as payments to those who have already finished work on the construction sites.
- R39** That FIFA should require contractors for future tournaments to use a wage structure that provides for a fair wage and is set out clearly in written contracts, as part of its expectations of good practice in construction.

The monitoring system included a requirement for contractors to report any serious incidents upwards (ie, from the sub-contractors to the main contractors, and from the main contractors to the stadium developers). The LOC agreed with the main contractors that any serious incident

¹⁰ Recommendations 12 and 15 according to the new numbering system (see annex)

¹¹ Recommendation 14 according to the new numbering system (see annex)

¹² Recommendations 13 and 17 according to the new numbering system (see annex)

on site should also be reported to the LOC; this was not a formal contractual requirement, but it was generally followed by contractors. FIFA and the LOC sought to engage with the main contractors following a fatality and to use the subsequent monitoring visit to obtain fuller information and make recommendations. However, in BWI's view, serious joint discussion of fatalities and follow up among all the parties to the MoU really began in the second half of 2017.

In addition, the LOC was able to check on steps to implement required measures following a state prosecution after a fatality (although such prosecutions could take anywhere from one month to one year to complete). BWI remained concerned by the adequacy of the legally mandated compensation amounts and the lengthy delays in the provision of that compensation, with up to six months' processing time in some cases, which could lead to serious hardship for victims' families, compounding their loss.

There was a continuing problem in ensuring that workers used Personal Protective Equipment (PPE), which is often an issue in the construction sector more broadly, and in ensuring the safety of work at heights. Positive measures taken by the LOC to address this in the final months of construction included the development of targeted training materials by the Klinsky Institute,¹³ and the provision of training by the Klinsky Institute directly to the health and safety specialists and/or workers involved in work at heights. In other cases, the materials were provided to the main contractors' management and they were asked by the LOC to conduct the training. BWI and RBWU also took steps to raise awareness among workers of these issues, including sending experts to participate in some of the trainings. Importantly, the analysis by BWI notes that no fatal accidents occurred during the last months of construction and concludes that the steps taken to address heightened health and safety risks in those last months "may have contributed to improvements".¹⁴

According to FIFA and the LOC, the monitoring system did not find significant non-payment of wages, but did find a number of cases of delayed wage payments. They then sought to engage the main contractors and, where necessary, the state authority Rostrud in effectively resolving those cases.

¹³ The Klinsky Institute of Labour Protection and Working Conditions carries out inspections of working conditions in the ten stadia that are undergoing construction or major renovation in preparation for the tournament.

¹⁴ Note 8 above, p 10.

However, BWI's public analysis found that "non-payment of wages and delays in payment were common occurrences".¹⁵ There are two main reasons for the contrasting nature of this finding. First, regarding the issue of late payments, BWI's view was that the issue was a recurring one that was generally only addressed after the fact when it was found to be a problem during monitoring visits.

The second reason relates to how "wages" is defined. For many workers, their contracts specified payment of the minimum wage and did not record bonuses that the workers say that they were promised as an integral part of their overall wages. The Board understands that in the construction sector in Russia employers often tie bonuses to financial performance or the discretionary decision of a senior company representative; yet workers are often unaware of these restrictions and assume that the bonus will be a regular part of their monthly wages. In some cases, these bonuses were the equivalent of up to 70% of the workers' total wages. However, there was no legal regulation of the use of bonus payments.

According to BWI, these bonuses "were not considered as valid issues to register [during joint inspection visits] as there had been no violation of any employment law".¹⁶ Thus payment of them was not monitored nor followed up on.

Looking ahead, we understand that FIFA will conduct a "lessons learned" review of the decent work monitoring system overall, including its establishment, evolution over time, effectiveness and limitations in addressing the most severe risks to workers' rights. This review should include impacts that have been particularly difficult or impossible to address, for example the situation of the North Korean workers who were found on one of the construction sites in November 2016.

In addition, we also recommend:

- R47** That FIFA conduct a joint review specifically of the MoU with BWI to identify lessons for the future on how to enhance cooperation in preventing and addressing harm to construction workers connected to FIFA World Cup tournaments.

¹⁵ Ibid, p 9.

¹⁶ Ibid, p 8.

b. Protection of Human Rights Defenders and Media Representatives

FIFA's Human Rights Policy includes important commitments to respect and protect the rights of human rights defenders – meaning anyone working for the promotion and protection of human rights, whether on a professional or non-professional basis – as well as media representatives covering FIFA events and activities. The Board had urged FIFA to prioritise attention to implementing this commitment in the run up to the 2018 FIFA World Cup in Russia given the situation in the country and as the first meaningful opportunity to test the system in practice (see our recommendation 3(d)¹⁷ from our September 2017 report).

For a discussion of the steps undertaken by FIFA in relation to the board's recommendations regarding the protection of human rights defenders and media representatives, see: **p. 63-68**

It is worth noting that FIFA had already begun building its ability to respond to such cases. Since mid-2017 the Board has been closely following the situation of Mr Semyon Simonov, a Russian human rights defender who was working as a researcher with Human Rights Watch. He worked on HRW's 2017 report on construction workers' rights on the FIFA World Cup 2018 stadia. Mr Simonov was briefly detained by local police and subsequently subjected to threats and intimidation in connection with his work. We have advised FIFA at various points on the organisation's response.

We commend FIFA on the steps the Administration has since taken to raise Mr Simonov's situation with the LOC at the highest levels, as well as demonstrating active interest in his personal safety, including through attending a court hearing about his claim against the police regarding his detention.¹⁸ This engaged approach should be the default in all future cases involving threats to human rights defenders connected to FIFA's operations.

We appreciate the progress FIFA has begun to make in this area. FIFA worked with a leading human rights defenders' advocacy group to develop a policy framework, including a complaints mechanism, to prevent and address risks to human rights defenders and media representatives. The Board made a number of suggestions in December 2017 on elements that should inform FIFA's approach that were integrated into the final design. The mechanism was formally launched on 29 May, 2018.

¹⁷ Recommendations 11 according to the new numbering system (see annex)

¹⁸ See <https://www.hrw.org/news/2018/02/26/welcome-support-workers-rights-advocate-russia>

In addition, the Board made the following recommendations in December 2017:

- R40** That FIFA commit to applying maximum leverage with the government in cases of harassment, intimidation and/or detention of human rights defenders for exercising their full range of rights, including freedom of expression (also on-line) and assembly. FIFA should also commit to engaging with the government to secure the prompt release of detained human rights defenders and to alleviate any restrictions imposed on them by the authorities in the performance of their role.
- R41** That FIFA start as early as possible to inform Member Associations, national media and its own business partners (especially TV broadcasters and sponsors) about its system for protecting human rights defenders, including developing briefings in different languages and helping to educate the staff of the LOC, volunteers and others that will be crucial local points of contact about the system.

The Board has continued to follow up with FIFA on the situations of Mr Hajo Seppelt, the German journalist who was initially denied a visa, and the four protestors connected to the group Pussy Riot who were detained after they ran onto the pitch during the FIFA World Cup 2018 final. FIFA has been actively involved in following up with its counterparts in the LOC and government on these and other cases that arose during the tournament; in Part B, FIFA reports on the HRDs mechanism in more detail and on the results of FIFA's efforts to date to address a number of these cases (whether arising through the mechanism or not).

c. Accommodation of the Egyptian National Team in Chechnya

In late 2015, that is, before FIFA adopted its statutory commitment to respect internationally recognized human rights, FIFA published a list with 64 cities in Russia offering accommodation to participant countries. This list included Grozny, the capital of the Chechen Republic (commonly referred to as Chechnya), a federal subject of Russia.

For a discussion of the steps undertaken by FIFA in relation to the board's recommendations regarding the accommodation of the Egyptian National Team, see: **p. 51-53**

In February 2018, the Egyptian national football team chose Grozny as its team base camp. In our February 2018 meeting, the Board discussed the severe human rights situation in Chechnya with the FIFA Administration, particularly the broad threats to freedom of expression and of the media, and the 2017 arrest, detention and reported abuse of gay men – or those perceived to be gay – and the harassment of journalists reporting on those arrests.¹⁹

¹⁹ The severe risks to individuals perceived to be gay or bisexual in Chechnya have been highlighted by independent experts and other special procedures of the UN Human Rights Council: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21501>

Subsequently, Human Rights Watch and other human rights organisations wrote to FIFA asking FIFA to help address the specific situation of the human rights defender Oyub Titiev who works for the Russian human rights organisation Memorial in Chechnya and was detained in January of this year.²⁰ While Mr Titiev's detention is not directly linked to FIFA's activities, it illustrates the broader, and often severe, risks to human rights defenders that FIFA has committed to addressing in connection with its operations.

At our February 2018 meeting, the Board recommended:

- R43** That FIFA immediately explore the feasibility of offering the Egyptian team an alternative location, including financial support to do so;
- R44** That FIFA urgently communicate to the Egyptian Football Association the seriousness of the human rights risks that concerned stakeholders have raised with FIFA and FIFA's policy commitment to respect and protect human rights defenders;
- R45** That FIFA urgently communicate to the LOC that concerned stakeholders have raised the situation of specific human rights defenders in Chechnya with FIFA, that this is an illustration of the broader human rights issues that FIFA has been discussing with the LOC as a priority concern, and that FIFA urges the LOC to use all possible leverage to follow up with the responsible government entities to seek to ensure those individuals' freedom;
- R46** That, in the absence of an ability to relocate the team, FIFA should promptly complete a formal human rights risk assessment of the use of Grozny as a location for a team base camp, drawing on independent expert advice and then take the mitigation steps developed through that process.

Since February, we have followed FIFA's approach to this case closely. Our chair also raised it in several meetings during her visit to Moscow. We acknowledge the discussions that have been had by both the FIFA Secretary-General and President with their counterparts at the highest levels of the LOC and the Russian government respectively. We remain committed to following up on Mr Titiev's case while the LOC remains active and FIFA has a relationship with it, although we recognise that FIFA's leverage substantially decreased with the end of the tournament.

²⁰ For the joint letter and FIFA's response see: <https://www.hrw.org/news/2018/05/23/joint-letter-fifa-concerning-human-rights-crisis-chechnya>. The specific case of Mr Titiev was also highlighted by the UN High Commissioner for Human Rights in March 2018: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22772&LangID=E>

d. Anti-doping

Human rights are closely linked to the compliance and ethics system of FIFA, and to the specific issue of anti-doping, because of the potential impacts on players' rights.

For a discussion of the steps undertaken by FIFA in relation to the board's recommendation regarding anti-doping, see: **p. 74-75**

In December 2017, the results of the "Schmid Commission" of the International Olympic Committee (IOC) were published. They included confirmation of "the existence of a systemic manipulation of the anti-doping rules and system in Russia".²¹ Accordingly, the IOC decided "to exclude the then Minister of Sport, Mr Vitaly Mutko, and his then Deputy Minister, Mr. Yuri Nagornyykh, from any participation in all future Olympic Games."²² Mr Mutko subsequently resigned from his position as Chair of the LOC in Russia.

In light of these findings, the Board recommended in December 2017:

- R42** That FIFA be as transparent as possible (with due regard to relevant personal and data protection rights) in relation to its investigations into the potential involvement of Russian players and other individuals or institutions in the "systemic manipulation" identified by the Schmid Commission; that FIFA proactively publish the steps it has taken in this investigation; and that FIFA make clear to its Russian counterparts that FIFA supports a fair and just procedure to uncover any misconduct that may have caused harm to the integrity of sport.

FIFA published a detailed update on its response on 13 February 2018,²³ and we discussed the issue with the responsible members of FIFA's Administration at our February 2018 meeting. FIFA published a further update on 22 May,²⁴ and the results on 12 July.²⁵ The broader topic of anti-doping is one that we intend to explore further with the relevant Administration colleagues as part of our work on players' rights (see Section 4 below).

²¹ See IOC Disciplinary Commission's Report to the IOC Executive Board, 2 December 2017, available at <https://stillmed.olympic.org/media/Document%20Library/OlympicOrg/IOC/Who-We-Are/Commissions/Disciplinary-Commission/IOC-DC-Schmid/IOC-Disciplinary-Commission-Schmid-Report.pdf>

²² See <https://www.olympic.org/news/ioc-suspends-russian-noc-and-creates-a-path-for-clean-individual-athletes-to-compete-in-pyeongchang-2018-under-the-olympic-flag>

²³ See http://resources.fifa.com/mm/document/footballdevelopment/medical/02/93/03/36/fifainvestigationfollowingthemclarenreport_neutral.pdf

²⁴ See <http://www.fifa.com/worldcup/news/update-on-the-investigations-following-the-mclaren-reports>

²⁵ See <https://www.fifa.com/worldcup/news/results-of-the-anti-doping-testing-programme-for-the-2018-fifa-world-cup>

2.2 Human Rights Requirements for the 2026 FIFA World Cup

FIFA has made significant progress in integrating human rights risk assessment into existing and new processes in a relatively short period of time. In particular, the finalization of the bidding requirements for the FIFA World Cup 2026 included, in our view, the most robust set of human rights expectations by any global sporting body to date. The first results of including human rights requirements in the 2026 bidding documentation were seen in the publicly available bids for the 2026 FIFA World Cup from Morocco and from Canada, Mexico and the United States in their joint bid.²⁶

For a discussion of the steps undertaken by FIFA in relation to the integration of human rights into the new bidding and hosting requirements, see: **p. 57-59**

The Board was closely involved in the Administration's process for assessing the human rights content of the bids and we believe that this was a robust and credible process for evaluating the strengths and any deficiencies in both bids. An expert third party organisation reviewed both bids' human rights strategies and provided its assessment to FIFA; the Board was consulted as part of that process and those assessments were made public before the FIFA Congress.²⁷

The Administration then prepared its own evaluation of the human rights content of both bids, which the Board was again consulted on. That evaluation is included in the formal risk assessment component of the public Bid Evaluation Report provided by the Administration to the FIFA Council and subsequently to the Congress (which includes a compliance assessment, a risk assessment, and a technical evaluation report).²⁸

In our May 2018 update, we stated that what mattered next was how this information would be integrated into decision-making (the second key step in human rights due diligence). In this regard, the Board recommended that:

R48 That evidence of bidders' ability to assess and manage human rights risks is comprehensively taken into account by all levels of the organisation in the FIFA World Cup 2026 decision-making process.

²⁶ Available at <http://www.fifa.com/about-fifa/news/y=2018/m=3/news=2026-fifa-world-cup-bid-books-now-available.html>

²⁷ See BSR evaluation reports, available at <https://www.fifa.com/about-fifa/news/y=2018/m=6/news=2026-fifa-world-cup-evaluation-report-published-bids-submitted-to-fifa-council.html>

²⁸ For the Bid Evaluation Report, see <https://resources.fifa.com/image/upload/2026-fifa-world-cup-bid-evaluation-report.pdf?cloudid=yx76lnat3oingsmnlvzf>. For a description of the evaluation process overall, see <https://img.fifa.com/image/upload/hgopypqftviladnm7q90.pdf>

Following the decision to award the hosting rights to the United Bid, FIFA is now in position to use the corrective action protocol that it is entitled to prescribe, and which will be included as a contractual requirement in the hosting agreement, to establish additional measures that FIFA considers necessary to address any deficiencies and further strengthen the relatively robust human rights strategy included in the bid. The Board will be involved in this process.

We recommend:

- R49** That FIFA reflect on how integrating human rights into the FIFA World Cup bidding process worked and share its conclusions publicly, including how it could further strengthen the process in future, in part so that other sports organisations now embarking on a similar path can benefit from its experience.

FIFA has also made progress integrating human rights into its risk assessment for smaller tournaments, and into decisions regarding the hosting of other major events, in line with our recommendations from September 2017 (recommendations 3(a) and (c)).²⁹ This includes upcoming tournaments that have been awarded in Peru and Poland,³⁰ as well as the next editions of tournaments not yet awarded.

2.3 2022 FIFA World Cup in Qatar

The Board recognizes the real progress that continues to be made by the Supreme Committee (SC) to improve protections for workers on stadia construction sites, as described in SC's own annual progress report,³¹ in the second round of independent evaluation by IMPACTT,³² and in the first report of the SC and BWI's Joint Working Group, following the renewal of their MOU.³³

For a discussion of the steps undertaken by FIFA in relation to the board's recommendations regarding the 2022 FIFA World Cup in Qatar, see: **p. 53-57**

In particular, we note the SC's laudable decision to eliminate recruitment fees. The SC's decision shifts the burden away from workers to contractors by presuming that workers have paid fees to agents in their home countries rather than requiring them to provide documentary proof. Where a contractor cannot demonstrate that it has paid the costs of recruitment for a worker, the contractor must automatically reimburse the worker an amount in line with ILO estimates

²⁹ Recommendations 8 and 10 according to the new numbering system (see annex)

³⁰ Including the Men's FIFA U-20 World Cup 2019 in Poland and the Men's FIFA U-17 World Cup 2019 in Peru.

³¹ Available at <https://dsjv1dzdog4pb.cloudfront.net/Vault/VaultOutput?ID=14268&ts=1489601739>

³² Available at <https://dsjv1dzdog4pb.cloudfront.net/Vault/VaultOutput?ID=14079&ts=1489601413>

³³ Available at <https://dsjv1dzdog4pb.cloudfront.net/Vault/VaultOutput?ID=13985&ts=1489601413>

of what they have likely paid.³⁴ This not only sets an example for the construction sector in Qatar but for the region as a whole and, we believe, for other contexts where there is a high dependence on foreign migrant labour.

The SC has also reported on other areas where it is making good progress with respect to worker grievance mechanisms, pre-mobilisation approval of subcontractors and stadium safety.

At the same time, there are several areas that still remain challenging. These include the following (the first was highlighted in the recent IMPACTT report, the second and third by BWI in discussions with the Advisory Board):

- The need for stadium contractors to meet their responsibility to enforce overtime limitations – and their clear need for better monitoring systems in order to do so;
- The potential to routinise the inclusion of BWI in the SC's incident investigation procedure and to ensure that the SC promptly reaches out to family members to find out what, if any, remedy has been provided by the responsible contractor in the case of a fatality;
- The issue of different wage levels for workers of different nationalities and the inclusion of overtime amounts in workers' salaries (both of which are national level issues beyond the remit of the SC alone, but which impact workers on FIFA World Cup 2022 sites).

In addition, there are two areas of concern that the Board flagged for further attention in our last report that pose particularly severe risks to workers: the impact of heat stress on workers and the issue of "non-work-related deaths". Since our last report, we have benefitted from detailed exchanges on this with both the SC and with expert stakeholders that have conducted research into these issues. Of course, as with all workers' rights issues, we understand that these are serious problems in the construction sector in Qatar as a whole and as such would benefit from broader engagement and discussion among all concerned stakeholders about what more must be done. For the purposes of this current report, we focus initially on the steps that the SC has taken, and could further take, to address the risks to workers on FIFA World Cup 2022 stadia sites.

³⁴ As described in the SC's Third Annual Workers' Welfare Progress Report, March 2017-January 2018, note 26 above, at p 26 and in IMPACTT's independent evaluation, note 27 above, at p 15.

The SC's most recent progress report records five "non-work-related" deaths occurring in the reporting period, with the majority occurring during the winter months.³⁵ The report notes how the SC has adopted procedures for responding to such deaths, including ensuring that the responsible company promptly engages with the worker's family and follows up on all payments. It also explains a range of steps it took during 2017 that may help to prevent such deaths, including baseline medical assessments for all workers, roll-out of more effective personal cooling technology based on worker feedback, and improved nutrition programs.

While the Board will be able to discuss the SC's responses to these issues in greater detail in our meeting in Doha and make more detailed recommendations following that, we are making the following interim recommendations in order to ensure FIFA's attention is focused on them during the current hottest period of the year for workers in Qatar:

- R50** That FIFA engage with the SC to promptly bring in recognized global experts to independently assess the heat stress index being used and the trigger points for remedial action, preferably during a joint SC-BWI inspection.
- R51** That FIFA engage and support the SC in identifying how the implementation of current and additional mechanisms to address the risk of heat stress can be further strengthened in the areas of: safety training for workers and their supervisors (for example, in identifying early warning signs of heat exhaustion); ensuring proper rest periods, regular intake of fluids and proper application of PPE; modifying targets and work rates to reduce physical exertion and scheduling heavy or strenuous work for cooler times of the day; and improving on-site cooling devices for workers.
- R52** That FIFA support the SC in tracking the implementation of recommendations in the SC-BWI Joint Working Group that highlighted the need to synchronize clinic records and provide clinical staff at the accommodation centres with occupational health awareness training and to link the medical screening of workers, and their general health and wellbeing, with the assessment of occupational risks at the construction sites. This includes the identification and consideration of any underlying (i.e. chronic) or current medical conditions that may impact fitness to work or the assignment of work duties.

³⁵ Ibid, at pp 38-39.

In addition, the Board recommends:

- R53** That FIFA engage with the SC to help ensure that it is reviewing and aligning its efforts on protection of workers’ rights with the commitments outlined in the ILO technical cooperation agreement with the Government of Qatar.
- R54** That FIFA continue to support the renewed MOU between BWI and the SC.

The Board notes that the agreement between the ILO and the Government of Qatar offers an unparalleled opportunity to transform protection of workers’ rights in the country. The Board appreciates the invitation of the SC to hold its next in-person meeting in Doha in October 2018, which will enable us to examine all these topics in much more depth, as well as other human rights risks connected to the FIFA World Cup 2022. We will focus our next public report on these issues.

2.4 Players’ Rights

There is a growing recognition of players’ human rights in the world of sport. The need for sports governance to better recognize the human rights of athletes has been highlighted for example in the Kazan Action Plan adopted in 2017 by UNESCO linking sport policy development to the UN’s Sustainable Development Goals,³⁶ the Universal Declaration of Athletes’ Rights by the World Players Association (which is aligned with the UN Guiding Principles),³⁷ and the March 2018 resolution on “Promoting human rights through sport and the Olympic ideal”, adopted by the UN Human Rights Council.³⁸

The advisory board discusses the topic of players’ rights for the first time in this report. FIFA will provide a detailed update on the steps taken in relation to these recommendations in the next report. For a brief discussion of the topic, see: **p. 77-78**

Players’ rights are often seen as connected to labour rights issues, but in reality, players may experience a range of other kinds of negative human rights impacts. Since labour rights are a category of broader human rights standards, it makes sense to look at impacts on players through this wider lens. With FIFA’s own Human Rights Policy now also recognizing this, and the players’ representative organisation FIFPro’s recent surveys helping to highlight a range of human rights impacts faced by players at all levels of the game,³⁹ attention can now focus on practical action.

³⁶ See <https://en.unesco.org/mineps6/kazan-action-plan>

³⁷ See <http://www.uniglobalunion.org/news/world-players-association-launches-universal-declaration-player-rights>

³⁸ See http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/37/L.31

³⁹ See <https://www.fifpro.org/images/documents-pdf/2016-fifpro-global-employment-report.pdf> and <https://fifpro.org/attachments/article/6986/2017%20FIFPro%20Women%20Football%20Global%20Employment%20Report-Final.pdf>

In our October 2017 and February 2018 meetings, the Advisory Board explored five initial areas on players' rights:

- 1) Access to remedy in the current arbitration system;
- 2) FIFA's role in setting rules for the employment market for players;
- 3) Recognition of trade union rights;
- 4) Protection of children in connection with the game; and
- 5) Safeguarding.

A sixth area, the additional challenges facing women in the game, was also a cross-cutting feature of our discussions; however, we plan to explore this further with the involvement of relevant experts from inside FIFA in the coming months and make recommendations in 2019.

In our discussions, we have benefitted from the active engagement of representatives from FIFA's Professional Football division, and from technical experts at FIFPro. We recognize the important progress made by FIFA and FIFPro in concluding a six-year cooperation agreement in November 2017, which acknowledges FIFPro's unique role and specifically refers to the human rights of players.⁴⁰ The operational plan underlying that agreement includes a commitment to work on a joint analysis of human rights risks impacting players across the game. Accordingly, our recommendations are framed within the scope of implementation of this agreement.

a. Access to remedy in the current arbitration system

Players are dependent on a well-functioning and high quality dispute resolution system to protect their rights, for example, if a club does not pay them the wages they are due, or in disciplinary cases involving allegations of doping or match-fixing. FIFA operates and sets standards for dispute resolution systems within the football world and human rights considerations need to be at the heart of any investigation, arbitration or disciplinary decision and procedure. The Board recommends:

- R55** That, as part of the joint analysis under the bilateral agreement with FIFPro, FIFA expands upon the initial National Dispute Resolution Chamber pilots to analyse a wider range of existing football arbitration mechanisms from a human rights perspective, as well as with regard to FIFA's own standards on dispute resolution (including FIFA circulars 1010 and 1129). The analysis should explore how all players can have access to arbitration and dispute resolution mechanisms that are capable

⁴⁰ See <http://www.fifa.com/governance/news/y=2017/m=11/news=fifa-and-fifpro-sign-landmark-agreement-and-announce-measures-to-enhance-2918747.html>

of taking account of internationally recognized human rights, including through the introduction of minimum contractual standards for players.

- R56** That FIFA engage with the Court of Arbitration for Sport (CAS) in making players' human rights a permanent issue on the agenda of CAS seminars to help build the capacity of CAS arbitrators to take into account internationally recognized human right standards.

b. The employment market for players

FIFA acts as a quasi-regulator of the international employment market for players, establishing rules – known as “the international transfer system” – that can have a significant impact on individual players' employment in parallel with national laws. In this role, FIFA's responsibility to respect human rights means that the organisation needs to consider how such rules can affect the human rights of the individuals who are subject to them. A thorough review is currently being undertaken by FIFA and stakeholders of the professional game under the umbrella of the FIFA Football Stakeholders Committee. The Board recommends:

- R57** That FIFA ensure that players' human rights are appropriately considered in this review, in particular regarding: how the current rules affect minors (i.e. those under 18); how the rules may affect players' rights to work and to freedom of movement; and players' vulnerability to negative impacts through abusive practices by agents in the transfer market. The review should also pay particular attention to impacts that may be different, or more severe, for female players.

d. Children's rights in connection with players' rights

Participation in football and sport in general – at amateur and professional levels – can empower children and promote their rights in a range of ways. However, the regulatory system governing the recruitment of young players does not always operate in the best interests of the child in practice. The commercial incentive structures created by the popularity of football globally can lead to tensions in ensuring that the rights of young players are appropriately protected, leaving children at risk of serious harm.

For example, the use of academies and football schools by individuals seeking to make a profit as well as by some professional football clubs, excessive pressure from parents on children to enter and succeed at the game, and the role of unscrupulous agents can all increase the risks of severe negative impacts on children such as exposure to discrimination, violence and other forms of abuse, and even human trafficking.

International protections for children are defined in the UN Convention on the Rights of the Child. In line with FIFA's commitment to the UN Guiding Principles, which state that where an organisation may be connected to impacts on potentially vulnerable groups then it needs to pay particular attention to standards applying to those groups, FIFA needs to take account of this key international standard in meeting its broader responsibility to respect human rights.

The Board recommends:

- R58** That FIFA's planning, implementation, monitoring and evaluation of regulations on players' rights should take into consideration the specific situation of children, as far as they are affected by those regulations. FIFA's responses should be guided by the principles in the UN Convention on the Rights of the Child.

2.5 FIFA's measures on child safeguarding

Child safeguarding is about keeping all children safe from harm, including violence and other forms of abuse, exploitation and neglect. Like other organisations, football organisations at all levels are now expected to have effective child safeguarding measures in place both internally and externally to ensure the safety of children in connection with their activities.

The advisory board discusses the topic of child safeguarding for the first time in this report. FIFA will provide a detailed update on the steps taken in relation to this recommendation in the next report. For a brief discussion of the topic, see: **p. 77-78**

Abuse related to football activities can occur in a number of places: in and out of the stadium, on the field or in the locker room areas. The types of abuse can range from violence against children related to the organisation of events, physically punishing a young person for losing a game, or sexual acts, threats, intimidation or coercion of a child. Yet football organisations sometimes fail to fully consider the risks to children that could be connected to their activities, leading to organisational cultures that do not allow or support the discussion of harm and abuse, or the steps needed to prevent and remedy it.

FIFA has decided to address safeguarding beyond a focus only on children by committing to take action to ensure that all children and adults are safe from harm when involved in football-related activities. Specifically, FIFA has created a cross-departmental working group on "safeguarding of children and vulnerable adults", coordinated by the Member Association Division. This working group can play a critical role in supporting a cultural shift within FIFA and the world of football on these issues, aligned with FIFA's human rights responsibilities.

The following initial recommendation is specific to the child safeguarding aspect of the group's work, recognising the particular vulnerabilities of children. The Board recommends:

- R59** That the FIFA safeguarding working group conducts a comprehensive stakeholder consultation (including with member associations, professional leagues, players' representatives and other stakeholders) to scope and define the responsibilities that member associations have for children (that is, those under 18) entering the game, and to identify and disseminate current good practices in ensuring children's rights are respected in this context.

2.6 Discrimination Against Women in Iran

There has been a long-standing ban on women attending sporting matches involving male competitors in Iran. On 1 March 2018, President Infantino visited the country. While in Iran, he attended a match at the Azadi stadium. A number of women sought to enter the stadium to watch the match disguised as men and more than 30 of them were detained. They were all released within the next day, but their personal information was retained by the authorities.

The advisory board discusses the topic of discrimination against women in Iran for the first time in this report. FIFA will provide a detailed update on the steps taken in relation to this recommendation in the next report. For a brief discussion of the topic, see: **p. 77-78**

During his visit, President Infantino raised the issue of discrimination against women in connection with football as a central topic in his meeting with Iran's President. He received a commitment from President Rouhani that promised "positive developments on this matter in the near future".

It was positive that women were able to attend the screenings in Azadi stadium of the second and third matches played by Iran during the FIFA World Cup 2018; however, these ad hoc decisions are obviously not the same as a formal end to the ban.

Such a ban on women fans violates both Articles 3 and 4 of the FIFA Statutes. While Article 3 was introduced in early 2016, Article 4, prohibiting discrimination on various grounds including gender, has been in place since 2004. As a result, this expectation should not come as a surprise to any Member Association.

In addition, FIFA's Ethics Code specifically prohibits discrimination including on the basis of gender, which could provide the basis for a complaint to the independent Ethics Commission or for the Commission to instigate its own inquiry if it has sufficient prima facie evidence of a breach by a person to whom the Code applies.

Accordingly, the Board recommends:

R60 That FIFA should be explicit about the timeframe in which it expects its Member Association to align with FIFA's human rights expectations and the anticipated sanctions if it does not, including under the FIFA Statutes, Disciplinary Code and Ethics Code. This should also include using other aspects of FIFA's existing leverage, such as any decisions regarding upcoming tournaments where the Iranian Football Association is bidding since, by definition, this would pose challenges to FIFA meeting its own human rights responsibilities.

2.7 Strengthening FIFA's Approach to Engagement and Communication on Human Rights

a. Meaningful stakeholder engagement

FIFA has significantly improved and expanded its engagement with stakeholders on its human rights efforts, specifically in connection with the new requirements in the FIFA World Cup 2026 bidding documents and in the development of its human rights defenders framework. To build on what has already been done, the Board recommends:

For a discussion of the steps undertaken by FIFA in relation to stakeholder engagement and communication, see: **p. 71-75**

R61 That FIFA establish a systematic, annual dialogue with key stakeholders with insight into FIFA's human rights risks. This should be distinct from individual or event-specific stakeholder engagement and should help FIFA survey the horizon for new or emerging issues. FIFA should make the additional resources necessary available for such a process, ideally taking advantage of the planned review in 2019 of its salient human rights issues as an excellent opportunity to introduce this new approach.

b. Communicating about FIFA's human rights performance

FIFA's approach to communicating with stakeholders about the organisation's human rights efforts is not simply about PR; it is part of meeting its responsibility to carry out human rights due diligence and needs to be viewed through that lens.

The UN Guiding Principles expect that organisations will tailor different communications to different types of stakeholders. For example, affected stakeholders or their representatives need to receive prompt information about how risks to their personal safety are being handled. This may be very different in nature from the organisation's broader public updates on progress or its formal human rights reporting.

It is not the role of the Board to advise FIFA on the detail of such a strategy, but the Board proposes that FIFA include the following elements in its approach.

c. Increasing transparency in communicating externally

A transparent and proactive approach to communications on human rights can support both positive messages – on FIFA’s efforts to date, its policies and practices - as well as timely statements when negative impacts are reported, especially around high profile events. The latter is vital if FIFA wishes to build external stakeholders’ confidence and public trust more broadly in its efforts. This is especially the case as FIFA still has to deal with the consequences of decisions taken before the organisation recognized its human rights responsibilities.

We have seen some improvement in this regard. However, public communication on sensitive human rights topics is not always timely, as different internal functions need to come to agreement over the form and tone of the communications or partners have to be consulted, and often focuses on descriptions of processes.

The Board recommends:

- R62** That FIFA should reach out to its partners – including future bidders and hosts – to agree on a transparent and proactive approach to communicating where severe negative impacts are connected to FIFA’s operations.

d. Communicating with Confederations and Member Associations

In order to meet FIFA’s own responsibility, the organisation needs to spread the message about the responsibility of all football bodies to respect human rights, and what can be done about it, through a dedicated engagement strategy for its confederations and member associations. This communication needs not always be framed in formal human rights language but should engage with the substance of FIFA’s, and the broader football community’s, responsibility to respect human rights. We recommend:

- R63** That FIFA’s evolving approach to engaging confederations and member associations on the topic of human rights should include:
- ongoing and repeated information on FIFA’s own approach to preventing and addressing human rights risks, including concrete examples of action being taken;

-
- integrating discussion of strategic human rights issues in meetings of the FIFA Council, the standing committees, and the Congress;
 - and routinely including specific human rights messages in high-profile speeches and publications by FIFA's leadership and senior staff.

In this respect, we note that the invitation by the Secretary-General to the Board's Chair to discuss this topic with the secretaries-general of the confederations in June was an important step.

e. Transparency of Ethics Committee decisions

Any disciplinary decision of FIFA should take account of the organisation's human rights responsibility. FIFA's independent Ethics Committee does not currently publish its decisions, except for a few sentences that refer to clauses in the Ethics Code but do not give any detailed explanation about the merits of a case. This lack of transparency means that the public cannot understand the specific reasons for sanctioning, and decisions and sanctions cannot meaningfully be compared.⁴¹

The Board recommended in December 2017:

R64 That FIFA discuss with the Board the reasons for the regulation in Art. 36 of the Ethics Code and outline the scope for a review of its operation, in line with the recommendations made in the Brasseur report by the Council of Europe Parliamentary Committee on Culture, Science, Education and Media on Good Football Governance.⁴²

Since this recommendation was made, the Board will now be considering the broader implications of the recently revised Ethics Code from the perspective of FIFA's human rights responsibilities in its upcoming meetings.

⁴¹ Disciplinary decisions on players are far more transparent. Compare <http://www.fifa.com/governance/news/y=2017/m=6/news=samuel-inkoom-to-serve-ban-2897768.html> to <http://www.fifa.com/governance/news/y=2017/m=4/news=football-official-richard-k-lai-banned-by-independent-ethics-committee-2881023.html>. The Ethics Committee states itself at the end of this decision: "The Ethics Committee is unable to comment on the details of decisions and investigations due to the provisions of article 36 (Confidentiality) of the FIFA Code of Ethics."

⁴² See Report No AS/Cult/Inf (2017) 15rev, 23 November 2017, Appendix 1, recommendations 15-17.

3. CONCLUSION: REFLECTING ON PRIORITIES AND NEXT STEPS

Soon after starting work in March 2017, we realised that we would find it challenging to deliver fully on the expectations of stakeholders both inside and outside FIFA. FIFA needs to work on the past, present and future all at once. In other words, FIFA has to deal with the legacy of decisions taken and contracts signed before the organisation recognized its human rights responsibilities; it has to respond to urgent human rights issues as they arise, in line with its new human rights commitment (which is still in the relatively early stages of being embedded in FIFA's culture); and it has to work on the systems that will help it identify, evaluate and address human rights risks in the future to prevent a repeat of past mistakes.

FIFA's operations span the world, through its 211 member associations it is linked to a vast range of political, cultural and social problems and tensions in individual member countries. Moreover, FIFA is under continuous public scrutiny, reflecting a history of mistrust in the organisation. Given this complexity, it is important that FIFA set clear priorities and credibly explain the choices that it makes. This is both a necessary and challenging task.

To ensure that its human rights commitment is meaningful, FIFA needs to invest in building a sustainable approach that will also impact member associations and their operations. This can sometimes mean 'going slow to go fast' by avoiding superficial fixes. At the same time, if stakeholders do not see progress on some of the most severe human rights risks connected to FIFA's operations, they will quickly lose patience.

We therefore urged the Administration not to publish its first comprehensive report on its human rights approach in 2017, but to wait until some of the measures have started to take root inside the organisation and FIFA can begin to show the results of its efforts in terms of outcomes for people, not just changes in policy. We believe it is now in a position to do so and that its forthcoming human rights report in early 2019 is well-timed.

Moreover, it is by involving stakeholders in an organisation's decisions about what is most important that those choices are made robust and credible; hence our recommendation above on FIFA's need for an annual stakeholder convening on its strategic human rights priorities. As noted above, the Board anticipates that our next report will focus on preparations for the FIFA World Cup 2022 in Qatar. In addition, areas that the Board will work on in the coming months include:

a. Grievance mechanisms for human rights defenders and media representatives

Together with FIFA, the Board will review the effectiveness of the complaints mechanism implemented for the FIFA World Cup 2018 and identify ways to strengthen FIFA's approach for future events as part of our ongoing focus on practical steps FIFA can take on seeking to ensure remedy for those harmed in connection with its operations.

b. Issues affecting women in the game

In the Board's first report, we noted FIFA's new anti-discrimination initiative and institutional structures to advance the involvement of women at all levels of the game. We intend to revisit FIFA's progress in this area, including the issue of sexual harassment.

c. FIFA's own procurement

By the end of the year, FIFA will engage with the World Federation of the Sporting Goods Industry and other stakeholders about strengthening human rights due diligence requirements related to FIFA's own procurement. The Board will provide FIFA with input on any related procedures and guidelines.

d. Formulating recommendations on the Terms of Reference for the Advisory Board

By 31 December 2018, the pilot phase for the FIFA Human Rights Advisory Board will formally conclude. The Advisory Board and the Secretariat will jointly review the initial TORs and will formulate recommendations for the President and Secretary-General as to whether the Board should continue and, if so, what revisions to the TORs should be made based on our experience over the pilot period.

PART B – UPDATE BY FIFA ON THE RECOMMENDATIONS OF THE ADVISORY BOARD

In part B of the report, FIFA provides an update on the work accomplished in relation to the recommendations made by the board. The recommendations covered in this report are those made by the board in its first report of September 2017, as well as those included in two additional rounds in December 2017 and February 2018. It should be noted that the information provided here, while covering many areas of FIFA's efforts in relation to human rights, is not an exhaustive description thereof.

The structure of this part follows the four pillars/eight working areas of FIFA's operational approach to the implementation of its human rights commitments. This operational approach was outlined in FIFA's Human Rights Policy of May 2017 (paragraphs 8-12)⁴³ and further explained in the June 2017 Activity Update on Human Rights.⁴⁴

In each of the sub-sections, we first provide some general remarks to set the context. We then summarise the progress made and challenges faced in relation to the respective recommendations from the board and state the implementation status on each of the recommendations as determined by the board.

The part ends with some conclusions and a brief outlook.

⁴³ See: https://resources.fifa.com/mm/document/affederation/footballgovernance/02/89/33/12/fifashumanrightspolicy_neutral.pdf

⁴⁴ See: https://resources.fifa.com/mm/document/affederation/footballgovernance/02/89/33/21/activityupdate_humanrights_may2017_neutral.pdf

1. COMMIT AND EMBED

1.1 Development of Human Rights Policy

Context and overview

We developed our Human Rights Policy in a process involving significant internal and external stakeholder consultation between November 2016 and May 2017. FIFA's Human Rights Policy specifies FIFA's human rights commitment of article 3 of the FIFA Statutes and was adopted by the FIFA Council in May 2017. The policy outlines a standard of conduct for FIFA and is binding on all FIFA bodies and officials. It also reflects FIFA's expectations of third parties with which it has relationships.

The respective recommendations from the board as published in the September 2017 report mirror its key recommendations to FIFA in the development of the policy in March and April 2017. All three recommendations are considered to have been implemented/closed out.

Recommendations

- R1.** *That FIFA strengthen the draft policy's language regarding the organisation's expectations of governments that are hosting FIFA tournaments with regard to handling all security connected with the hosting of the event in line with international human rights standards, including by drawing on practical experience among governments and companies in implementing the Voluntary Principles on Security and Human Rights. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

Endorsing this recommendation by the Advisory Board, FIFA included an explicit reference to "international standards on security and human rights" in paragraph 5 of its Human Rights Policy. The text furthermore includes a commitment by FIFA to use its leverage with relevant authorities so that all those providing safety and security services for FIFA events, whether from the public or private sector, receive appropriate training to perform their duties in line with international standards on security and human rights. This basic commitment is translated into the human rights work related to its tournaments, including through the explicit mention of specific standards (such as the Voluntary Principles on Security and Human Rights) in the bidding requirements for the 2026 FIFA World Cup.⁴⁵

Status:

Recommendation implemented/closed out

⁴⁵ For more information, see the document outlining the bid book requirements of bidders, see here: https://resources.fifa.com/mm/document/affederation/administration/02/91/61/10/structure.content.and.format.of.bid_neutral.pdf (section 23)

R2. *That FIFA reach out to additional stakeholders in the consultation process, in particular to relevant international trade union federations and individual member associations, in the latter case in order to build greater understanding of, and grass roots input to, FIFA's human rights commitments. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

The board made this recommendation in response to an initial stakeholder list shared with the board members by FIFA. As per the board's recommendation, FIFA added stakeholders to the list of external stakeholders to be consulted. The organisations added included international trade union federations as proposed by the board.

At the same time, FIFA decided not to involve additional member associations at the last stage of the policy development process, given the advanced and technical nature of the document. That said, FIFA discussed several versions of the document with members of FIFA's Governance Committee, which is mandated to advise the FIFA Council on human rights matters and includes representatives of member associations. Moreover, the document was adopted by the FIFA Council, which also contains representatives of FIFA member associations. Once adopted, FIFA formally informed all of its member associations about the adoption of the policy through a message from the FIFA Secretary General.

Status:

Recommendation implemented/closed out

R3. *That the Administration align the policy's definition of human rights defenders with international standards and consider the range and type of defenders that could be adversely affected as FIFA works to implement the policy once adopted (see the board's recommendation 3(d) below under "Identifying risks"). (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

In line with the recommendation of the advisory board and other stakeholders, FIFA amended its definition of human rights defenders in the final revision of the Human Rights Policy. This included a reference to international standards on human rights defenders in paragraph 2 and a revision of the language used in paragraph 10 that deals specifically with FIFA's commitment to respect and help protect the rights of human rights defenders and media representatives.

In May 2018, FIFA published a statement further detailing its commitments in relation to human rights defenders (see also section 3.1).⁴⁶

Status:

Recommendation implemented/closed out

1.2 Embed respect for human rights

Context and overview

The implementation of FIFA's human rights commitments requires a whole-of-organisation approach. Over the past months, FIFA has strengthened its efforts to embed respect for human rights throughout its organisation, both horizontally and vertically. Horizontally, a wide range of FIFA's divisions and departments stepped up their efforts to strengthen human rights within their respective operations. Considering the ten salient human rights issues outlined in the June 2017 FIFA Activity Update on Human Rights,⁴⁷ these include, for instance, the divisions and departments responsible for the organisation of FIFA tournaments, those involved in FIFA's activities of governing world football and departments overseeing procurement processes as well as licensing and sponsorship relationships.

Vertically, the implementation of FIFA's human rights responsibilities requires that every hierarchical level of the organisation plays its part. This involves both the strategic leadership provided by the FIFA Council, the FIFA President and the Governance Committee, as well as the FIFA administration led by the FIFA Secretary General and the managers and staff of a wide range of organisational units.

FIFA is continuously strengthening its human rights-related regulations and procedures while building and further reinforcing the number and capacity of relevant staff. While we believe that we made important progress in this area, we understand that embedding human rights principles across the organisation is a task that requires continuous effort.

The three recommendations of the board that address the working area of embedding in a specific way were included in the September 2017 report from the board. While important progress was made on all three recommendations, the nature of the recommendations is that they require ongoing efforts. Therefore, implementation is considered ongoing on all three recommendations.

⁴⁶ See here: <https://resources.fifa.com/image/upload/fifa-statement-on-human-rights-defenders-and-media-representatives.pdf?cloudid=ejf1ecdku14lm2v9zc03>

⁴⁷ See here: https://resources.fifa.com/mm/document/affederation/footballgovernance/02/89/33/21/activityupdate_humanrights_may2017_neutral.pdf (page 10, box 2)

Recommendations

- R4.** *That FIFA continue developing a more strategic approach to embedding respect for human rights across the administration, in particular by focusing on key staff that need specialised training or support in order to integrate human rights into their daily work, and developing indicators to measure the effectiveness of the training that staff receive [Ruggie 2.6]. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

In line with the board's recommendation, FIFA has continued to step up its efforts to embed respect for human rights across the administration and among the relevant strategic bodies. This work is based on FIFA's Human Rights Policy, which was adopted by the FIFA Council in May 2017. The approach followed includes the three dimensions of regulations, process and capacity-building.

As for regulation, FIFA since September 2017 integrated references to the human rights commitments set out in FIFA's Human Rights Policy into the revised FIFA Code of Conduct of December 2017.⁴⁸ The Code of Conduct reiterates that FIFA staff members and officials must comply with FIFA's Human Rights Policy. Furthermore, revisions of the FIFA Disciplinary Code and the FIFA Regulations on the Status and Transfer of Players and respective enforcement practices that entered into force in June significantly enhance FIFA's capability to deal with a range of players' rights challenges.⁴⁹ Further steps in that respect are currently under discussion, such as in relation to the FIFA Disciplinary Code and the Regulations of the FIFA Forward Programme.

With regard to processes, respect for human rights occupies an important place in the organisation-wide process to operationalise the strategy for a new FIFA, outlined in the document FIFA 2.0: The Vision for the Future published in October 2016.⁵⁰ This operationalisation process includes the definition and tracking of milestones and KPIs in relation to the strategic objectives set out in the strategy. Furthermore, FIFA has strengthened and formalised various processes of cross-departmental engagements on specific salient issues, such as through policies, procedures and practices developed for and implemented during the 2018 FIFA World Cup, or in areas such as players' rights or the integration of human rights into contractual relationships with third parties.

⁴⁸ See <https://resources.fifa.com/image/upload/fifa-code-of-conduct-2929214.pdf?cloudid=wformatimwtq12kogyxr> (p.13)

⁴⁹ For more information on these changes, see <https://resources.fifa.com/image/upload/1628-art-64-of-the-fifa-disciplinary-code-new-approach-adopted-by-the-fifa-disci.pdf?cloudid=icrwgmlecrq3qwiewt>

⁵⁰ See https://resources.fifa.com/mm/document/affederation/generic/02/84/35/01/fifa_2.0_vision_low_neu.17102016_neutral.pdf

As for the aspect of capacity-building and training for FIFA staff specifically highlighted by the board, human rights are part of the induction training for all new FIFA staff and of an e-learning module for members of strategic bodies (see recommendation R5). FIFA is in the process of reviewing and further strengthening these modules. Most capacity-building efforts with relevant staff is integrated in bilateral engagements on specific salient issues. Since September 2017, such engagements have been strengthened, in particular with organisational units responsible for legal affairs, professional football and football regulatory matters, and member associations. Furthermore, representatives from various departments were trained on how to implement their operational duties in the accessibility and anti-discrimination programmes for the 2018 FIFA World Cup in Russia.

Overall, we consider the embedding of human rights throughout the organisation to be an ongoing endeavour and an essential part of ensuring respect for human rights.

Status:

Implementation ongoing

R5. *That FIFA review how it informs members of the various standing committees and the Council about FIFA's human rights responsibilities to ensure it includes appropriate information about Ruggie's report and recommendations [Ruggie 2.6]. The process should be fully reflective of FIFA's emerging policies and processes on human rights. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

The members of FIFA's standing committees and the FIFA Council are mandated to conduct an e-learning course that includes a module on human rights. This course was developed in October 2016. A review of the training is planned for the first half of 2019 and will include an update of the human rights module to take into account the significant developments since the training was first developed.

Over the past months, the engagements on the topic of human rights between the FIFA administration and the FIFA Governance Committee, which has a statutory role to deal with human rights topics, have been significantly strengthened. The FIFA Governance Committee includes a working group on human rights, which is co-led by two members, Rainer Koch and Ian Binnie. Furthermore, members of the Governance Committee engage with the

board on a regular basis, including through in-person meetings with board members in Zurich and Moscow. We are currently in the process of further strengthening and formalising the collaboration between the FIFA administration and the Governance Committee on human rights-related matters.

Status:

Implementation ongoing

- R7.** *That FIFA develop a strategy to drive deeper engagement with and outreach to its member associations on this topic, which have their own unique challenges in respecting human rights [Ruggie 2.7]. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA considers adverse human rights impacts in which member associations may be involved as one of its salient human rights risks.⁵¹ FIFA's approach of engagement with member associations on human rights-related topics is two-pronged. The first is engagement in the context of regulatory requirements that are binding for member associations and their officials and corresponding enforcement mechanisms.⁵² Since the publication of the first board report in September 2017, several of these regimes have been strengthened in relation to human rights. This includes in particular regulations concerning players' rights and the steps taken to strengthen enforcement mechanisms to address the issue of overdue payables by clubs.⁵³

Second is operational engagement with member associations on specific areas of salient human rights risks. The two main areas in that respect are players' rights and anti-discrimination. Since the board's first report was published in September 2017, FIFA has stepped up its efforts in both of these areas. In relation to players' rights, this includes its work with member associations on national dispute resolution chambers and minimum contractual requirements for players. With regard to anti-discrimination, FIFA is engaging with member associations on their action plans on anti-discrimination (developed based on the FIFA Good Practice

⁵¹ See https://resources.fifa.com/mm/document/affederation/footballgovernance/02/89/33/21/activityupdate_humanrights_may2017_neutral.pdf (p. 10, box 2).

⁵² Such requirements include obligations under the FIFA Statutes and the FIFA Code of Ethics concerning discrimination, harassment and the respect for personal integrity more generally. Similarly, the FIFA Discriminatory Code includes a series of human rights-related provisions that apply to member associations. Furthermore, the regulations of the FIFA Forward Programme include human rights-related obligations for member associations, focusing on labour rights. For the relevant laws and regulations, see <https://www.fifa.com/about-fifa/official-documents/law-regulations/index.html>

⁵³ See: <https://resources.fifa.com/image/upload/1628-art-64-of-the-fifa-disciplinary-code-new-approach-adopted-by-the-fifa-disci.pdf?cloudid=icrrwgmlecrq3qwiewt>

Guide on Diversity and Anti-Discrimination⁵⁴) and in response to sanctions issued by the FIFA Disciplinary Committee based on evidence gathered through the FIFA Anti-Discrimination Monitoring System.⁵⁵

An additional area that FIFA is in the process to addressing in a strategic manner with member associations is child safeguarding. FIFA is developing a programme on child safeguarding, led by the Member Associations Division, including the hiring of a senior expert to lead the programme. This effort involves close engagement with international expert stakeholders and member associations who are leading in this field and has as its key objective to enable and incentivise member associations to put in place effective child safeguarding programmes.

Status:

Implementation ongoing

⁵⁴ See <https://img.fifa.com/image/upload/wg4ub76pezwcxsaaj98.pdf>

⁵⁵ See <http://fifa.pressfire.net/media/newsletter/ADMOS-2018-FWC-background-paper-18-02405-201-EN-EN-clean.pdf>

2. IDENTIFY AND ADDRESS

The work to identify and address human rights risks is at the core of FIFA's human rights efforts and responsibilities. The board has decided to focus its recommendations to date on aspects of FIFA's human rights work in relation to the 2018 and 2022 FIFA World Cups and the integration of human rights into the bidding of future tournaments, in particular the 2026 FIFA World Cup. In this report, the board has extended its recommendations to other areas, such as players' rights. We are adding a set of initial considerations about these areas in section II of this part and will provide more detailed updates specific to these recommendations in the next report.

We have divided the board's recommendations into the following subsections: overall risk identification, 2018 FIFA World Cup, 2022 FIFA World Cup, bidding processes and 2026 FIFA World Cup, and other topics. In each of these sections, we provide a short note on the context to place the board's recommendations in the wider work on human rights related to the respective topics/events.

2.1 Overall risk identification

Context and overview

Between November 2016 and June 2017, FIFA engaged in an effort to assess and prioritise its overall human rights risk areas. This process resulted in the list of ten salient human rights issues outlined in the FIFA Activity Update on Human Rights of June 2017.⁵⁶ This list identifies three main categories of salient human rights risks: risks related to the organisation of tournaments, risks related to FIFA's role in governing world football, and risks related to in-house operations. FIFA then worked to strengthen and systematise the identification of risks to people in the various salient risk areas.

Both recommendations in this section stem from the first Human Rights Advisory Board report of September 2017. The implementation of one of the recommendations is at an advanced stage and work is ongoing on the other recommendation.

Recommendations

- R8.** *That FIFA prioritise its efforts to develop systems to more consistently identify the greatest risks to people affected by FIFA's activities and business relationships, especially where actual harm has occurred or may be imminent or where access to remedy is needed. (First Advisory Board report, September 2017)*

⁵⁶ See https://resources.fifa.com/mm/document/affederation/footballgovernance/02/89/33/21/activityupdate_humanrights_may2017_neutral.pdf (p.10, box 2)

Update on implementation by FIFA:

In recent years, FIFA has continued to strengthen various issue-specific systems to identify potential and actual adverse human rights impacts that may be linked to FIFA's activities and business relationships, most of which were discussed in the board's first report. These include the identification of adverse impacts on labour rights in relation to the construction of World Cup-related infrastructure in both Russia and Qatar through extensive monitoring activities, the identification of adverse impacts related to discrimination through the Anti-Discrimination Monitoring System, and labour rights risks in licensing supply chains through the pledge system developed and implemented in cooperation with the World Federation of the Sporting Goods Industry (WFSGI).

Since the publication of the first board report in September 2017, FIFA has been working to strengthen these systems in various areas. For instance, FIFA further strengthened and implemented its event-time systems to identify adverse impacts on people during the 2018 FIFA World Cup, such as through the Anti-Discrimination Monitoring System in the area of discrimination, or the complaints mechanism for human rights defenders and media representatives in the area of fundamental freedoms. Furthermore, FIFA implemented a series of feedback procedures for individuals who may be adversely affected, such as for people with disabilities as part of the accessibility programme or for volunteers in the form of a feedback procedure for cases of harassment. The identification of potential or actual human rights impacts during the 2018 FIFA World Cup further benefited from a greatly enhanced level of engagement with civil society organisations and other stakeholders in the lead-up to and during the tournament. This allowed FIFA to respond quickly to specific cases of alleged adverse human rights impacts, in particular with regard to discriminatory incidents outside of the stadiums and their immediate surroundings, and situations where the rights of human rights defenders were curtailed. It also allowed FIFA to receive updates in real time and understand the effectiveness of measures taken in response to such cases.

Other processes relevant to this recommendation of the board include the conducting of a detailed human rights salience analysis that is a cornerstone of the process leading to the 2022 FIFA World Cup™ Sustainability Strategy and 2022 FIFA World Cup™ Sustainability Policy.⁵⁷ This process of identifying the most severe risks to people associated with the 2022 FIFA World Cup and how FIFA could be connected to them is being conducted jointly with the Supreme Committee for Delivery & Legacy and the Local Organising Committee for the 2022 FIFA World Cup and involves expert advice and external and internal stakeholder

⁵⁷ FIFA, the LOC and the SC intend to publish the 2022 FIFA Sustainability Policy and Strategy later in 2018.

consultations. Also, the inclusion of wide-ranging requirements for bidders participating in FIFA bidding processes have become key elements of FIFA's efforts to identify potential adverse human rights impacts associated with future events. The documents provided by the bidders for the 2026 FIFA World Cup and FIFA's evaluation thereof shed light on the significance of these newly introduced systems to identify human rights risks in the early phases of tournament planning.⁵⁸ Finally, in the area of players' rights, the engagement under the cooperation agreement with FIFPro provides a new framework to continuously discuss and evaluate human rights risks to players in a more strategic manner.

We consider the identification of potential or actual adverse impacts on people to be an ongoing effort that requires continuous strengthening of systems and adapting to changing operational priorities and contexts. One area in which we plan to place additional emphasis in the coming months is the further enhancement of systems to identify human rights risks associated with supply chains.

Status:

Implementation at an advanced stage

R9. *That the administration's comprehensive mapping exercise to identify salient human rights issues should be tested with informed stakeholders who can validate and/or challenge the findings. The Advisory Board intends to provide more specific comments as the process moves forward. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA outlined areas of salient human rights risks in its Human Rights Policy and published a list of ten further specific salient human rights issues in the June 2017 FIFA Activity Update on Human Rights (p. 10, box 2).⁵⁹ The identification of these salient human rights risks was the result of a broad internal consultation process and input from external stakeholders as part of the consultation of FIFA's Human Rights Policy.

⁵⁸ See e.g. <https://www.fifa.com/about-fifa/news/y=2017/m=10/news=fifa-publishes-guide-to-bidding-process-for-the-2026-fifa-world-cuptm-2916170.html>; and https://resources.fifa.com/mm/document/affederation/administration/02/91/61/10/structure.content.and.format.of.bid_neutral.pdf (section 23)

⁵⁹ See https://resources.fifa.com/mm/document/affederation/footballgovernance/02/89/33/21/activityupdate_humanrights_may2017_neutral.pdf (p. 10, box 2)

The ten salient issues published in the activity update have so far proven to appropriately capture the vast majority of human rights issues facing FIFA. Furthermore, the relatively broad scope of the ten issues is instrumental in FIFA's efforts to embed respect for human rights across the relevant FIFA departments.

FIFA is currently in the process of assessing its human rights work with external expert support. As part of this assessment, a number of key external stakeholders covering all salient issues are being consulted.⁶⁰ As was the case in all such consultations conducted by FIFA over the past two years, this consultation involves organisations who have accompanied FIFA's human rights journey with a critical eye. FIFA plans to use this assessment as a basis for the review of the salient human rights issues in 2019, which will involve additional engagement with external stakeholders, including the members of FIFA's Human Rights Advisory Board.

Status:

Implementation ongoing

2.2 2018 FIFA World Cup

Context and overview

The 2018 FIFA World Cup took place in Russia between 14 June and 15 July 2018. Between 2014 and 2015, FIFA developed a sustainability strategy to identify and manage material sustainability issues related to the tournament.⁶¹ After the introduction of FIFA's human rights commitment to the FIFA Statutes in February 2016 and the adoption of FIFA's Human Rights Policy in May 2017, FIFA assessed the most salient risks to people associated with the 2018 FIFA World Cup and added a set of measures to the existing action plan to implement the sustainability strategy.⁶² Out of the 12 issues that were identified as most salient from a human rights perspective, eight were already covered through the sustainability strategy (in particular, issues related to labour rights and anti-discrimination). The four issues that were added based on the human rights assessment were associated with the rights of human rights defenders and journalists.

⁶⁰ This assessment will provide the basis for FIFA's first stand-alone human rights report that is to be published in the first half of 2019.

⁶¹ See <https://www.fifa.com/aboutfifa/socialresponsibility/sustainability/index.html>

⁶² FIFA understands the concepts of materiality and salience to relate as follows: Both provide lenses through which to prioritise certain issues in devising a strategy related to sustainability and/or human rights. Prioritisation according to the traditional concept of materiality that is used widely in the Sustainability sphere involves assessing social, environmental and economic issues based on (1) the importance of a certain topic to stakeholders, (2) the influence a company or organisation may have to effectuate change in relation to a certain issue and (3) the significance of a positive or negative impact linked to an issue. Prioritisation based on salience in turn assesses the level of risk of adverse impacts on the human rights of people, defined by the severity (scope, scale and remediability) and likelihood of a certain impact. The Sustainability Strategy for the 2018 FIFA World Cup was developed using a traditional materiality approach to identify priority issues. After the adoption of the FIFA Human Rights Policy in May 2017, it was enhanced through the addition of a number of issues that were considered salient from a human rights perspective. The Sustainability Strategy for the 2022 FIFA World Cup integrates the two perspectives from the very beginning.

The board focused its recommendations in relation to the 2018 FIFA World Cup on questions around labour rights, the location of the team base camp of the Egyptian team and on human rights defenders. This section includes 14 recommendations: six were included in the first board report in September 2017, four in the recommendations provided to FIFA in December 2018 and four in the recommendations of February 2018. All of the recommendations are considered implemented/closed out.

a) Labour rights on stadium construction sites

Recommendations

R12. *That, as a priority, FIFA support a thorough examination of the root causes of all fatalities and other serious injuries to date, as well as an analysis of health and safety risks in the final phases of construction through the end of 2017 (and potentially into early 2018) in order to help prevent the most severe risks to workers. Assessments of root causes, and of the monitoring system's overall effectiveness in addressing the most severe risks to workers, should involve all the parties to the MoU. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA and the LOC have been examining the causes of fatal accidents since the start of the monitoring system in April 2016. After June 2017, the depth of such examinations was further expanded. As part of this effort, the collaboration with BWI and RBWU was strengthened.

As per the standard procedure under the methodology of the decent work monitoring system implemented since April 2016,⁶³ FIFA and the LOC were informed of serious accidents by the main contractors of the stadium construction sites. FIFA and the LOC then reached out to both the main contractor and the relevant authorities conducting the formal investigations to receive information on what precisely happened and possible causes of the accident. Furthermore, whenever a serious accident happened on a construction site, the identification of causes and rectification measures was a central priority of the subsequent monitoring visit on that site and respective recommendations were included in the report of the monitoring visit. The implementation of these rectification measures was reviewed in the next monitoring visit on the respective site and, in some cases, contractors were asked to provide updates on rectifications within two weeks after the visit. From October 2016 onwards, representatives

⁶³ For an overview, see <https://www.fifa.com/worldcup/news/monitoring-system-strengthens-working-conditions-on-russia-2018-stadiums>

of BWI and/or RBWU were present at most of these visits, participating in the discussions with workers and contractors on site, and verifying and signing the initial monitoring reports presented to the companies at the end of each visit.

In the first half of 2017, FIFA and the LOC further strengthened their processes to identify and address the root causes of serious accidents. First, the LOC signed an MoU with Rostrud, the government agency responsible for enforcing labour regulations in Russia. This allowed for a better exchange of information, including on the results of respective investigations by both sides on serious accidents and their causes. Second, as of June 2017, FIFA and the LOC included a separate chapter discussing the causes of accidents and recommendations to address them in respective monitoring reports. These chapters were discussed and agreed upon by BWI and/or RBWU representatives who participated in the monitoring visit.

With regard to the analysis of health and safety risks, since January 2017, FIFA and the LOC had already been engaging in a complementary effort to help contractors on the stadium construction sites to strengthen their health and safety management systems. As part of this effort, FIFA and the LOC commissioned the Klinsky Institute to conduct health and safety risk assessments for the companies on the construction sites in January and February 2017 and to provide further advice on the development of health and safety management systems in May, June and July 2017.

Furthermore, in autumn 2017, the Klinsky Institute developed specific training on health and safety in relation to work at height, provided the materials to the health and safety managers of the main contractors on site and implemented them during a series of monitoring visits in early 2018. Representatives of RBWU and BWI participated in these trainings.

Status:

Recommendation implemented/closed out

R13. *That FIFA proactively engage with the LOC whenever severe impacts on workers occur on how leverage can best be used, including with the relevant stadium developers, to ensure appropriate follow up measures. Such measures should include the application of appropriate sanctions on the responsible parties as well as forward-looking steps to prevent the impacts from recurring. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

In accordance with the methodology of the decent work monitoring system, FIFA and the LOC provided recommendations on how to address issues identified during the monitoring visit to all monitored companies during the final meeting of the visit as well as in a more detailed written report within days after it. These reports and respective recommendations were also shared with the entities responsible for developing the stadium infrastructures.

When severe impacts on workers were identified or when the overall situation on a construction site was considered to be of concern, enhanced measures were taken to exert additional leverage. Such measures included: (1) a request for the main contractor to develop an action plan to address the issues within one to two weeks, (2) direct engagement with stadium developers and main contractors through formal letters requesting the rectification of certain issues, (3) the reporting of a specific situation to Rostrud in accordance with an MoU signed between the LOC and Rostrud, and (4) escalation of the specific situation to the political level both by the LOC and FIFA leadership. These escalation measures provided useful channels for FIFA and the LOC to exercise leverage even in the absence of a direct contractual relationship with construction companies and were used on a regular basis to address in particular issues in relation to health and safety and the timely payment of salaries.

With respect to the aspect of sanctions raised by the board, it is important to note that neither FIFA nor the LOC were in a position to directly sanction companies employed on the construction sites. However, FIFA and the LOC engaged closely with Rostrud on cases involving breaches of relevant laws and standards. Beyond addressing specific cases, Rostrud, following a request by the LOC, also conducted a review of salary payments on all stadium construction sites for the 2018 FIFA World Cup in the months before completion of the construction of stadiums in early 2018. The results of this review are not public, yet we have reason to believe that it significantly contributed to ensuring that workers received their salaries in accordance with their contractual rights and relevant Russian legislation.

It should be noted that these measures were outside of the scope of the relationship with BWI and RBWU under the MoU, which was limited to the monitoring visits of the decent work monitoring system.

Status:

Recommendation implemented/closed out

R14. *That FIFA collaborate closely in all instances where deaths or serious injuries have occurred not only with the LOC but also with BWI (and RBWU as appropriate) on follow up measures. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA engaged in a series of efforts to identify causes of serious accidents and recommending rectification measures to respective companies. This included engagement with representatives from BWI and RBWU, where they participated in the respective monitoring visits.

For further information, please refer also to the update on recommendation 12.

Status:

Recommendation implemented/closed out

R15. *That FIFA engage with the LOC, BWI and RBWU to make at least summary observations from the monitoring system public, including follow-up actions to address non-compliance, and to ensure that the monitoring system is capturing disaggregated data about impacts on migrant workers going forward. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA and the LOC provide information that describes the functioning of the monitoring system on their websites.⁶⁴ Furthermore, FIFA has been sharing information about results of the monitoring visits with stakeholders based on their request. This includes a number of key figures in an exchange with Human Rights Watch in June 2017.⁶⁵ FIFA and the LOC are currently in the process of assessing the monitoring system and its results and plan on publishing a report later this year.

The monitoring system follows a constructive approach between FIFA/LOC and the construction companies, which allowed for the identification of labour rights challenges on site through a robust mechanism, the recommendation of solutions to address issues and, where necessary, the use of pre-defined escalation procedures (cf update on recommendation 13). FIFA and the LOC considered, based on exchanges with stakeholders involved in the construction of

⁶⁴ See <https://www.fifa.com/worldcup/news/monitoring-system-strengthens-working-conditions-on-russia-2018-stadiums>

⁶⁵ See <https://www.fifa.com/sustainability/news/y=2017/m=6/news=fifa-statement-on-human-rights-watch-report-on-russia-2894986.html>

the stadiums, that publishing the detailed results of the monitoring visits would have been counterproductive to the implementation of the monitoring system and thereby to advancing the overall objective of a continued and effective improvement of the labour rights situation on the sites.

That said, and in line with the predefined escalation procedures, information was shared with relevant state authorities where companies failed to address severe non-compliance (cf. update on recommendation 13). Furthermore, the international and national trade union representatives participating in the monitoring visits had access to relevant information and reviewed and verified the assessments and initial recommendations made by the monitoring teams led by the independent experts of the Klinsky Institute.

With regard to the recommendation to capture disaggregated data about impacts on migrant workers, FIFA and the LOC assessed the potential benefits of such efforts and discussed the topic with the trade unions involved in the monitoring system and with the Klinsky Institute, which conducts the monitoring visits. The result of these discussions was that the current methods allow for a sufficient level of understanding of issues that may be of particular relevance for migrant workers. It was therefore decided that no amendments be made to the monitoring methodology.

Status:

Recommendation implemented/closed out

R16. *That FIFA raise with the LOC the need to ensure that the main contractors have appropriate health and safety plans and training programs in place when workers are operating at heights as construction advances to the final stages and the nature of the risks to workers changes. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

Starting in January 2017, FIFA/LOC engaged in an effort to support construction companies in strengthening their health and safety management systems. This included the commissioning of the Klinsky Institute to conduct health and safety risk assessments for the companies and advising them on implementing respective recommendations.

In October 2017, FIFA and the LOC decided to further strengthen these efforts with particular emphasis on health and safety risks related to work at height. This was a consequence of an assessment of the causes of serious accidents that happened over the period of the monitoring system since April 2016 and the fact that the work on most construction sites

involved a significant amount of work at height during the final phases of construction. As part of these efforts, the Klinsky Institute developed specialised training modules on health and safety in work at height, which were provided to the health and safety managers of the companies on site. Furthermore, the Klinsky Institute conducted a series of training sessions during monitoring visits on sites where the topic was particularly relevant.

These efforts were undertaken by FIFA and the LOC on top of the activities under the decent work monitoring system.

Status:

Recommendation implemented/closed out

R17. *That FIFA raise with the LOC the need to ensure that the main contractors ensure that all workers in the stadiums are provided with adequate health care as well as timely compensation in the event of any injuries. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA discussed this recommendation with the LOC and the Klinsky Institute, which conducts the monitoring visits under the decent work monitoring system. According to Russian legislation, mandatory social insurance is an obligatory clause to be included in labour contracts. Furthermore, in case of accidents, workers or their families are entitled to compensation at a level prescribed by law.

As part of the document analysis during the monitoring visits, the monitoring teams checked on whether the clause on social insurance was included in contracts. No significant non-compliance with this legal obligation was found by the Klinsky Institute when reviewing the contracts as part of the monitoring visits. Also, the issue was not brought up in interviews with workers.

Following the recommendation by the board, FIFA and the LOC engaged with companies to inquire about the payment of injury compensation, which was not foreseen in the methodology for the decent work monitoring system. FIFA and the LOC were not able to establish any irregularities in that respect and are not aware of cases where such payments made in relation to stadium construction sites caused controversy. It should be noted though that FIFA and the LOC do not have access to financial records that would allow actual cash flows to be verified.

Status:

Recommendation implemented/closed out

R35. *That, building on recommendations 3(e) and 3(h) from the Board's first report, and following discussions with the other MoU parties, FIFA should be transparent about the actual number of fatalities on 2018 FIFA World Cup construction sites and, to the greatest extent possible, the results of all investigation reports. (Recommendation of December 2017)*

Update on implementation by FIFA:

Avoiding serious accidents on construction sites of stadiums used for the 2018 FIFA World Cup was a core objective of all of FIFA's activities in relation to labour rights associated with the 2018 FIFA World Cup. This included the development and operation of the decent work monitoring system, the efforts to escalate instances of serious non-compliance to the relevant authorities, and the work to help strengthen health and safety management systems of companies through the commissioning of expert support.

As repeatedly reported and as mentioned by the board in part A of this report, 18 people involved in the construction of the stadiums used for the 2018 FIFA World Cup died since the start of the preparatory work for the 2018 FIFA World Cup. FIFA deeply regrets this loss of life and is in the process of further enhancing its efforts to avoid serious accidents on construction sites associated with its tournaments, together with the entities responsible for the building of the infrastructure used for FIFA's events.

The formal investigation reports conducted by Russian authorities are not publicly available. FIFA and the LOC however engaged closely with the authorities to learn about the results of these investigations. The conclusions of the complementary assessments of causes of serious accidents conducted by FIFA and the LOC were included in the monitoring reports shared with the companies. Where trade unions participated in the respective visits, this information was shared and discussed with trade union representatives. In line with the general approach under the monitoring system (see update on recommendation 15), the reports are not publicly available.

Status:

Recommendation implemented/closed out

R36. *That, building on recommendation 3(g) from the board's first report, FIFA should take a more proactive stance on investigations of fatalities and should use its leverage, together with the LOC, to directly engage the main contractors to seek to ensure that they are providing an adequate response. Where they are not, FIFA should look at how appropriate assistance and support can be provided to families of the victims by the LOC in the first instance. (Recommendation of December 2017)*

Update on implementation by FIFA:

FIFA and the LOC engaged in a proactive manner with main contractors whenever a fatality occurred. This included an assessment of the causes of the accident and respective recommendations to address such issues. FIFA and the LOC had no reason to believe that the legally prescribed compensation to families of victims were not paid and did not take additional measures in that respect.

For more information, please also refer to the update on recommendations 12 and 17.

Status:

Recommendation implemented/closed out

R37. *That, building on recommendations 3 (f) and 3(i –renumbered) from the board's first report, FIFA should use its leverage to help ensure that comprehensive health and safety measures are put in place to prevent major accidents, particularly on work at height, by working closely with the LOC and engaging with all relevant parties, including the responsible contractors, the government and the parties to the MoU. These should include strict compliance with the health and safety measures pertaining to scaffolding, tower crane operations and harness management, including "near misses". In addition, site inspections should be more frequent and focus on stadium sites with bad health and safety records and those that would pose the most serious danger to workers. (Recommendation of December 2017)*

Update on implementation by FIFA:

As of January 2017, FIFA and the LOC commissioned the expert Klinsky Institute to assist companies employed on the stadium construction sites in developing and strengthening their health and safety management systems. Furthermore, in line with the recommendation of the

board, this work was expanded as of October 2017 with the development and implementation of specialist training modules on health and safety measures associated with work at height by the Klinsky Institute.

For more information, please also refer to the update on recommendation 12.

Status:

Recommendation implemented/closed out

R38. *That FIFA should seek, together with the LOC, to proactively identify a solution to address any delayed or unpaid wages, especially for migrant workers, given the predictability of this risk from past major sporting events in the country. FIFA should engage proactively, together with the LOC, with stadium owners and the main contractors on how they will meet their responsibility to ensure workers have received a fair wage, including the payment of promised bonuses as well as payments to those who have already finished work on the construction sites. (Recommendation of December 2017)*

Update on implementation by FIFA:

The payment of salaries was one of the assessment categories under the decent work monitoring system. The monitoring teams reviewed whether the respective clauses in the labour contracts were in conformity with relevant laws and discussed whether salaries were paid accordingly and in a timely manner in the group and individual interviews with workers. The late payment of salaries was furthermore a main cause for case-specific escalation of issues with the relevant authorities. FIFA and the LOC were not in a position to review actual financial flows between companies and workers.

Aware of the heightened risks of late or non-payment of salaries towards the end of the construction period, FIFA and the LOC engaged with Rostrud to conduct a full review of salary payments on all construction sites for the 2018 FIFA World Cup. Rostrud conducted this assessment between January and March 2018. While the results of this review are not public, we have reasons to believe that it significantly contributed to ensuring that workers received their salaries in accordance with their contractual rights and the relevant Russian legislation. Since the end of the construction phase, FIFA and the LOC have been closely monitoring whether workers are reporting the late payment or non-payment of salaries linked to their work on construction sites for the 2018 FIFA World Cup. To date, FIFA and the LOC are aware of one case where a significant number of workers employed on a stadium construction site

allege that they were, as of mid-August 2018, not paid their salaries. FIFA and the LOC are in the process of engaging with Rostrud to clarify the specifics of this case.

Status:

Recommendation implemented/closed out

b) Team base camp of Egyptian team

R43. *That FIFA immediately explore the feasibility of offering the Egyptian team an alternative location, including financial support to do so. (Recommendation of February 2018)*

Update on implementation by FIFA:

The location of the team base camp of the Egyptian team in Grozny was confirmed in the days before the board meeting of February 2018. Based in part on the discussion with the board members, FIFA engaged with the Egyptian member association to explore alternative locations for its team base camp during the 2018 FIFA World Cup. This engagement involved repeated conversations between the leadership of the two entities. The Egyptian FA eventually decided to stick to its original choice.

Grozny was added to the list of possible team base camps in November 2015, before the integration of a human rights commitment in FIFA's statutes and the start of far-reaching efforts to embed this commitment within FIFA's.⁶⁶ We are confident that the measures put in place over the past two years should prevent such a situation from arising in future.

Status:

Recommendation implemented/closed out

R44. *That FIFA urgently communicate to the Egyptian Football Association the seriousness of the human rights risks that concerned stakeholders have raised with FIFA and FIFA's policy commitment to respect and protect human rights defenders. (Recommendation of February 2018)*

⁶⁶ See <https://sputniknews.com/sport/201504201021124377/>

Update on implementation by FIFA:

FIFA engaged with the Egyptian Member Association on the situation in Chechnya between February and May 2018. This involved conversations on the human rights situation in Chechnya and potential human rights risks directly associated with the presence of the Egyptian team in that region of Russia. On FIFA's side, these discussions were informed by consultations with international experts on the human rights situation in Chechnya.

Status:

Recommendation implemented/closed out

R45. *That FIFA urgently communicate to the LOC that concerned stakeholders have raised the situation of specific human rights defenders in Chechnya with FIFA, that this is an illustration of the broader human rights issues that FIFA has been discussing with the LOC as a priority concern, and that FIFA urge the LOC to use all possible leverage to follow up with the responsible government entities to seek to ensure those individuals' freedom. (Recommendation of February 2018)*

Update on implementation by FIFA:

This recommendation refers in particular to the situation of Oyub Titiev, a leading human rights activist from the NGO Human Rights Centre Memorial. As stated by the organisations who brought this case to FIFA's attention, the detention of Mr Titiev is not related to FIFA or the 2018 FIFA World Cup and therefore outside of the scope of FIFA's human rights responsibilities.⁶⁷ In spite of this, FIFA took several steps in support of Mr Titiev.

These steps included raising the issue with the LOC at operational and leadership levels as recommended by the board. Furthermore, FIFA's leadership raised the situation of Mr Titiev on numerous occasions in its conversations with Russian counterparts at the highest government levels.⁶⁸ FIFA is following the developments in his case closely and deeply regrets that the detention of Mr Titiev is ongoing, despite the efforts by FIFA and many others.

Status:

Recommendation implemented/closed out

⁶⁷ See <https://www.hrw.org/news/2018/05/23/joint-letter-fifa-concerning-human-rights-crisis-chechnya>

⁶⁸ See https://www.hrw.org/sites/default/files/supporting_resources/response_letter_fifa_secretary_general.pdf

R46. *That, in the absence of an ability to relocate the team, FIFA should promptly complete a formal human rights risk assessment of the use of Grozny as a location for a team base camp, drawing on independent expert advice, and then take the mitigation steps developed through that process. (Recommendation of February 2018)*

Update on implementation by FIFA:

FIFA conducted a risk assessment of potential adverse human rights impacts associated with the presence of the Egyptian team in Grozny. This assessment was informed by FIFA's discussion with the members of the board and with further independent experts on the matter. Based on this assessment, the FIFA Sustainability & Diversity Department engaged with relevant departments at FIFA and the LOC to ensure heightened awareness and response mechanisms with respect to specific issues, including in particular the protection of human rights defenders.

FIFA is not aware of specific adverse impacts on human rights defenders or journalists occurring in direct connection with the Egyptian presence there during the tournament.

Status:

Recommendation implemented/closed out

2.3 2022 FIFA World Cup

Context and overview

Since the publishing of the first report by the board, FIFA has continued to engage with the Supreme Committee for Delivery and Legacy and the Local Organising Committee in an effort to address human rights risks related to the 2022 FIFA World Cup. In that respect, FIFA continued to follow the wide-ranging efforts of the Supreme Committee to enforce decent labour conditions on the construction sites for the 2022 FIFA World Cup under its purview.⁶⁹ Furthermore, FIFA, together with the Supreme Committee and the Local Organising Committee, made important progress on the development of an encompassing sustainability policy and strategy for the 2022 FIFA World Cup, including by conducting a detailed salience analysis of human rights risks.

All board recommendations related to the 2022 FIFA World Cup in Qatar were included in the board's first report. Out of the six recommendations, four are considered implemented/closed out and work is ongoing on two recommendations.

⁶⁹ For information on that work by the Supreme Committee, see the dedicated Workers' Welfare page: <https://www.sc.qa/en/opportunities/workers-welfare>

Recommendations

R18. *That FIFA support the SC and BWI's discussions on the potential for greater synergies between the various parts of the labour inspection system and the extent to which they ensure appropriate consideration of the overall health of workers – i.e., both on site and in accommodations in a connected way – given the extremely challenging physical environment for workers. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA engaged with the Supreme Committee (SC) on the question of synergies between various parts of the labour inspection system. FIFA understands that the discussion between the SC and BWI on this matter have progressed significantly and that the SC has taken important steps to further integrate the monitoring results on construction sites and accommodation. Progress with regard to integrating systems between accommodation and construction sites in particular with respect to questions of workers' health was also highlighted in the 2017 report of the Joint Working Group of the SC and BWI that was published in January 2018.⁷⁰

Status:

Recommendation implemented/closed out

R19. *That FIFA engage with the SC to ensure that the Workers' Welfare Standards continue to be reviewed periodically and further updated to reflect feedback from stakeholders consulted as part of that process. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA is in regular contact with the SC on its efforts to ensure decent working conditions on the 2022 FIFA World Cup sites based on the Workers' Welfare Standards (WWS). FIFA has a high degree of confidence and trust in the efforts of the Supreme Committee in that respect and is pleased that the SC is receiving growing international recognition for its pioneering work.

Since the publication of the first board report, the SC has made a number of significant enhancements to the WWS.⁷¹ These changes include the strengthening of the SC's capabilities to prevent and address non-compliance with the WWS among subcontractors engaged on

⁷⁰ See <https://www.sc.qa/sites/default/files/docs/SC-BWI-report-2017.pdf>

⁷¹ See https://www.sc.qa/sites/default/files/Workers-Welfare-Progress-Report-2017-March-to-2018-January-EN_0.pdf (p. 11)

the SC's construction sites. Furthermore, they strengthen the roles of worker representatives and introduce a series of enhancements related to the health of workers.

Status:

Recommendation implemented/closed out

R20. *That FIFA engage with the SC to encourage the renewal of the SC's current agreement with BWI in December 2017 and the potential to extend the scope of the joint inspections to cover subcontractors directly. FIFA should also explore with the SC the progressive expansion of the coverage of the joint inspections to look at other risks to workers' human rights that could add value to the existing four-tier system. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA fully supports the collaboration between the SC and BWI and participated in one of the joint inspections under the SC-BWI collaboration as an observer. FIFA is pleased to see the continued and fruitful exchanges and strengthened relationship between BWI and the SC and the exploration of new areas of collaboration, including through an expanded scope of the joint inspections.⁷²

Status:

Recommendation implemented/closed out

R21. *That FIFA engage with the SC, together with BWI, on the importance of consulting and involving workers directly in health and safety on the worksite beyond current efforts to strengthen health and safety reporting, including through mechanisms such as worker-management health and safety committees and, given the absence of local trade unions, through worker-elected representatives. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA engaged with the SC to better understand the SC's approach to the involvement of workers on construction sites. FIFA is pleased to see the important progress that has been made to strengthen the effectiveness and representativeness of the Workers' Welfare Forums

⁷² See <https://www.sc.qa/sites/default/files/docs/SC-BWI-report-2017.pdf>

both in the accommodation and the construction sites and the close engagement between the SC and BWI on this matter. This includes in particular the significant enhancement of the number of Workers' Welfare Forums, the standardised election processes for workers' representatives, and the initiatives to strengthen awareness among workers.⁷³

Status:

Recommendation implemented/closed out

R22. That FIFA actively explore ways to use its leverage to engage with the host government about the impact of the kafala system on migrant workers involved in World Cup-related construction. (First Advisory Board report, September 2017)

Update on implementation by FIFA:

FIFA's leadership has repeatedly voiced its support for labour reforms towards full alignment with relevant ILO conventions in its direct meetings with the Emir of Qatar and representatives of the Qatari government. FIFA has also made that position public on several occasions.

FIFA is pleased to see the important commitments made by the government of Qatar in November 2017 and welcomes the technical cooperation between the ILO and the government. The implementation of these commitments will significantly raise the bar of labour protection in the country and thereby support FIFA's efforts to uphold its own human rights responsibilities. FIFA will therefore continue to constructively engage with the Qatari authorities to further the implementation of these commitments, including as a priority the full abolition of the exit permit system.

FIFA has also engaged in initial discussions with the ILO office in Doha to explore possible ways in which the ILO's work in Qatar can be leveraged to deliver on the worker-related commitments set out in the 2022 FIFA World Cup Sustainability Strategy that go beyond the construction sites under the purview of the SC.

Status:

Implementation ongoing

⁷³ See https://www.sc.qa/sites/default/files/Workers-Welfare-Progress-Report-2017-March-to-2018-January-EN_0.pdf; https://www.sc.qa/sites/default/files/docs/Impactt_2018_Report.pdf; and <https://www.sc.qa/sites/default/files/docs/SC-BWI-report-2017.pdf>

R27. *That FIFA should be actively encouraging other companies linked to FIFA World Cup-related construction in host countries, such as major hotel companies, to support respect for international labour rights standards, as well as the adoption of independent labour monitoring practices, in connection with their operations. Good practices developed by FIFA and its local partners in specific contexts should be shared with a wider audience in the long-term interests of workers and the FIFA World Cup brand. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

Since the publishing of the board's report in September 2017, FIFA has conducted a detailed human rights salience analysis to inform the 2022 FIFA World Cup™ Sustainability Strategy and 2022 FIFA World Cup™ Sustainability Policy. This analysis included support by an expert institution and consultations with local and international external stakeholders in the form of a questionnaire and follow-up interviews. The scope of the analysis includes all potential or actual adverse human rights impacts that may be directly linked to the tournament in accordance with the UN Guiding Principles on Business and Human Rights.

The 2022 FIFA World Cup™ Sustainability Strategy will take the results of this analysis into account and include objectives and a set of key measures in relation to promoting respect for labour rights associated with construction sites and services that are not under the purview of the Supreme Committee.

Status:

Implementation ongoing

2.4 Bidding processes and 2026 FIFA World Cup

Context and overview

In November 2017, FIFA issued the revised requirements to the bidders for the 2026 FIFA World Cup. For the first time, the bidding process included in-depth requirements related to human rights. The board was consulted several times in the development of these requirements throughout 2017. Since then, FIFA has successfully executed the bidding process, including by evaluating the extensive documentation submitted by the three bidders of the United Bid (Mexico, Canada and the United States) and Morocco in March 2018, and by selecting the United Bid as the successful candidate at the FIFA Congress in Moscow in June 2018.

The recommendations discussed in this section stem from the first board report of September 2017, with one addition from the recommendations provided in December 2017. All three recommendations are considered implemented/closed out.

Recommendations

R24. *That, in order to strengthen FIFA's leverage in future tournaments and ensure better protection of workers' rights, FIFA should include respect for international labour rights standards, including specific occupational health and safety requirements for the construction phase, in the Stadium Agreement for host countries in the bidding documentation. This should include incorporating references to accepted standards such as the FIDIC's Standard Bidding Documents for Procurement of Construction Works and General Conditions of Contract for Construction, and the ILO Code of Practice on Safety and Health in Construction. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA has included detailed requirements on human and labour rights in stadium agreements for all of its future events. The stadium agreements have to be provided to FIFA in signed form as part of the bid documentation and form the main contractual relationship between the entity responsible for the tournament organisation and the owner or developer of the respective stadium.

As recommended by the board and trade union representatives in the consultation process with external stakeholders, these standardised clauses include a reference to the FIDIC's Standard Bidding Documents for Procurement of Construction Works and General Conditions of Contract for Construction, and the ILO Code of Practice on Safety and Health in Construction.

Status:

Recommendation implemented/closed out

R25. *That, building on the experience of implementing the Workers' Welfare Standards in Qatar, FIFA should make clear with respect to all its events that it is unacceptable for migrant workers to be burdened with recruitment fees and should engage with the relevant local actors to promote responsible recruitment and employment practices by all contractors and subcontractors in line with leading international practice. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

The labour-related obligations in the new bidding and hosting requirements include a series of references to combating forced labour, such as in form of the Forced Labour Convention or the relevant provisions of the IFC Performance Standard 2 on labour and working conditions.

FIFA is committed to using the leverage provided by these contractual obligations to find ways to address the often protracted problem of recruitment fees, building on the experience from the Supreme Committee related to the Workers' Welfare Standards and in particular its initiatives to reimburse fees paid by workers.⁷⁴

Status:

Recommendation implemented/closed out

R39. *That FIFA should require contractors for future tournaments to use a wage structure that provides for a fair wage and is set out clearly in written contracts, as part of its expectations of good practice in construction. (Recommendation of December 2017)*

Update on implementation by FIFA:

The labour-related obligations included in the new bidding and hosting requirements refer to internationally recognised human rights, including at a minimum those recognised in the International Bill of Human Rights and the principles concerning fundamental rights set out in the ILOs Declaration on Fundamental Principles and Rights at Work. FIFA also requires the hosts to adopt and use further labour rights-related international standards and best practices, such as the IFC Performance Standard 2 on labour and working conditions. Several of these standards include requirements on fair wages and labour contracts.

Status:

Recommendation implemented/closed out

⁷⁴ See https://www.sc.qa/sites/default/files/Workers-Welfare-Progress-Report-2017-March-to-2018-January-EN_0.pdf (p. 22)

2.5 Other topics

Context and overview

Besides the recommendations focused on overall risk identification, FIFA's measures to identify and address risks related to the 2018 and 2022 FIFA World Cup and the bidding processes for the 2026 FIFA World Cup and other future tournaments, the board also made a set of recommendations on how it suggests FIFA to identify and address risks related to other topics. These topics include questions related to labour rights that are not linked to a specific event, and recommendations on addressing human rights risks related to security and in supply chains.

All of the four recommendations were included in the first board report. Of the four recommendations, one is considered implemented/closed out, implementation is ongoing on two further recommendations and implementation work has not yet started on the remaining recommendation.

Recommendations

R26. *That FIFA promote a policy with host countries of direct employment of a majority of construction workers by the main contractors on FIFA World Cup-related sites. This should help reduce excessive reliance on subcontractors and the associated risks to workers', particularly migrant workers', human rights. The Board encouraged FIFA to engage with BWI to understand and explore ways to support BWI's efforts with various construction companies in Qatar to sign agreements to this effect as an example of good practice. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA has not yet taken concrete steps in response to this recommendation.

Status:

Implementation not yet started

R23. *That, given the importance and value of joint inspections between FIFA, the relevant LOC, and international and (where they exist) local trade unions, such inspection programmes should be adopted as the norm for all future FIFA World Cup construction. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA intends to continue collaborating with expert organisations and relevant stakeholders, including international and national trade unions, in working towards respect for international labour standards on FIFA World Cup-related construction sites. In that respect, FIFA included contractual provisions allowing for such monitoring programmes in the bidding requirements for the 2026 FIFA World Cup. It is worth noting that the successful United Bid for the 2026 FIFA World Cup, in its human rights strategy, committed to far-reaching engagements with external stakeholders, including with trade unions, in its efforts to identify and address human rights risks.⁷⁵

Status:

Implementation ongoing

R28. *That FIFA consider how best to use its leverage with regard to security arrangements associated with the hosting of football events, including in relation to police action that takes place away from the stadiums, by seeking to promote and encourage implementation by host governments of appropriate standards in line with its new commitment in its Human Rights Policy. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

Human rights risks associated with the provision of security at FIFA events constitutes one of the ten salient human rights issues identified and outlined by FIFA in the June 2017 FIFA Activity Update on Human Rights⁷⁶ and in FIFA's Human Rights Policy.⁷⁷ Since the publication of the board report in September 2017, FIFA has taken a series of measures in that respect in relation to the 2018 FIFA World Cup, the 2022 FIFA World Cup and the 2026 FIFA World Cup.

With regard to the 2018 FIFA World Cup, FIFA conveyed its expectations to the Russian authorities both in the lead-up and during the tournament that any restriction of fundamental freedoms needs to be justified by legitimate security interests. During the event, FIFA engaged repeatedly with the LOC Security Department and relevant authorities to reinforce that message in relation to specific cases. FIFA is confident that these interventions helped to

⁷⁵ See

<https://resources.fifa.com/image/upload/proposal-for-a-united-human-rights-strategy-united-2026-bid.pdf?cloudid=s2xnrvfjg9kp0zelhxnt>

⁷⁶ See https://resources.fifa.com/mm/document/affederation/footballgovernance/02/89/33/21/activityupdate_humanrights_may2017_neutral.pdf

⁷⁷ See https://resources.fifa.com/mm/document/affederation/footballgovernance/02/89/33/12/fifashumanrightspolicy_neutral.pdf

foster an environment of limited restrictions on fundamental freedoms and that it positively impacted on the handling of a series of specific cases (cf. update on recommendation 40). At the same time, FIFA's interventions were generally less successful with regard to how formal requests for protests in FIFA World Cup host cities were dealt with.

Concerning the 2022 FIFA World Cup, human rights risks related to security arrangements are an integral part of the salience analysis in relation to the 2022 FIFA World Cup that informs the upcoming sustainability strategy for that tournament. Specific measures in that respect will be defined in the coming months as part of the action plan to implement the sustainability strategy.

Finally, FIFA integrated certain requirements into the bidding for the 2026 FIFA World Cup. These include commitments from government agencies to respect human rights in relation to all of their activities and ensuring that security forces are trained to implement their duties in accordance with international best practice on security and human rights.

Status:

Implementation ongoing

R29. *That the administration review the Procurement White Paper published by the Mega Sporting Events Human Rights Platform which captures common issues and concerns related to procurement activities associated with major sporting events with a view to identifying relevant steps for FIFA to incorporate. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

FIFA reviewed the Procurement White Paper published by the Mega Sporting Events Platform for Human Rights. During the reporting period, FIFA referred to this resource in discussions around supply chain-related issues to be included in the 2022 FIFA World Cup™ Sustainability Strategy as well as in the bidding requirements for the 2026 FIFA World Cup and other future tournaments.

Status:

Recommendation implemented/closed out

3. PROTECT AND REMEDY

The board's recommendations that relate to the working area of "protect and remedy" as understood in FIFA's operational approach to implement its human rights responsibilities refer to two main areas: the protection of human rights defenders and media representatives and, more broadly, the provision of avenues for remediation.

3.1 Protection of human rights defenders and media representatives

Context and overview

Human rights defenders are oftentimes exposed to heightened human rights risks due to the nature of their work and therefore a focus of FIFA's efforts in relation to human rights. In addition to that, FIFA is convinced that the work of human rights defenders is essential for its own human rights-related efforts to succeed. Human rights defenders bring to our attention specific human rights risks and inform the evaluation of the effectiveness of measures taken, they in some situations act as legitimate representatives of people and groups who may be affected by FIFA's activities, and are an additional source of scrutiny on third parties whose actions may have an adverse impact on human rights and be related to FIFA's activities.

Efforts to put in place effective mechanisms to respect and help protect the rights of human rights defenders was among the key priorities of FIFA's human rights work in the period since the board published its first report in September 2017. This included in particular the development of a detailed policy commitment and a complaints mechanism as well as the development and operation of event-time mechanisms to identify and address issues related to the 2018 FIFA World Cup.

The board included recommendations in relation to that body of work in its first report in September 2017 and provided further recommendations in December 2017. Out of these four recommendations, three are considered implemented/closed out and implementation is at an advanced stage on the remaining one.

Recommendations

- R10.** *That FIFA identify predictable risks to the exercise of fundamental civil and political rights (such as freedom of expression, association and peaceful assembly) in connection with FIFA's tournaments and other events, including in connection with smaller tournaments and one-off meetings such as the Congress. FIFA should communicate its expectations to host governments in advance since this is likely to be a sensitive topic. (First Advisory Board report, September 2017)*
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Update on implementation by FIFA:

Since the publication of the first board report in September 2017, FIFA took a series of steps to identify risks to the exercise of fundamental civil and political rights in relation to its major tournaments. With regard to the 2018 FIFA World Cup, FIFA engaged with the LOC and Russian authorities to clearly communicate its expectations concerning the respect of fundamental freedoms. This involved engagements at the highest political levels in the months leading up to the tournament and interventions on specific cases where such freedoms may have been infringed upon (see below in the update on recommendation 40).

With regard to the two future FIFA World Cups in 2022 and 2026, FIFA also engaged in processes to identify potential risks related to the exercise of fundamental civil and political rights. With regard to the 2022 FIFA World Cup in Qatar, this issue was assessed in the salience analysis conducted as a basis for the tournament's sustainability strategy. As for the 2026 FIFA World Cup, FIFA expressly asked bidders to assess risks to fundamental freedoms in relation to the proposed tournament. The bid documentation of the successful United Bid includes reference to this topic both in the independent human rights context analysis the bidders were asked to commission⁷⁸ and in the human rights strategy provided by them.⁷⁹

In the period since September 2017, FIFA has not conducted specific risk assessments related to smaller tournaments and one-off meetings. The assessments and measures in place in relation to the 2018 FIFA World Cup, however, also covered relevant risks related to the FIFA Congress of June 2018 in Moscow, the main event of this kind taking place during that period.

Status:

Implementation at an advanced stage

R11. *That the administration give urgent attention to the need to have clear channels in place through which human rights defenders, journalists and others who are at risk of severe harm (such as arbitrary detention or arrest) in connection with FIFA's tournaments or other events can safely raise concerns, in line with its commitment in its new Human Rights Policy. Prompt responses to such risks are necessary to prevent an escalation of harm to those affected. There is a particular urgency to ensure such systems are in place in the lead-up to the 2018 FIFA World Cup as this will be the first major test of FIFA's new policy commitment. (First Advisory Board report, September 2017)*

⁷⁸ See <https://resources.fifa.com/image/upload/independent-human-rights-assessment-united-2026-bid.pdf?cloudid=ywklipdfwenjx8kwfunj>

⁷⁹ See <https://resources.fifa.com/image/upload/proposal-for-a-united-human-rights-strategy-united-2026-bid.pdf?cloudid=s2xnrvfjg9kp0zelhxnt>

Update on implementation by FIFA:

Starting in September 2017, FIFA engaged in a dedicated effort to develop a complaints mechanism for human rights defenders and media representatives. In parallel, it developed the FIFA statement on human rights defenders and media representatives, a policy document detailing FIFA's commitments in relation to that topic and describing how FIFA intends to respond to cases submitted through the complaints mechanism.⁸⁰ In that process, FIFA collaborated with an expert organisation specialising in supporting human rights defenders and consulted in writing with some 20 external stakeholders, including the members of the board.

The complaints mechanism and statement were finalised and published in late May 2018.⁸¹ The web-based complaints mechanism is hosted by a specialised external provider. It allows for anonymous reporting and follows the highest standards of data privacy and security. The mechanism is open to all human rights defenders or journalists who consider that their rights were adversely impacted upon when conducting work associated with FIFA. The mechanism, while launched in the weeks before the 2018 FIFA World Cup, is thus not limited to a specific event.

Since the launch of the complaints mechanism, we have received seven individual complaints. Out of these seven complaints, three included actual cases of alleged infringements on the rights of human rights defenders or journalists and four concerned more general human rights complaints. We pursued all cases in accordance with FIFA's relevant policy commitments. As part of these measures, we had substantial interactions with complainants in four cases. One of these cases is closed, three are ongoing. In the remaining three cases, we did not receive an answer to our first response to the complainant. We were already aware of and had taken at least initial steps on all seven of these cases before the complaints were submitted to FIFA through the system.

Two of the seven cases were associated with the 2018 FIFA World Cup. In both of these cases, FIFA engaged with relevant authorities in support of the respective media representative or human rights defender and in both situations, we saw positive developments subsequent to our interventions. It is however difficult to determine the extent to which of these developments

⁸⁰ See <https://resources.fifa.com/image/upload/fifa-statement-on-human-rights-defenders-and-media-representatives.pdf?cloudid=ejf1ecdKu14lm2v9zc03>

⁸¹ See <https://www.fifa.com/governance/news/y=2018/m=5/news=fifa-launches-complaints-mechanism-for-human-rights-defenders-and-journalists.html>

were a consequence of FIFA's interventions as FIFA was not the only entity to intervene in those two cases (for further information on how the mechanism was promoted please refer to the update on recommendation 41 and for additional information with regards to cases involving human rights defenders in connection with the 2018 FIFA World Cup, see update on recommendation 40).

Status:

Recommendation implemented/closed out

R40. *That FIFA commit to applying maximum leverage with the government in cases of harassment, intimidation and/or detention of human rights defenders for exercising their full range of rights, including freedom of expression (also online) and assembly. FIFA should also commit to engaging with the government to secure the prompt release of detained human rights defenders and to alleviate any restrictions imposed on them by the authorities in the performance of their role. (Recommendation of December 2017)*

Update on implementation by FIFA:

In the FIFA statement on human rights defenders and media representatives, FIFA commits to respecting and helping protect the rights of representatives of these groups in relation to their work associated with FIFA. In accordance with paragraph 9, FIFA commits to use its leverage with third parties, including with the relevant government, business and other actors, to contribute to protecting the rights of human rights defenders and media representatives.

FIFA put this commitment into practice in a series of cases since the publishing of the board's first report in September 2017, including in particular in relation to situations connected to the 2018 FIFA World Cup. First, FIFA conveyed its expectations towards third parties at various levels. For instance, FIFA consistently communicated to the authorities in Russia its expectation that human rights defenders need to be able to conduct their work freely and without fear of reprisals and urged the authorities to ensure that fundamental freedoms should only be restricted to the extent justified by legitimate security concerns.

Furthermore, FIFA intervened in support of human rights defenders or journalists in nine separate cases linked to FIFA's activities. These include cases in relation to:

- a human rights defender who was detained for several hours after conducting research on a construction site for the 2018 FIFA World Cup and who was put under surveillance thereafter;
- a journalist who was initially denied his visa to report from the tournament;
- a student who faced charges for vandalism as part of his opposition to the location of the FIFA Fan Fest at the Moscow State University compound;
- an international LGBTI rights activist and two additional cases of protesters against whom administrative cases were opened following pickets involving one or two individuals respectively;
- the Fare Diversity House in St Petersburg, which was forced to change its location at short notice;
- the Iranian women who intended to protest for access to stadiums in their home country; and
- the four protesters who ran onto the pitch in the final match of the tournament.

In all of the cases, FIFA sought to use its leverage with relevant third parties, including in particular with government authorities. The interventions in these cases comprised steps such as engagements with security authorities to convey FIFA's views and expectations on a particular case, including at the highest levels of the organisation; public statements in support of human rights defenders and direct exchanges with them, such as through attendance and active participation at their events; engagement with third parties, such as embassy personnel, with a mandate to support FIFA's efforts in a particular case; or, in one case, attendance of a court hearing.

We saw positive developments subsequent to our interventions in most of the above-mentioned cases. For instance, criminal or administrative cases were dropped in some cases, administrative decisions were corrected, or human rights defenders were able to continue to go about their work without major interferences. The extent to which these and other improvements were a direct consequence of FIFA's interventions is difficult to determine.

Status:

Recommendation implemented/closed out

R41. *That FIFA start as early as possible to inform member associations, national media and its own business partners (especially TV broadcasters and sponsors) about its system for protecting human rights defenders, including developing briefings in different languages and helping to educate the staff of the LOC, volunteers and others that will be crucial local points of contact about the system. (Recommendation of December 2017)*

Update on implementation by FIFA:

FIFA communicated publicly about the publishing of the complaints mechanism and statement on human rights defenders and media representatives through a press release on 29 May 2018.⁸² The information was also shared via the Business and Human Rights Resource Centre website and through a post on the website and in the newsletter of the International Service for Human Rights, an international expert organisation focusing on promoting rights of human rights defenders.⁸³ FIFA also engaged with approximately a dozen further multiplier organisations in the field and encouraged them to share the information on the complaints mechanism with their partner organisations, in particular those operating in Russia.

Furthermore, the information on the complaints mechanism and on how staff members are required to act if made aware of a respective case was included in the preparatory documentation and workshop for all FIFA staff deployed at the 2018 FIFA World Cup. In addition, information was shared on the specific platforms used to share information and communicate with media representatives and the participating member associations.

Status:

Recommendation implemented/closed out

3.2 Remediation

Context and overview

Since the publication of the first board report in September 2017, FIFA has taken a series of measures to strengthen its mechanisms allowing for access to remedy in relation to the salient human rights issues identified in the Activity Update on Human Rights.⁸⁴ Key measures in that respect include the introduction of the complaints mechanism for human rights defenders

⁸² See <https://www.fifa.com/governance/news/y=2018/m=5/news=fifa-launches-complaints-mechanism-for-human-rights-defenders-and-journalists.html>

⁸³ See <https://www.ishr.ch/news/sports-working-protect-human-rights-defenders-football>

⁸⁴ See https://resources.fifa.com/mm/document/affederation/footballgovernance/02/89/33/21/activityupdate_humanrights_may2017_neutral.pdf (page 10, box 2)

and media representatives,⁸⁵ the strengthening of procedures to enforce the payment of overdue payables to players,⁸⁶ the exploration of a comprehensive set of remedy mechanisms for various human rights risks associated with the 2022 FIFA World Cup to be included in the tournament's sustainability strategy, and the integration of certain requirements in the 2026 FIFA World Cup bidding and hosting.⁸⁷

While aspects of remedy are included in a variety of recommendations by the board, the latter has made two recommendations specifically on the topic. Both recommendations are considered implemented/closed out.

Recommendations

R33. *That FIFA prioritise those elements of the Board's recommendations above regarding the 2018 and 2022 FIFA World Cups in Russia and Qatar that involve using its leverage to seek to ensure effective remedy is provided by the responsible parties to construction workers harmed in connection with the construction or upgrading of the various stadiums and other World Cup facilities. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

In Russia, the approach of FIFA and the LOC in promoting access to remedy was through engagement with Rostrud, the Russian agency responsible for the enforcement of labour laws. This approach was chosen due to the fact that FIFA and the LOC did not have direct contractual relationships with the main contractors, through which they could have developed and operated their own remedy mechanisms.

The primary efforts as part of these activities were the identification of complaints by workers through the in-person interviews during the monitoring visits and the sharing of relevant information with Rostrud in the event that severe cases were identified. In parallel, FIFA encouraged Rostrud to put in place a hotline specifically for workers on stadium construction sites to raise complaints with the authority. While Rostrud did install such a hotline in October 2017, it appears to have been used only very rarely.

⁸⁵ See <https://www.fifa.com/governance/news/y=2018/m=5/news=fifa-launches-complaints-mechanism-for-human-rights-defenders-and-journalists.html>

⁸⁶ See <https://resources.fifa.com/image/upload/1628-art-64-of-the-fifa-disciplinary-code-new-approach-adopted-by-the-fifa-disci.pdf?cloudid=icrrwgmlecrq3qwiewt>

⁸⁷ See <https://www.fifa.com/about-fifa/news/y=2017/m=10/news=fifa-publishes-guide-to-bidding-process-for-the-2026-fifa-world-cuptm-2916170.html>; and https://resources.fifa.com/mm/document/affederation/administration/02/91/61/10/structure.content.and.format.of.bid_neutral.pdf (section 23)

In Qatar, the Supreme Committee has been heavily involved in strengthening mechanisms for workers to raise complaints to be addressed by the committee and construction companies on its sites. This includes the running of a dedicated grievance hotline and the Workers' Welfare Forums relative to the accommodation and project sites.⁸⁸

Status:

Recommendation implemented/closed out

R34. *That FIFA continue to engage directly with BWI regarding efforts in both Russia and Qatar to strengthen the effectiveness of existing grievance mechanisms for workers, and seek BWI's views on new mechanisms where relevant, in order to benefit from BWI's expertise. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

Since the publication of the Advisory Board report in September 2017, FIFA has continued the collaboration with BWI in relation to labour monitoring in Russia, as did the Supreme Committee as part of the efforts under the joint working group in relation to the 2022 FIFA World Cup construction sites. Due to the approach on remedy followed in Russia, the engagement with BWI on that issue was limited. In relation to Qatar, engagement on the Workers' Welfare Forums continued to be one of the main topics of exchange between the Supreme Committee and BWI.⁸⁹

Status:

Recommendation implemented/closed out

⁸⁸ For more information on these activities, see https://www.sc.qa/sites/default/files/Workers-Welfare-Progress-Report-2017-March-to-2018-January-EN_0.pdf

⁸⁹ See <https://www.sc.qa/sites/default/files/docs/SC-BWI-report-2017.pdf>

4. ENGAGE AND COMMUNICATE

Context and overview

Over the past two years, FIFA has significantly expanded its engagement with external stakeholders and strived to share information about its human rights work transparently and to an appropriate extent. These efforts were further strengthened since the publication of the board report in September 2017.

The board made four recommendations on that issue in its first report. Another recommendation was added in December 2017. Out of the five recommendations, four are considered implemented/closed out and work on the implementation of the remaining recommendation is ongoing.

Recommendations

- R6.** That FIFA expand its current pool of stakeholders with insights into human and labour rights risks and establish more regular engagement with them [Ruggie 2.7].
(First Advisory Board report, September 2017)

Update on implementation by FIFA:

This recommendation was made by the board in exchanges with FIFA in early 2017, during the discussions on the development of FIFA's Human Rights Policy. Since then, FIFA has significantly expanded its activities to engage with external stakeholders on a regular basis. In particular, FIFA engaged in a series of consultation processes on specific elements of its human rights work, including in relation to FIFA's Human Rights Policy, the human rights-related requirements for the 2026 FIFA World Cup, the development of the statement on human rights defenders and media representatives, and the human rights-related elements of the 2022 FIFA World Cup™ Sustainability Strategy. These consultations generally involved between 12 and 30 international stakeholders.

We also extended and intensified engagement with relevant stakeholders in the lead-up to the 2018 FIFA World Cup in Russia in relation to our efforts to address particular human rights risks. This included engagements with Human Rights Watch, international and Russian LGBTI organisations and the OpenStadiums campaign run by Iranian women. Furthermore, we engaged with stakeholders in the sports and human rights field through FIFA's role in the steering committee of the multi-stakeholder platform on human rights and mega-sporting events that turned into the Centre for Sport and Human Rights in June 2018. As part of that engagement, FIFA held a conference call in May 2018, hosted by the platform and involving all interested stakeholders, to discuss its human rights due diligence in relation to the 2018 FIFA World Cup in Russia.

FIFA furthermore strengthened its collaboration with specific organisations to address particular salient human rights issues, including with the Fare network on mechanisms related to anti-discrimination, the Centre for Access to Football in Europe (CAFE) on the accessibility programme at FIFA events, with BWI on labour rights monitoring, and with an independent expert organisation on the development of the statement and complaints mechanism for human rights defenders and media representatives.

FIFA will continue to engage in a meaningful manner with external stakeholders, and in particular those legitimately representing affected groups, in order to take their views into account and learn from their experiences.

Status:

Recommendation implemented/closed out

R30. *That FIFA publish more information on its anti-discrimination approach in order to both share the positive outcomes it has achieved through engagement with member associations, as well as ongoing challenges. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

Over the past months, and in line with the board's recommendation, FIFA continued to communicate proactively about its work on anti-discrimination. This included the publishing of press releases discussing the measures taken in relation to the 2018 FIFA World Cup⁹⁰ and the organisation of a dedicated press event on anti-discrimination as part of the Anti-Discrimination Days during the 2018 FIFA World Cup.⁹¹

FIFA also shared information on decisions taken by the FIFA Disciplinary Committee based on evidence collected through the Anti-Discrimination Monitoring System in the form of press releases and published a continuously updated list of such sanctions.⁹² Furthermore, it updated and published the Good Practice Guide on Diversity and Anti-Discrimination, providing guidance to FIFA's member associations to develop their own action plans on the topic.

⁹⁰ See <https://www.fifa.com/worldcup/news/a-world-cup-of-firsts-for-the-fight-against-discrimination-and-promotion-of-dive>

⁹¹ See <https://www.fifa.com/worldcup/news/-july-11--diversity-and-anti-discrimination-panel-discussion-in-moscow-1-2984158>

⁹² See https://resources.fifa.com/mm/document/tournament/competition/02/81/14/06/disciplinary_overview_fwc_final_june2016_neutral.pdf

FIFA furthermore organised the fourth Conference for Equality and Inclusion in March 2018, which assembled a wide range of stakeholders to discuss diversity in football, including FIFA's efforts in that respect.

Status:

Recommendation implemented/closed out

R31. *That FIFA work with the relevant parties to make public further information on the design, operation and particularly the results of the construction site labour monitoring systems, including the joint inspections with trade unions, being conducted in Russia and Qatar in line with the Board's recommendations in Section 3 above. This is essential to build greater stakeholder trust in the work that is already being done, as well as plans to address remaining gaps and challenges. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

For a discussion of the approach taken in relation to the publishing of results of the monitoring visits on the stadium construction sites in Russia, see the update to recommendation 15.

In relation to Qatar, it is FIFA's view that the Supreme Committee is conducting its Workers' Welfare programme with an exemplary degree of transparency. Earlier this year, the Supreme Committee launched a dedicated website to share information on its efforts in relation to workers' welfare in a centralised manner.⁹³ Furthermore reports are published regularly, sharing information on the functioning and results of the workers' welfare monitoring systems. These include in particular the SC's yearly progress reports, the reports by Impactt, the company conducting independent audits on SC's sites, and the publication of the results from the joint inspections with BWI.⁹⁴

Status:

Implementation ongoing

⁹³ See <https://www.sc.qa/en/opportunities/workers-welfare>

⁹⁴ See <https://www.sc.qa/en/opportunities/workers-welfare/our-commitment/transparency>

R32. *That where critical human rights issues arise in connection with its operations, it is important for FIFA to make prompt factual statements about its knowledge of the situation that can be shared with relevant expert and/or directly involved stakeholders, as well as with the wider public, in order to enable more effective responses and collaborative action where possible. (First Advisory Board report, September 2017)*

Update on implementation by FIFA:

Over the past months, FIFA significantly stepped up its engagement with stakeholders and media representatives in response to specific situations or issues around FIFA's human rights work. For example, FIFA published a number of statements on such issues through the Business and Human Rights Resource Centre website⁹⁵ and responded to urgent issues in the form of letters to concerned stakeholders.⁹⁶

Most of the time, these statements are reactive in nature and FIFA acknowledges that there is room for improvement on more proactive communication in relation to such topics.

Status:

Implementation ongoing

R42. That FIFA be as transparent as possible (with due regard to relevant personal and data protection rights) in relation to its investigations into the potential involvement of Russian players and other individuals or institutions in the "systemic manipulation" identified by the Schmid Commission; that FIFA proactively publish the steps it has taken in this investigation; and that FIFA make clear to its Russian counterparts that FIFA supports a fair and just procedure to uncover any misconduct that may have caused harm to the integrity of sport. (Recommendation of December 2017)

⁹⁵ See <https://www.business-humanrights.org/en/search-results?langcode=en&keywords=fifa&pagenum=0>

⁹⁶ See e.g. <https://twitter.com/openstadiums/status/969551459518943233>

Update on implementation by FIFA:

General information on FIFA's anti-doping system is published on FIFA's website.⁹⁷ Furthermore, and in line with the recommendation of the board, in February and May 2018, FIFA published information in relation to the steps taken by it following the McLaren report investigating doping in Russian sport.⁹⁸ Furthermore, FIFA published information on the tests and results ahead of and during the 2018 FIFA World Cup in a press release on 12 July 2018.⁹⁹

Status:

Recommendation implemented/closed out

⁹⁷ See e.g. <https://www.fifa.com/development/medical/anti-doping/index.html>

⁹⁸ See <https://resources.fifa.com/image/upload/fifa-investigation-following-the-mclaren-report-2930336.pdf?cloudid=ihsc8iinevgsawttlhfa>; and <https://www.fifa.com/worldcup/news/update-on-the-investigations-following-the-mclaren-reports>

⁹⁹ See e.g. on; on the testing and respective results during the 2018 FIFA World Cup: <https://www.fifa.com/worldcup/news/results-of-the-anti-doping-testing-programme-for-the-2018-fifa-world-cup>

5. CONCLUSIONS AND OUTLOOK

5.1 General considerations

This is the second report of FIFA's Human Rights Advisory Board, which follows the first report of September 2017. In part B of this second report, we provide our first public update on our human rights work in relation to the board's recommendations. Given that the board has focused on a range of priority areas where it sees the most important human rights risks associated with FIFA's activities, the report also reflects important aspects of FIFA's overall human rights work. In many ways, part B of this report can therefore be read as the further development of many of the topics discussed in the FIFA Activity Update on Human Rights of June 2017 and in the first report of the advisory board of September 2017.

The report covers an intensive period for FIFA and its human rights efforts. Firstly, it covers the first one-and-a-half years after the adoption by the FIFA Council of FIFA's Human Rights Policy in May 2017. Several mechanisms and processes described in this report were already in operation or planned before the adoption of the policy (such as the decent work monitoring system and the Anti-Discrimination Monitoring System for the 2018 FIFA World Cup) and have continued to be strengthened and implemented since then. Other parts cover new mechanisms or processes (such as those relating to human rights defenders or the integration of human rights requirements into bidding and hosting processes) or broader efforts to embed the human rights policy within FIFA as an organisation.

Secondly, the report details FIFA's human rights work during this intensive period, in which we were involved in a series of processes that are critical to the current and future success of FIFA's human rights-related efforts:

- It covers the final preparations for and hosting of the 2018 FIFA World Cup in Russia. Many of the newly introduced systems were put to the test during this period and we were able to learn valuable lessons about their effectiveness in a challenging context.
- The report also covers the period in which we engaged with the Local Organising Committee and the Supreme Committee for Delivery and Legacy in Qatar to develop the Sustainability Strategy for the 2022 FIFA World Cup. It is the first such strategy to be informed by a detailed human rights impact assessment and we are confident that it will constitute a further leap forward in how human rights are integrated into the planning and delivery of a major sporting event.
- Finally, the period also saw the finalisation of the new human rights-related bidding and hosting requirements, which took effect during the bidding process for the 2026 FIFA World Cup and a number of other bidding processes for smaller tournaments.

These new requirements required bid committees to integrate detailed human rights considerations into the early planning phases of the respective tournaments, allowing FIFA to conduct informed evaluations of the human rights risks associated with the bids, and they should enhance FIFA's leverage to enforce its human rights commitments in relation to these tournaments in important ways.

From our perspective, this report also demonstrates the seriousness with which FIFA takes its human rights-related efforts and engagement with the board. Thirty-three of the 46 recommendations are considered to have been implemented or closed out. In the vast majority of these recommendations, FIFA implemented the steps as intended by the board. Where it did not, the differences are explained in FIFA's updates for the board and stakeholders to understand and evaluate the constraints or reasons that may have led to a different course of action. Of the remaining 13 recommendations, 12 are currently being implemented, and in two of these recommendations, the process is at an advanced stage. Implementation has not yet started on one recommendation (for an overview, see the Annexe).

5.2 Areas covered by the board for the first time

In part A of this report, the board included recommendations in areas of FIFA's human rights work that it did not discuss in its first report. These include, in particular, FIFA's work in respecting and helping to protect players' rights, its efforts with regard to the stadium ban for women in IR Iran, and measures on child safeguarding. While we will report on these issues based on the recommendations of the board in our next joint report, we would like to state that work is ongoing in all of these areas:

With regard to the ban on women entering football stadiums in IR Iran, FIFA has significantly stepped up its engagement with the Iranian political and footballing authorities in recent months. On 1 March 2018, FIFA President Gianni Infantino met Hassan Rouhani, the President of the Islamic Republic of Iran, to discuss this issue and was assured that important progress would be made in the near future, a commitment that was repeated several times thereafter. Since the meeting in Tehran, we have continued to engage with Iranian authorities at the highest level with a view to ensuring that tangible changes are implemented on the ground.

FIFA was pleased to see that women were allowed to view the second and third matches of the Iranian national team at the 2018 FIFA World Cup on a giant screen in the country's main football stadium. Furthermore, as mentioned in this report, FIFA took a series of measures during the World Cup to ensure that activists were able to advocate for an end to the stadium ban and was in close contact with these activists in the lead-up to and during the tournament.

FIFA will continue to engage with the Iranian authorities and organisations and individuals campaigning for an end to the ban towards the objective of ensuring full access for women to football matches in the country.

Finally, concerning child safeguarding, FIFA's Member Associations Division is in the process of establishing a child safeguarding programme. The intention of this programme is to promote activities to protect and safeguard children in world football through deeper engagement on this topic with FIFA's member associations. In recent months, these activities have been defined through regular exchanges between a working group including international experts from UNICEF, the Council of Europe and the Scottish Football Association, and representatives of relevant FIFA divisions and departments.

We will report in more detail on these efforts, including how they relate to the board's specific recommendations, in the next report. It is expected that FIFA will also communicate on all of these topics, either proactively or reactively, in the coming weeks and months.

5.3 Priorities moving forward

As mentioned above, we are currently conducting a process to take stock of the progress made by FIFA since the integration of the human rights commitment in article 3 of the FIFA Statutes in April 2016. This process also includes revisiting the ten salient issues defined by FIFA in early 2017 and identifying priority areas to be addressed in the years to come. This work is supported by two recognised international expert consultants on human rights reporting and assurance.

In addition, we are working in the following priority areas to further strengthen and systematise FIFA's efforts towards ensuring respect for human rights over the next few months:

- Publication of the Sustainability Policy and Strategy for the 2022 FIFA World Cup, development of a detailed action plan involving FIFA, the Local Organising Committee and the Supreme Committee for Delivery and Legacy, and continuing to engage with various stakeholders in Qatar concerning various human rights-related matters;
- Development of a corrective action protocol for the hosts of the 2026 FIFA World Cup and implementation of initial steps to embed human rights in the operations of the hosting entity;

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- Launch of FIFA’s child safeguarding and protection programme, including through the hiring of a programme leader, and deeper engagement with member associations on the topic;
 - Continued negotiations concerning reform of the regulations and mechanisms for the transfer and status of players and engagement with member associations on the development of national-level dispute resolution chambers;
 - Strengthening of FIFA’s systems with regard to monitoring compliance with human rights standards in supply chains; and
 - Development of FIFA’s first stand-alone human rights report, following guidance from the UN Guiding Principles Reporting Framework.¹⁰⁰ The report will be published in the first half of 2019.

5.4 Continuation of the board’s mandate

FIFA has decided to renew the mandate of the Human Rights Advisory Board for another two years until the end of 2020. We are immensely grateful for the work conducted by the board members both individually and as a group during these first two years. Their commitment to supporting our efforts to achieve positive results for people through objective and critical advice and the time and energy invested on a pro bono basis to that effect has been nothing short of remarkable.

The collaboration has allowed us to jointly explore new ground in how companies or organisations engage with external stakeholders. As was foreseen two years ago, we will liaise with the board’s members to revise the terms of reference while taking into account the lessons learned by all involved parties and to discuss the composition of the board for the next two years.

We hope that this report will help further enhance the understanding of our human rights work for external stakeholders and would welcome the opportunity to hold conversations with stakeholders to explain the work in further detail. If you should have any questions or comments, please do not hesitate to contact Andreas Graf, FIFA’s Human Rights Manager (andreas.graf@fifa.org).

¹⁰⁰ See <https://www.ungpreporting.org/>

ANNEXE: OVERVIEW ON RECOMMENDATIONS AND STATUS OF IMPLEMENTATION

Source	Number	Recommendation	Status ¹⁰⁴
1 st Report September 2017	1(1a)	That FIFA strengthen the draft policy's language regarding the organization's expectations of governments that are hosting FIFA tournaments with regard to handling all security connected with the hosting of the event in line with international human rights standards, including by drawing on practical experience among governments and companies in implementing the Voluntary Principles on Security and Human Rights.	04 – recommendation implemented/ closed out
1 st Report September 2017	2(1b)	That FIFA reach out to additional stakeholders in the consultation process, in particular to relevant international trade union federations and individual member associations, in the latter case in order to build greater understanding of, and grass roots input to, FIFA's human rights commitments.	04 – recommendation implemented/ closed out
1 st Report September 2017	3(1c)	That the Administration align the policy's definition of human rights defenders with international standards and consider the range and type of defenders that could be adversely affected as FIFA works to implement the policy once adopted (see the Board's recommendation 3(d) below under "Identifying risks").	04 – recommendation implemented/ closed out
1 st Report September 2017	4(2a)	That FIFA continue developing a more strategic approach to embedding respect for human rights across the Administration, in particular by focusing on key staff that need specialized training or support in order to integrate human rights into their daily work, and developing indicators to measure the effectiveness of the training that staff receive [Ruggie 2.6].	02 – implementation ongoing
1 st Report September 2017	5(2b)	That FIFA review how it informs members of the various standing committees and the Council about FIFA's human rights responsibilities to ensure it includes appropriate information about Ruggie's report and recommendations [Ruggie 2.6]. The process should be fully reflective of FIFA's emerging policies and processes on human rights.	02 – implementation ongoing
1 st Report September 2017	6(2c)	That FIFA expand its current pool of stakeholders with insights into human and labor rights risks and establish more regular engagement with them [Ruggie 2.7].	04 – recommendation implemented/ closed out
1 st Report September 2017	7 (2d)	That FIFA develop a strategy to drive deeper engagement with and outreach to its member associations on this topic, which have their own unique challenges in respecting human rights [Ruggie 2.7].	02 – implementation ongoing
1 st Report September 2017	8(3a)	That FIFA prioritize its efforts to develop systems to more consistently identify the greatest risks to people affected by FIFA's activities and business relationships, especially where actual harm has occurred or may be imminent or where access to remedy is needed.	03 – Implementation at an advanced stage
1 st Report September 2017	9(3b)	That the Administration's comprehensive mapping exercise to identify salient human rights issues should be tested with informed stakeholders who can validate and/or challenge the findings. The Advisory Board intends to provide more specific comments as the process moves forward.	02 – implementation ongoing
1 st Report September 2017	10(3c)	That FIFA identify predictable risks to the exercise of fundamental civil and political rights (such as freedom of expression, association and peaceful assembly) in connection with FIFA's tournaments and other events, including in connection with smaller tournaments and one-off meetings such as the Congress. FIFA should communicate its expectations to host governments in advance since this is likely to be a sensitive topic.	03 – Implementation at an advanced stage

Source	Number	Recommendation	Status ¹⁰⁴
1 st Report September 2017	11(3d)	That the Administration give urgent attention to the need to have clear channels in place through which human rights defenders, journalists and others who are at risk of severe harm (such as arbitrary detention or arrest) in connection with FIFA's tournaments or other events can safely raise concerns, in line with its commitment in its new Human Rights Policy. Prompt responses to such risks are necessary to prevent an escalation of harm to those affected. There is a particular urgency to ensure such systems are in place in the lead up to the 2018 FIFA World Cup as this will be the first major test of FIFA's new policy commitment.	04 – recommendation implemented/ closed out
1 st Report September 2017	12(3e)	That, as a priority, FIFA support a thorough examination of the root causes of all fatalities and other serious injuries to date, as well as an analysis of health and safety risks in the final phases of construction through the end of 2017 (and potentially into early 2018) in order to help prevent the most severe risks to workers. Assessments of root causes, and of the monitoring system's overall effectiveness in addressing the most severe risks to workers, should involve all the parties to the MoU.	04 – recommendation implemented/ closed out
1 st Report September 2017	13(3f)	That FIFA proactively engage with the LOC whenever severe impacts on workers occur on how leverage can best be used, including with the relevant stadium developers, to ensure appropriate follow up measures. Such measures should include the application of appropriate sanctions on the responsible parties as well as forward-looking steps to prevent the impacts from recurring.	04 – recommendation implemented/ closed out
1 st Report September 2017	14(3g)	That FIFA collaborate closely in all instances where deaths or serious injuries have occurred not only with the LOC but also with BWI (and RBWU as appropriate) on follow up measures.	04 – recommendation implemented/ closed out
1 st Report September 2017	15(3h)	That FIFA engage with the LOC, BWI and RBWU to make at least summary observations from the monitoring system public, including follow up actions to address non-compliances, and to ensure that the monitoring system is capturing disaggregated data about impacts on migrant workers going forwards. That FIFA raise with the LOC the need to ensure that the main contractors have appropriate health and safety plans and training programs in place when workers are operating at heights as construction advances to the final stages and the nature of the risks to workers changes.	04 – recommendation implemented/ closed out
1 st Report September 2017	16(3h+)	That FIFA raise with the LOC the need to ensure that the main contractors have appropriate health and safety plans and training programs in place when workers are operating at heights as construction advances to the final stages and the nature of the risks to workers changes.	04 – recommendation implemented/ closed out
1 st Report September 2017	17(3i)	That FIFA raise with the LOC the need to ensure that the main contractors ensure that all workers in the stadia are provided with adequate health care as well as timely compensation in the event of any injuries.	04 – recommendation implemented/ closed out
1 st Report September 2017	18(3j)	That FIFA support the SC and BWI's discussions on the potential for greater synergies between the various parts of the labor inspection system and the extent to which they ensure appropriate consideration of the overall health of workers – ie, both on site and in accommodations in a connected way – given the extremely challenging physical environment for workers.	04 – recommendation implemented/ closed out
1 st Report September 2017	19(3k)	That FIFA engage with the SC to ensure that the Workers' Welfare Standards continue to be reviewed periodically and further updated to reflect feedback from stakeholders consulted as part of that process.	04 – recommendation implemented/ closed out

Source	Number	Recommendation	Status ¹⁰⁴
1 st Report September 2017	20(3l)	That FIFA engage with the SC to encourage the renewal of the SC's current agreement with BWI in December 2017 and the potential to extend the scope of the joint inspections to cover sub-contractors directly. FIFA should also explore with the SC the progressive expansion of the coverage of the joint inspections to look at other risks to workers' human rights that could add value to the existing four-tier system.	04 – recommendation implemented/ closed out
1 st Report September 2017	21(3m)	That FIFA engage with the SC, together with BWI, on the importance of consulting and involving workers directly in health and safety on the worksite beyond current efforts to strengthen health and safety reporting, including through mechanisms such as worker-management health and safety committees and, given the absence of local trade unions, through worker-elected representatives.	04 – recommendation implemented/ closed out
1 st Report September 2017	22(3n)	That FIFA actively explore ways to use its leverage to engage with the host government about the impact of the kafala system on migrant workers involved in World Cup-related construction.	02 – implementation ongoing
1 st Report September 2017	23(3o)	That, given the importance and value of joint inspections between FIFA, the relevant LOC, and international and (where they exist) local trade unions, such inspection programs should be adopted as the norm for all future FIFA World Cup construction.	02 – implementation ongoing
1 st Report September 2017	24(4a)	That, in order to strengthen FIFA's leverage in future tournaments and ensure better protection of workers' rights, FIFA should include respect for international labour rights standards, including specific occupational health and safety requirements for the construction phase, in the Stadium Agreement for host countries in the bidding documentation. This should include incorporating references to accepted standards such as the FIDIC's Standard Bidding Documents for Procurement of Construction Works and General Conditions of Contract for Construction, ²⁹ and the ILO Code of Practice on Safety and Health in Construction.	04 – recommendation implemented/ closed out
1 st Report September 2017	25(4b)	That, building on the experience of implementing the Workers' Welfare Standards in Qatar, FIFA should make clear with respect to all its events that it is unacceptable for migrant workers to be burdened with recruitment fees and should engage with the relevant local actors to promote responsible recruitment and employment practices by all contractors and sub-contractors in line with leading international practice.	04 – recommendation implemented/ closed out
1 st Report September 2017	26(4c)	That FIFA promote a policy with host countries of direct employment of a majority of construction workers by the main contractors on FIFA World Cup-related sites. This should help reduce excessive reliance on sub-contractors and the associated risks to workers', particularly migrant workers', human rights. The Board encouraged FIFA to engage with BWI to understand and explore ways to support BWI's efforts with various construction companies in Qatar to sign agreements to this effect as an example of good practice.	01 – implementation not yet started
1 st Report September 2017	27(4d)	That FIFA should be actively encouraging other companies linked to FIFA World Cup-related construction in host countries, such as major hotel companies, to support respect for international labour rights standards, as well as the adoption of independent labour monitoring practices, in connection with their operations. Good practices developed by FIFA and its local partners in specific contexts should be shared with a wider audience in the long-term interests of workers and the FIFA World Cup brand.	02 – implementation ongoing
1 st Report September 2017	28(4e)	That FIFA consider how best to use its leverage with regard to security arrangements associated with the hosting of football events, including in relation to police action that takes place away from the stadiums, by seeking to promote and encourage implementation by host governments of appropriate standards in line with its new commitment in its Human Rights Policy.	02 – implementation ongoing

Source	Number	Recommendation	Status ¹⁰⁴
1 st Report September 2017	29(4f)	That the administration review the Procurement White Paper published by the Mega Sporting Events Human Rights Platform which captures common issues and concerns related to procurement activities associated with major sporting events with a view to identifying relevant steps for FIFA to incorporate.	04 – recommendation implemented/ closed out
1 st Report September 2017	30(5a)	That FIFA publish more information on its anti-discrimination approach in order to both share the positive outcomes it has achieved through engagement with member associations, as well as ongoing challenges.	04 – recommendation implemented/ closed out
1 st Report September 2017	31(5b)	That FIFA work with the relevant parties to make public further information on the design, operation and particularly the results of the construction site labour monitoring systems, including the joint inspections with trade unions, being conducted in Russia and Qatar in line with the Board's recommendations in Section 3 above. This is essential to build greater stakeholder trust in the work that is already being done, as well as plans to address remaining gaps and challenges.	02 – implementation ongoing
1 st Report September 2017	32(5c)	That where critical human rights issues arise in connection with its operations, it is important for FIFA to make prompt factual statements about its knowledge of the situation that can be shared with relevant expert and/or directly involved stakeholders, as well as with the wider public, in order to enable more effective responses and collaborative action where possible.	02 – implementation ongoing
1 st Report September 2017	33(6a)	That FIFA prioritise those elements of the Board's recommendations above regarding the 2018 and 2022 FIFA World Cups in Russia and Qatar that involve using its leverage to seek to ensure effective remedy is provided by the responsible parties to construction workers harmed in connection with the construction or upgrading of the various stadiums and other World Cup facilities.	04 – recommendation implemented/ closed out
1 st Report September 2017	34(6b)	That FIFA continue to engage directly with BWI regarding efforts in both Russia and Qatar to strengthen the effectiveness of existing grievance mechanisms for workers, and seek BWI's views on new mechanisms where relevant, in order to benefit from BWI's expertise.	04 – recommendation implemented/ closed out
Recommendations December 2017	35	That, building on recommendations 3(e) and 3(h) from the Board's first report, and following discussions with the other MOU parties, FIFA should be transparent about the actual number of fatalities on 2018 FIFA World Cup construction sites and, to the greatest extent possible, the results of all investigation reports.	04 – recommendation implemented/ closed out
Recommendations December 2017	36	That, building on recommendation 3(g) from the Board's first report, FIFA should take a more proactive stance on investigations of fatalities and should use its leverage, together with the LOC, to directly engage the main contractors to seek to ensure that they are providing an adequate response. Where they are not, FIFA should look at how appropriate assistance and support can be provided to families of the victims by the LOC in the first instance.	04 – recommendation implemented/ closed out
Recommendations December 2017	37	That, building on recommendations 3 (f) and 3(i - renumbered) from the Board's first report, FIFA should use its leverage to help ensure that comprehensive health and safety measures are put in place to prevent major accidents, particularly on work at heights, by working closely with the LOC and engaging with all relevant parties, including the responsible contractors, the government and the parties to the MOU. These should include strict compliance with the health and safety measures pertaining to scaffolding, tower crane operations and harness management, including "near misses". In addition, site inspections should be more frequent and focus on stadium sites with bad health and safety records and those that would pose the most serious dangers to workers.	04 – recommendation implemented/ closed out

Source	Number	Recommendation	Status ¹⁰⁴
Recommendations December 2017	38	That FIFA should seek, together with the LOC, to proactively identify a solution to address any delayed or unpaid wages, especially for migrant workers, given the predictability of this risk from past major sporting events in the country. FIFA should engage proactively, together with the LOC, with stadium owners and the main contractors on how they will meet their responsibility to ensure workers have received a fair wage, including the payment of promised bonuses as well as payments to those who have already finished work on the construction sites.	04 – recommendation implemented/ closed out
Recommendations December 2017	39	That FIFA should require contractors for future tournaments to use a wage structure that provides for a fair wage and is set out clearly in written contracts, as part of its expectations of good practice in construction.	04 – recommendation implemented/ closed out
Recommendations December 2017	40	That FIFA commit to applying maximum leverage with the government in cases of harassment, intimidation and/or detention of human rights defenders for exercising their full range of rights, including freedom of expression (also on-line) and assembly. FIFA should also commit to engaging with the government to secure the prompt release of detained human rights defenders and to alleviate any restrictions imposed on them by the authorities in the performance of their role.	04 – recommendation implemented/ closed out
Recommendations December 2017	41	That FIFA start as early as possible to inform Member Associations, national media and its own business partners (especially TV broadcasters and sponsors) about its system for protecting human rights defenders, including developing briefings in different languages and helping to educate the staff of the LOC, volunteers and others that will be crucial local points of contact about the system.	04 – recommendation implemented/ closed out
Recommendations December 2017	42	That FIFA be as transparent as possible (with due regard to relevant personal and data protection rights) in relation to its investigations into the potential involvement of Russian players and other individuals or institutions in the “systemic manipulation” identified by the Schmid Commission; that FIFA proactively publish the steps it has taken in this investigation; and that FIFA make clear to its Russian counterparts that FIFA supports a fair and just procedure to uncover any misconduct that may have caused harm to the integrity of sport.	04 – recommendation implemented/ closed out
Recommendations December 2017	43	That FIFA immediately explore the feasibility of offering the Egyptian team an alternative location, including financial support to do so;	04 – recommendation implemented/ closed out
Recommendations December 2017	44	That FIFA urgently communicate to the Egyptian Football Association the seriousness of the human rights risks that concerned stakeholders have raised with FIFA and FIFA's policy commitment to respect and protect human rights defenders;	04 – recommendation implemented/ closed out
Recommendations December 2017	45	That FIFA urgently communicate to the LOC that concerned stakeholders have raised the situation of specific human rights defenders in Chechnya with FIFA, that this is an illustration of the broader human rights issues that FIFA has been discussing with the LOC as a priority concern, and that FIFA urges the LOC to use all possible leverage to follow up with the responsible government entities to seek to ensure those individuals' freedom;	04 – recommendation implemented/ closed out
Recommendations December 2017	46	That, in the absence of an ability to relocate the team, FIFA should promptly complete a formal human rights risk assessment of the use of Grozny as a location for a team base camp, drawing on independent expert advice and then take the mitigation steps developed through that process.	04 – recommendation implemented/ closed out

