



HUMAN
RIGHTS
WATCH

RED CARD

Exploitation of Construction Workers on World Cup Sites in Russia



Red Card

**Exploitation of Construction Workers on World Cup
Sites in Russia**

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FIFA WORLD CUP RUSSIA 2018 HOST CITIES



Summary

Russia will host the next FIFA World Cup, from June 14 to July 15, 2018, just over four years after hosting the 2014 Winter Olympic Games in Sochi. Mega-sporting events are a source of national pride for the Russian government, and it invests heavily in their success. Tens of thousands of workers are building the stadiums and infrastructure necessary for hosting of the World Cup. These workers often face exploitation, poor working conditions, and little recourse for abuses. These are long-standing issues that have been well-documented by Human Rights Watch and others before Russia was selected to host the World Cup. Yet the Russian government has not done enough to monitor and curb abusive practices in the construction sector and hold employers accountable.

The world's top 32 football teams competing in the 2018 World Cup will play matches organized in 12 stadiums in 11 cities in Russia: Moscow (two stadiums), St. Petersburg, Ekaterinburg, Sochi, Kaliningrad, Saransk, Samara, Rostov-on-Don, Volgograd, Kazan, and Nizhnii Novgorod. To host the World Cup, Russia has built or renovated 10 stadiums and built infrastructure necessary to accommodate the influx of tens of thousands of players, coaches, families, media and others, and hundreds of thousands of fans.

For the first time ever, the Fédération Internationale de Football Association (FIFA), the international governing body of association football, has instituted, together with the Russian officials responsible for the World Cup, a program to monitor labor conditions on World Cup stadium sites. FIFA has told Human Rights Watch that monitors conducted 58 inspections between mid-2016 and June 2017. Additional joint monitoring involving FIFA, Russian officials, and trade unions began in August 2016 and is underway.

However, Human Rights Watch's investigation suggests that FIFA's existing labor monitoring system may not be effective. In response to Human Rights Watch's inquiry, FIFA sent a letter to Human Rights Watch providing details about the methodology, frequency and other technical aspects of its monitoring program. The letter said that during the course of the monitoring there had been reductions in "inconsistencies and incompliances." The letter provided two examples in which FIFA said it resolved specific issues revealed by the monitoring process. Beyond these two examples, the letter did not provide any substantive details about the results of the monitoring, such as the specific



The St. Petersburg Stadium, a 2017 Confederations Cup and 2018 World Cup venue in St. Petersburg, Russia, under construction in July 2016. © 2016 Semyon Simonov for Human Rights Watch

types of violations, where violations took place, or if or how violations were remedied and the results of those remedial actions, or any other relevant information. FIFA has not otherwise disclosed or made such information publicly available. In addition, FIFA's program is limited. It began well after much of the World Cup construction was underway, covers only stadiums and no other World Cup infrastructure, and with respect to methodology, employers are notified in advance of any inspections.

Human Rights Watch visited seven World Cup stadium sites in 2016 and 2017. We documented the exploitation of construction workers, including: non-payment of wages; three- to four-month delays in payment of wages; workers required to work outdoors in dangerously cold temperatures well below freezing; and a failure to provide work contracts and other documentation required for legal employment. Building and Wood Workers' International, a global trade union, reported 17 worker deaths on World Cup stadium sites.



The Volgograd Arena, a 2018 World Cup venue in Volgograd, Russia, under construction in April 2017.
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During its research, Human Rights Watch consistently encountered an atmosphere of intimidation, suspicion, and secrecy when trying to document conditions for workers on World Cup sites. In the most serious case, local police detained a Human Rights Watch research consultant as he tried to speak to workers outside of the Volgograd Arena. Authorities addressed the representative by name, which suggests that he was under surveillance.

Security officers outside of the St. Petersburg Stadium urged workers not to speak with Human Rights Watch's representative. Numerous workers declined to be interviewed or insisted on anonymity out of fear of retaliation from their employers, who had threatened them with dismissal or deportation for discussing worksite concerns.

Workers told Human Rights Watch they face retaliation or threats of retaliation for raising concerns about labor conditions. Hundreds of workers at World Cup sites have organized strikes to protest abusive labor practices from 2015 to 2017. In Rostov-on-Don, the

authorities arrested and deported dozens of migrant workers from Uzbekistan and Tajikistan who had participated in strikes, after allegedly finding irregularities in their employer-provided contracts.

Human Rights Watch interviewed Russian nationals, including some who had migrated internally for jobs in World Cup construction, as well as migrant workers from other countries. During research in 2009 to 2012, Human Rights Watch documented serious abuses of migrant workers on the Fisht Stadium in Sochi, built for the 2014 Winter Olympic Games, and to be used also for the 2018 World Cup.

The types of exploitation and abuse of workers described in this report are pervasive in Russia's construction industry. Human Rights Watch extensively documented the same types of abuses during Russia's preparations for the Sochi 2014 Winter Olympics, and raised these concerns with the International Olympic Committee and the Russian authorities for nearly five years. A large-scale Russian government labor inspection into workers' rights on Olympic construction sites, undertaken after substantial pressure, two months before the Games, uncovered over US\$8.3 million in unpaid wages to workers on Sochi sites. It remains unclear how many of those workers ever recovered the wages owed to them for their contribution to Russia's mega sports projects.

International and Russian media, as well as trade unions, have also documented serious concerns on World Cup sites, including deaths and serious injuries. They have also documented the same labor concerns identified in this report regarding non-payment of wages, retaliation against workers who complain, and the failure to provide written employment contracts.

The lack of employment contracts leaves workers vulnerable to exploitation and leaves them with little legal recourse: any such worker will have difficulty proving employment relations before a court, and therefore difficulty obtaining redress for abuse. Without a written employment contract, migrant workers' employment status is irregular, putting them at risk of deportation and often making them reluctant to seek assistance from the authorities in the event of abuse.

Despite worker strikes, media and trade union reports of worker deaths, serious injuries and other concerns on World Cup construction sites, the FIFA leadership has consistently

praised the Russian government's preparations in public statements and has not spoken out about human rights concerns related to World Cup construction in Russia, except in response to media inquiries.

Human Rights Watch calls on the Russian government to put an end to the widespread worker rights violations in the construction sector, through rigorous inspections and accountability for employers who exploit and abuse workers. A high-level public message of zero tolerance for worker abuse would send a strong message through the industry. The authorities should also refrain from punishing migrant workers, including through deportations, for the unscrupulous practices of employers. The authorities should inform workers of their rights, including effective mechanisms to file complaints without retaliation.

Human Rights Watch urges FIFA to increase significantly transparency about all aspects of the new labor conditions monitoring program, in order to ensure credibility, accountability, and meaningful labor rights improvements. Labor standards monitoring should not be limited to stadiums, but also include other World Cup-related construction, such as accommodation, communications, and transportation infrastructure. Human Rights Watch also calls on FIFA officials, including FIFA President Gianni Infantino, to make clear in public statements and in meetings with Russian officials, the importance of worker protections, the freedom for independent monitors and journalists to report on the World Cup without fear of retaliation, and other core human rights protections in this final year before the World Cup matches begin in Russia.

Recommendations

To the Russian Government

- Rigorously investigate and prosecute employers who deny workers legal employment contracts, withhold wages, force employees to work long hours without overtime pay, deny days off, or commit other violations of Russian law.
- Establish accessible, effective complaint mechanisms, and rigorously investigate complaints of abuse made by migrant workers, irrespective of a migrant worker's contractual status or migration status.
- Ensure the capacity of the Russian Work and Employment Service "Rostrud" inspectors to investigate labor law violations by:
 - Ensuring a sufficient number of inspectors responsible for monitoring private sector labor practices;
 - Ensuring that confidential worker interviews are part of routine inspections;
 - Increasing the number of routine periodic spot inspections;
 - Instructing inspectors to check, whether workers hold their passports and a copy of their employment contract, as required by labor law;
 - Expanding the authority of Rostrud to fully investigate complaints of any labor law violations, including wage violations, even in cases in which there is no employment contract;
- Cooperate with countries from which migrant workers come to work in Russia to facilitate prosecutions and investigations of abusive employers in Russia, including by facilitating the participation in the investigation of complaints, and any legal proceedings, of victims who have already returned home.
- Inform and educate migrant construction workers arriving in Russia of their rights under Russian law, including avenues for filing complaints. To the greatest extent possible, written materials should be available in the languages of the migrant workers, as well as in Russian.

To FIFA

With respect to World Cup 2018 in Russia

- Demonstrate that worker protections and other human rights protections are a top priority for FIFA including by making public statements to that effect in the final year of preparation for World Cup 2018;
- Ensure that the workplace monitoring program includes regular unannounced inspections; private, confidential interviews with workers of different nationalities, and job specializations; experts in documenting labor rights violations, including through interviews with workers; staff trained in languages spoken by migrant workers; and other resources and best practices to ensure rigorous monitoring;
- Ensure that monitoring of labor conditions ahead of World Cup 2018 includes monitoring not only of stadiums but of construction of other infrastructure underway for hosting the World Cup;
- Oversee, together with the Russian authorities, a thorough and transparent investigation into the participation of North Korean workers on the St. Petersburg Stadium, as reported by international media and acknowledged by FIFA, including the current fate and whereabouts of the workers;
- Increase transparency of FIFA's implementation of its human rights commitments including by publishing, without delay:
 - Full information on labor disputes, workplace injuries, and deaths on construction sites for all venues for the 2018 World Cup and any actions by FIFA and the Russian government taken in response to these issues;
 - Details of the workplace monitoring program, including, in addition to technical information about the monitoring system, detailed findings of the inspections, remedies or other actions taken, and the concrete results of the actions taken.
- Proactively consult on an ongoing basis with international and Russian stakeholders ahead of World Cup 2018.

With respect to FIFA's general human rights commitments

- Fully implement without delay the recommendations set out in the April 2016 report to FIFA prepared by John Ruggie, "For the Game. For the World: FIFA and Human Rights," including by:
 - Incorporating human rights in criteria for evaluating bids to host tournaments and make them a substantive factor in host selection;

- Significantly increasing transparency and reporting of implementation of FIFA's human rights commitments. Transparency is essential to credibility, accountability, sustainability, and meaningful change;
- Increasing consultation with key stakeholders, including establishing an ongoing, proactive dialogue with representatives of civil society, trade unions, academia and other experts with insight into FIFA's human rights risks.
- Finance a public awareness campaign using mainstream media to raise consciousness about labor exploitation, and to educate companies, countries, and football fans to these issues.

Methodology

A consultant for Human Rights Watch interviewed 42 Russian and migrant workers engaged in construction at World Cup 2018 sites in Moscow, St. Petersburg, and Kaliningrad in July 2016; in Rostov-on-Don in September and October 2016; in Sochi in June 2016; and in Ekaterinburg in January 2017. Human Rights Watch also sought to interview workers in Volgograd, but faced interference from authorities, as described below. Interviewees included local workers residing in World Cup host cities; workers from different cities in Russia migrating internally for World Cup construction work; and migrant workers from Belarus, Tajikistan, Kyrgyzstan, Uzbekistan, and Ukraine.

In several research trips from 2009 to 2012, Human Rights Watch also documented exploitation of migrant workers employed on the Fisht Stadium in Sochi, built ahead of the 2014 Winter Olympics, and to be used as a 2018 World Cup venue.

Interviewees in all cities were identified at random by approaching workers near the World Cup stadium sites and requesting an interview. All interviews with workers were conducted in Russian. Workers were told the purpose of the interview and its voluntary nature. Participants gave oral informed consent to participate and were assured anonymity. Some interviews were conducted in small groups of workers.

Many workers expressed fear of retaliation from their employers or authorities for speaking out about abuses. The names of interviewees have been changed to protect their privacy, confidentiality, and safety. Human Rights Watch did not seek to access any World Cup stadiums or other venues.

Human Rights Watch faced significant obstacles in St. Petersburg and Volgograd to conduct the research for this report. State officials in Volgograd and private security officers in St. Petersburg interfered when Human Rights Watch's research consultant attempted to interview workers near the World Cup sites in those cities, as described in more detail below. The interference by state authorities in Volgograd and serious security threats posed by that interference in April 2017 forced Human Rights Watch to stop our research with workers in Volgograd and in other World Cup cities, out of concern that such incidents would recur.



The Kaliningrad Stadium, a 2018 World Cup venue, in Kaliningrad, Russia, under construction in July 2016.
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Human Rights Watch’s consultant sent a letter in October 2016 to the Krasnodar regional labor inspectorate and the Ministry of Labor and Social Affairs of Krasnodar Krai, both agencies responsible for labor conditions in Sochi, proposing to conduct a joint inspection of workers working at the Fisht Stadium. The Ministry of Labor and Social Affairs of Krasnodar Krai responded, saying that they have staff competent in labor monitoring; had not received information of labor violations on the Fisht Stadium; requesting information regarding any violations; and stating that the ministry had informed the general contractor that it had received information about monitoring labor code compliance. Neither agency agreed to conduct joint monitoring.

On May 3, 2017, Human Rights Watch sent a letter to FIFA President Gianni Infantino, regarding the concerns documented in this report, including the security threats against the Human Rights Watch research consultant, and asking for information about FIFA’s monitoring of workers’ rights on World Cup sites. FIFA officials responded by email, asking for additional information. Human Rights Watch provided this information on May

23, 2017. FIFA responded in writing to Human Rights Watch's May 3 letter on June 8, 2017. The correspondence between Human Rights Watch and FIFA can be found at <https://www.hrw.org/node/304757/>.

I. Background

Russia as host of FIFA World Cup 2018

In a close and controversial decision, the Fédération Internationale de Football Association (FIFA) awarded the 2018 World Cup to Russia on December 2, 2010.¹ The closed-door vote was met with widespread criticism amidst allegations of corruption by both FIFA and Russia in the bidding process.² The decision marked the first time that the World Cup, which takes place every four years, will be held in Russia. Football matches involving a total of 32 teams will take place from June 14 to July 15, 2018, in 11 host cities—Moscow, St. Petersburg, Kazan, Volgograd, Rostov-on-Don, Sochi, Nizhnii Novgorod, Kaliningrad, Ekaterinburg, Saransk, and Samara. Prior to hosting the World Cup, Russia hosts the quadrennial FIFA-organized Confederations Cup in June and July 2017.³

The 12 stadiums in these cities are at various stages of construction in the lead up to the World Cup. As of April 2017, the Moscow (Spartak), Kazan, St. Petersburg, and Sochi stadiums are open for the Confederations Cup matches.⁴ In addition, the government is building new airport complexes and improving infrastructure, such as airports, hotels, roads, and transportation in several World Cup host cities.⁵ The total cost of

¹ FIFA, “Russia and Qatar awarded 2018 and 2022 FIFA World Cups, December 2, 2010, <http://www.fifa.com/worldcup/news/y=2010/m=12/news=russia-and-qatar-awarded-2018-and-2022-fifa-world-cups-1344698.html> (accessed May 12, 2017).

² Jeré Longman, “Russia and Qatar Win World Cup Bids,” *The New York Times*, December 3, 2010, <http://www.nytimes.com/2010/12/03/sports/soccer/03worldcup.html> (accessed May 12, 2017). See also later developments regarding allegations of corruption in the bidding process: Jack de Menzes, “Fifa corruption: Qatar and Russia World Cup bids under FBI investigation following Chuck Blazer’s bribery confession,” *The Independent*, June 4, 2015, <http://www.independent.co.uk/sport/football/international/fifa-corruption-qatar-and-russia-world-cup-bids-under-fbi-investigation-following-chuck-blazers-10296177.html> (accessed May 25, 2017).

³ “Russia fully ready for hosting 2017 FIFA Confederations Cup,” *ITAR-TASS*, March 31, 2017, <http://tass.com/sport/938653> (accessed May 15, 2017).

⁴ “World Cup stadiums improving day by day,” *FIFA.com*, April 27, 2017, <http://www.fifa.com/worldcup/news/y=2017/m=4/news=world-cup-stadiums-improving-day-by-day-2880773.html> (accessed May 15, 2017).

⁵ “Medvedev: It’s necessary to qualitatively prepare for the Confederations Cup and the FIFA World Cup 2018 [Медведев: необходимо качественно подготовиться к Кубку конфедераций и ЧМ-2018]”, *ITAR-TASS*, April 28, 2017, <http://tass.ru/sport/4220102>; “FIFA 2018 World Cup [Чемпионат Мира по Футболу 2018 Года]”, Ministry of Transportation of the Russian Federation, 2017, https://www.mintrans.ru/activity/detail.php?SECTION_ID=2447 (accessed May 16, 2017).

preparations for World Cup 2018 had reached 643,550,000 rubles (US\$11.4 billion) by May 10, 2017.⁶

Persistent labor abuses in Russia's construction industry

Exploitation and abuse of workers are pervasive problems in Russia's construction industry. In a February 2013 report, Human Rights Watch extensively documented exploitation of migrant workers during Russia's preparations for the Sochi 2014 Winter

Olympics.⁷ Human Rights Watch also documented abuses against migrant construction workers in Moscow, St. Petersburg, Ekaterinburg, and other cities, in a 2009 report.⁸ The International Olympic Committee and Russian government took little action to investigate and remedy the widely documented problems of non-payment of wages, lack of contracts, and the like until the final months before the February 2014 games. The Russian labor inspectorate exposed that companies engaged in Sochi Olympic construction had failed to pay their employees a total of 277 million rubles (US\$8.34 million).⁹ The Russian authorities' investigation was an important measure, but came too late to benefit many workers who had faced similar abuses since the Olympic preparations had begun five years earlier.¹⁰

Workers and the 2018 World Cup

New construction and infrastructure improvements in World Cup host cities have drawn workers from across Russia and migrant workers from numerous countries. The total number of workers engaged in FIFA World Cup construction is difficult to determine, and neither FIFA nor the Russian government have published official statistics on this, but it is

⁶ "Expenses for the preparation of the 2018 World Cup were increased by 4.7 billion rubles [Расходы на подготовку к ЧМ-2018 по футболу увеличены на 4.7 млрд рублей]," *ITAR-TASS*, May 10, 2017, <http://tass.ru/sport/4241340> (accessed May 16, 2017).

⁷ Human Rights Watch, "Race to the Bottom: Exploitation of Migrant Workers ahead of Russia's 2014 Winter Olympic Games in Sochi," February 6, 2013, <https://www.hrw.org/report/2013/02/06/race-bottom/exploitation-migrant-workers-ahead-russias-2014-winter-olympic-games>

⁸ Human Rights Watch, "Are You Happy to Cheat Us? Exploitation of Migrant Workers in Russia," February 10, 2009, https://www.hrw.org/sites/default/files/reports/russia0209web_o.pdf.

⁹ Jane Buchanan, "Dispatches: Too Little but Not Yet Too Late for Sochi's Workers," Human Rights Watch dispatch, January 13, 2014, <https://www.hrw.org/news/2014/01/13/dispatches-too-little-not-yet-too-late-sochis-workers>

¹⁰ "Russia: IOC Acts on Sochi Abuses," Human Rights Watch news release, February 11, 2014, <https://www.hrw.org/news/2014/02/11/russia-ioc-acts-sochi-abuses>

likely to be in the tens of thousands. International and Russian media have written about serious concerns about exploitation of workers, worker deaths, and other concerns on World Cup sites.¹¹

In March 2017 *Josimar*, a Norwegian magazine about football, published a detailed article about North Korean workers including those working at the St. Petersburg Stadium. According to *The Guardian*, following a letter from four Scandinavian football associations about the allegations in the article, FIFA President Gianni Infantino responded with a letter acknowledging the presence of workers from North Korea and poor working conditions and claiming that FIFA and the Russian authorities required the stadium's general contractor to rectify the concerns.”

FIFA told Human Rights Watch that according to its monitoring, as of December 2016, no North Korean workers are working on the St. Petersburg Stadium and found no evidence of North Korean workers currently on other sites. It is not clear where the workers previously employed on the stadium are, what specific remedies, if any, were taken by FIFA, the Russian government or the contractor to address the allegations of abuse.¹²

Deaths and serious injuries

The international trade union Building and Wood Workers' International (BWI) and the Russian media have published numerous reports about deaths and serious injuries on World Cup sites, including in Volgograd and St. Petersburg.¹³ In October 2016, in response

¹¹ For example, in English, Alec Luhn, “Construction Workers at World Cup Stadium Complain of Not Being Paid,” *The Guardian*, August 31, 2015, <https://www.theguardian.com/football/2015/aug/31/construction-workers-russian-world-cup-2018-stadium-not-paid> (accessed May 15, 2017).

¹² “The Slaves of St. Petersburg,” *Josimar*, March 2017, <http://www.josimar.no/artikler/the-slaves-of-st-petersburg/3851/> (accessed May 16, 2017); David Conn, “World Cup 2018: FIFA Admits Workers Have Suffered Human Rights Abuses,” *The Guardian*, May 25, 2017, <https://www.theguardian.com/football/2017/may/25/fifa-world-cup-2018-workers-human-rights-abuses> (accessed May 25, 2017); The Guardian subsequently published an article about North Korean workers on the St. Petersburg Stadium, Alec Luhn, “Like Prisoners of War: North Korean Labour behind Russia 2018 World Cup,” *The Guardian*, June 4, 2017 <https://www.theguardian.com/football/2017/jun/04/like-prisoners-of-war-north-korean-labour-russia-world-cup-st-petersburg-stadium-zenit-arena> (accessed June 4, 2017); and Letter from Federico Addiechi, head, sustainability and strategy, FIFA, to Human Rights Watch, June 8, 2017.

¹³ For example, “On the Volgograd Stadium, a young welder fell 20 meters and died [На стройке “Волгоград-Арены” с 20-метровой высоты упал и разбился молодой монтажник],” *Kuban.info*, December 3, 2016, <http://kuban.info/proishestvia/5328-na-stroyke-volgograd-areny-s-20-metrovoy-vysoty-upal-i-razbilsya-molodoy-montazhnik.html> (accessed May 15, 2017); “Another Worker Was Seriously Injured on the Volgograd Stadium [Еще один рабочий получил травмы на стройке “Волгоград Арена”],” *Fedpress.ru*, February 15, 2016, http://fedpress.ru/news/society/news_event/1455536246-eshche-odin-rabochii-poluchil-travmy-na-stroike-volgograd-areny (accessed May 15, 2017). “On the Volgograd Stadium, Metalworks collapsed together with workers [На стройке “Волгоград-Арены”

to worker deaths at the St. Petersburg Stadium in 2015 and 2016, Ambet Yuson, BWI's general secretary stated, "We are increasingly concerned by the number of fatal accidents at the site and believe that these tragedies can be averted if safety and health conditions are strictly enforced."¹⁴ According to BWI, there have been at least 17 deaths on World Cup stadiums.¹⁵

Strikes and other protest actions

Workers on several World Cup sites, including on the Luzhniki Stadium in Moscow, the Nizhnii Novgorod Stadium, the Rostov Arena, and the Kaliningrad Stadium, have staged strikes to protest non-payment of wages and other labor violations, according to Russian media reports and BWI.¹⁶ For example, workers have staged large strikes at the Rostov Arena in Rostov-on-Don, with several hundred workers refusing to work in mid-April 2017, due to five-month delays in wage payments.¹⁷ In May 2016, approximately 700 construction workers at the Rostov Arena protested non-payment of wages.¹⁸

Construction workers in Kaliningrad organized a strike in July 2016, also in response to non-payment of wages.¹⁹ Some of the workers involved in the strike filed a complaint with the prosecutor's office, which opened an investigation. Other workers from the same

металлоконструкции рухнули вместе с рабочими],” *Kuban.info*, November 8, 2015, <http://kuban.info/proishestvia/3142-na-stroyke-volgograd-areny-metallokonstrukcii-ruhnuli-vmeste-s-rabochimi.html> (accessed May 16, 2017).

¹⁴ “Another Death at the 2018 World Cup Stadium in St. Petersburg,” Building and Wood Workers’ International (BWI), October 8, 2016, <http://www.bwint.org/default.asp?Index=7379&Language=EN> (accessed May 15, 2017).

¹⁵ Human Rights Watch telephone interview with Ambet Yuson, general secretary, Building and Wood Workers’ International, May 1, 2017.

¹⁶ “Another Strike Over Unpaid Wages at 2018 World Cup Stadium in Russia,” BWI, June 11, 2016, <http://www.bwint.org/default.asp?index=7180&Language=EN> (accessed May 16, 2017). In Nizhnii Novgorod, 250 workers reported that they had not received wages for two months, prompting them to strike. “Strike on the 2018 World Cup Stadium in Nizhniy Novgorod,” BWI, March 16, 2016, <http://www.bwint.org/default.asp?index=7022&Language=EN> (accessed May 16, 2017). “Investigation of Wage Theft after Strike at World Cup Stadium in Russia,” BWI, July 18, 2016, <http://www.bwint.org/pdfs/Digest%20June-July.eng.1.pdf> (accessed May 16, 2017).

¹⁷ “Rostov Arena Construction workers organized a strike [Строящие стадион “Ростов-Арена” рабочие устроили забастовку],” *Lenta.Ru*, April 13, 2017, <https://lenta.ru/news/2017/04/13/dolzhnystadik/> (accessed May 15, 2017).

¹⁸ “Rostov Arena construction workers went on strike, demanding payment of wage arrears [Строители стадиона “Ростов-Арена” вышли на забастовку, требуя погасить долги по зарплате],” *Donnews.ru*, May 19, 2016, http://www.donnews.ru/Stroiteli-stadiona-Rostov-Arena-vyshli-na-zabastovku-trebuya-pogasit-dolgi-po-zarplate_24855 (accessed May 15, 2017).

¹⁹ “In Kaliningrad, workers on the World Cup 2018 construction site organized a strike due to wage delays [В Калининграде на стройке стадиона к ЧМ-2018 рабочие устроили забастовку из-за задержки зарплаты],” *Klops.ru*, July 28, 2016, <https://klops.ru/news/obschestvo/136310-v-kaliningrade-na-stroyke-stadiona-k-chm-2018-rabochie-ustroili-zabastovku-iz-za-zaderzhki-zarplaty> (accessed May 15, 2017).



Workers on the Rostov Arena, a 2018 World Cup venue under construction in Rostov-on-Don, Russia, in September 2016. © 2016 Semyon Simonov for Human Rights Watch

company filed a similar complaint the month before.²⁰ In conjunction with a criminal investigation that followed the complaints, in April 2017, authorities arrested the director of the company, who stands accused of non-payment of 901,000 rubles (US\$15,600) in wages to stadium construction workers. The director had fled to another region of Russia fearing prosecution.²¹ As of this writing it is unclear if the workers have been paid.

²⁰ In Kaliningrad, the prosecutor's office demanded payments to be made to former employees of a construction company [В Калининграде прокуратура потребовала выплатить деньги бывшим сотрудникам строительной фирмы], *Klops.ru*, June 29, 2016, <https://klops.ru/news/obschestvo/134381-v-kaliningrade-prokuratura-potrebovala-vyplatit-dengi-byvshim-sotrudnikam-stroitelnoy-firmy> (accessed May 15, 2017).

²¹ "The director of a company, who fled, not having paid wages to World Cup 2018 Kaliningrad Stadium workers was arrested [Задержан директор, который сбежал, не выплатив зарплату строителям калининградского стадиона к ЧМ-2018]," *Klops.ru*, April 7, 2017, <https://klops.ru/news/obschestvo/153343-zaderzhan-direktor-kotoryy-sbezhal-ne-vyplativ-zarplatu-stroitelnyam-kaliningradskogo-stadiona-k-chm-2018> (accessed May 15, 2017).

II. Exploitation of Workers

Human Rights Watch documented exploitation of workers engaged in World Cup construction in six cities. Abuses included non-provision of contracts and other documentation required for legal employment; non-payment of wages; delays in payment of wages, including for up to five months; employer retaliation against workers who protested non-payment of wages; and employers requiring workers to work outdoors in temperatures as cold as minus 25 degrees Celsius without sufficient breaks to warm up.

Most of the workers on World Cup sites interviewed by Human Rights Watch are low-skilled workers, many of whom have migrated from other cities in Russia or from other countries to engage in construction work. They are vulnerable to abuse and exploitation and not well-positioned to demand written employment contracts or other protections, in the way that workers in other sectors may be. The refusal by construction employers to provide written employment contracts to workers is sufficiently persistent in the sector that workers whose employer refuses to provide a contract may see little reason to seek out an alternative employer in the hopes of obtaining a contract.

Failure to provide employment contracts

Some workers, both Russian nationals and migrants, interviewed by Human Rights Watch stated that employers did not provide them with a written employment contract (*trudovoi dogovor*) or service contract (*grazhdansko-pravovoi dogovor*) when they began work, as required under Russian law.²² Some received a contract only after several months; others never received them. In some cases, the way in which the contracts were prepared appeared inconsistent with Russian labor law requirements, such as stating only a partial sum of wages, while the remainder of the wages were to be paid in cash. This type of payment structure, though unlawful, is common in Russia in certain sectors and, when it occurs, is typically established by the employer as a condition of employment.

²² “Labor relations arise between employee and employer on the basis of an employment contract [*trudovoi dogovor*] concluded by them in accordance with this Code.” Labor Code of the Russian Federation, art. 16. The labor code details the information that must be contained in an employment contract and specifies that the contract must be signed in two copies, one for each party. Labor Code of the Russian Federation, arts. 56-62. Article 16 of the Labor Code also recognizes that formal employment relations exist for workers employed by an employer even when an official employment contract has not been signed. Service contracts are regulated by the Civil Code of the Russian Federation, chapter 37.



Workers on the roof of the Luzhniki Stadium, a 2018 World Cup venue, in Moscow, Russia in July 2016.
© 2016 Semyon Simonov for Human Rights Watch

Workers without written employment contracts, or with employment contracts that are not consistent with Russian law, can be particularly vulnerable to exploitation as they have little recourse in the event of a dispute with their employer. Migrant workers working without a written employment contract are at risk of deportation for violations of migration law.²³

Nuradil, 40, from Kyrgyzstan working on the Luzhniki Stadium in Moscow, told Human Rights Watch, “I don’t have a contract. ... The employer just gave us a pass [for the

²³ Migrant workers from the member states of the Eurasian Economic Union (Belarus, Kazakhstan, Armenia, and Kyrgyzstan) are not required to have a work permit to work legally. However, workers from these countries must have a written employment contract or civil-legal contract if he or she wishes to remain in Russia for longer than 90 days. Migrant workers from other countries must have both a work permit or patent as well as an employment contract. Law on the legal status of foreign individuals in the Russian Federation, Federal Law 115, July 25, 2002, art. 5. A 2015 government order simplified procedures for issuing worker permits for foreign workers on 2018 World Cup sites. Order of the Russian Government, “To accelerate and simplify: issuance of temporary residence permits to foreign citizens and stateless persons; permission to hire foreign workers; invitations to enter the Russian Federation; and work permits for foreign citizens and stateless persons hired by legal entities or individuals who have signed civil contracts for the construction of infrastructure needed to host the 2018 Football World Cup in the Russian Federation,” No. 735 of July 18, 2015.

construction site], and said ‘Go, work!’ They don’t want to prepare any official documents. I don’t know why.”²⁴ According to Mikhail, a Russian worker from Moscow who had just started working on the Luzhniki Stadium at the time of the interview with Human Rights Watch, “They didn’t give us an employment contract. It’s the same for others. They promised to pay 40,000 rubles (US\$708) per month.”²⁵

Four workers from Russia working on the Kaliningrad Stadium said that they received written employment contracts in July 2016, after working on the stadium for between five to six months. The contracts they did receive were not prepared legally, with the signature and stamp of the employer only on the final page of the contract, rather than on each page, as required by law, to confirm the employer’s commitment to the obligations regarding payment or other obligations. The workers received less than half of the wages promised to them, as detailed below.²⁶

Some workers interviewed by Human Rights Watch on the Rostov Arena stated that their employer signed written contracts with them, gave them copies of the contract, and paid them regularly between 33,000 and 40,000 rubles (US\$615 and \$703) per month. However, as required by the employer, the contracts listed an official payment of 12,000 rubles (\$211), and the remainder of the wages were made in cash, a typical, but illegal, practice in many sectors in Russia.²⁷ In the event of a labor dispute, the employer would only be liable for the payment specified in the contract.

Because this formulation of contracts is common among employers in construction and other sectors in Russia, workers may feel that their only option is to accept such a contract and that demanding a contract with the full wage included would result in not being hired.

²⁴ Human Rights Watch interview with Nuradil, Luzhniki Stadium, Moscow, July 12, 2016.

²⁵ Human Rights Watch interview with Mikhail, Luzhniki Stadium, Moscow, July 13, 2016.

²⁶ Human Rights Watch interviews with Alexander, with Kirill, with Egor, with Maksim, and with Dmitry, Kaliningrad Stadium, Kaliningrad, July 14, 2016.

²⁷ Human Rights Watch interviews with Timur, with Azmat, with Umid, with Oleg, and with Nuriddin, Rostov Arena, Rostov-on-Don, September 30, 2016.



Workers building the Rostov Arena, a 2018 World Cup venue in Rostov-on-Don, Russia, in September 2016.
© 2016 Semyon Simonov for Human Rights Watch

Workers reported seeing or signing documents that they believed to be employment contracts, but employers did not provide them with copies, as required by law. For example, Pavel, 40, a welder from Chelyabinsk, a city in western Siberia, had worked at the St. Petersburg Stadium for three months when Human Rights Watch interviewed him in July 2016. He said, “When they hired me, they prepared some kinds of papers, maybe even an employment contract, but they didn’t give me a copy.” Pavel got paid part of the wages the employer promised him during his first month of work only and nothing for the other two months.²⁸ Sergei, a worker from Belarus employed in a brigade of workers from Belarus and Serbia also working on the St. Petersburg Stadium, told Human Rights Watch, “I saw some kind of contract. Someone [from the employer’s side] signed it, but I didn’t receive a copy.”²⁹

²⁸ Human Rights Watch interview with Pavel, St. Petersburg Stadium, St. Petersburg, July 18, 2016.

²⁹ Human Rights Watch interview with Sergei, St. Petersburg Stadium, St. Petersburg, July 17, 2016.

Wage-related abuses

Numerous workers interviewed by Human Rights Watch reported non-payment of wages or serious delays in wages. Many of these workers did not have written employment contracts, as employers would only hire them based on an oral agreement. However, even the existence of a written employment contract did not guarantee the employer would respect the contract's terms regarding wages. Because of the problems with contracts, as detailed above, in the event of non-payment of wages, many workers felt that their only option was to quit their jobs, either without any payment of wages or having received much less than employers promised.

Human Rights Watch also spoke with workers who said they received their full wages on a regular basis without problem.

Russian law requires employers to pay workers a minimum wage at least twice per month.³⁰ Under the Russian criminal code it is a crime, punishable by fines as well as a possible prison term, to withhold any portion of wages for over three months or to withhold wages altogether for more than two months.³¹

In Rostov-on-Don, several workers on the Rostov Arena stated that they received their wages with serious delays or did not receive their wages at all. Some said that they had not been paid for two or three months.³² For example, one worker from Uzbekistan said, "There are 500 of us [working for one company]. We have not received wages for three months now."³³ Umid, 63, also from Uzbekistan working on a different brigade said, "I was hired in July. They prepared the employment contract only in August. I have yet to be paid at all."³⁴

Workers from Russia, who worked together in yet another brigade on the Rostov Arena, had the same experience. One of them stated that the employer "pays wages in cash and pays with a delay of three months. Not long ago there was a strike because the employer hadn't

³⁰ Labor Code of the Russian Federation, arts. 133 and 136.

³¹ The Criminal Code of the Russian Federation, FZ-63, 1996, with amendments, art. 145.1.

³² Human Rights Watch interviews with construction workers at the Rostov Arena, Rostov-on-Don, September 30 and October 1, 2016.

³³ Human Rights Watch interview with Yusuf, Rostov Arena, Rostov-on-Don, October 1, 2016.

³⁴ Human Rights Watch interview with Umid, Rostov Arena, Rostov-on-Don, October 1, 2016.

paid anyone for five months.”³⁵ Media reports also stated how in April 2017 on the Rostov Arena site 200 to 300 workers primarily from Central Asia organized a strike to protest non-payment of wages for five months.³⁶ Russian authorities responded and the strike concluded with a “compromise” between company officials and workers, although the details of this compromise were not clear in media reports on the incident.³⁷

Also in Rostov-on-Don, several construction workers whom Human Rights Watch interviewed reported that they had signed employment contracts that listed one sum as wages, but that the employer promised a higher sum as their full wages, with the difference paid in cash. This is a common practice among employers in Russia but leaves workers vulnerable in the event of a dispute. In some cases, employers paid only part of the promised sum, either only the official wages or less than the official wages. In other cases, employers paid the full payment, both the official wages and the cash.

For example, when Human Rights Watch spoke with Nuriddin, from Uzbekistan, at the end of September 2016, he explained: “I have been working here for eight months for 33,000 rubles (US\$585) per month,” as agreed with the employer. “In the [employment] contract it states that the wages are 12,000 rubles (US\$212). Right now there is a delay of two months. I haven’t been paid at all for July and August,” he said.³⁸ Other workers from the Rostov Arena told Human Rights Watch they had the same payment arrangement and problems with receiving promised wages.³⁹ Nearly four weeks after Human Rights Watch’s interviews in Rostov-on-Don, one of the workers interviewed called Human Rights Watch saying that the employer had not paid him and others working in his brigade their full wages in four months. The employer had paid them only the official sum of 12,000 rubles (US\$212) listed in the employment contract and owed them another 28,000 rubles (US\$496) the employer promised to pay in cash.⁴⁰ Human Rights Watch does not know if these workers ever received their wages.

³⁵ Human Rights Watch group interview with four workers from Russia, Rostov Arena, Rostov-on-Don, October 1, 2016.

³⁶ “Hundreds of Rostov Arena Builders Haven’t Been Paid in Months [Сотни строителей стадиона “Ростов-Арена” месяцами не получают зарплату],” *Donday.ru*, April 8, 2017, <http://donday.ru/sotni-stroiteley-stadiona-rostov-arena-mesyacami-ne-poluchayut-zarplatu.html> (accessed May 17, 2017).

³⁷ “The Rostov Arena Strike Has Ended [Стачка рабочих “Ростов-Арена” завершилась],” *Go61.ru*, April 17, 2017, <http://www.go61.ru/news/1622090> (accessed May 17, 2017).

³⁸ Human Rights Watch interview with Nuriddin, Rostov Arena, Rostov-on-Don, September 30, 2016.

³⁹ Human Rights Watch interviews with Umid, Rostov Arena, Rostov-on-Don, September 30, 2016, and with Anton, with Sultan, with Ismoil, Rostov Arena, Rostov-on-Don, October 1, 2016.

⁴⁰ Human Rights Watch telephone interview with worker on Rostov Arena, October 27, 2016.

As noted above, some workers interviewed by Human Rights Watch on the Rostov Arena stated that they had contracts and were paid regularly between 33,000 and 40,000 rubles (US\$615 and \$703) per month. These contracts also listed an official payment of 12,000 rubles (\$212), and the remainder of the payment was made in cash.⁴¹

Workers on other stadiums reported being paid less than their employers had promised. Kirill, who began working on the Kaliningrad Stadium in March 2016, told Human Rights Watch, “I haven’t received my full wages from April to July. In May they gave me 12,000 rubles (US\$212) and in June 15,000 rubles. They should pay 30,000 a month. There was no contract... I only received it now [in July]” As described below, when Kirill tried to protest the non-payment in wages, the employer retaliated against him.⁴² Roman, working on the same stadium, reported receiving wages only with serious delays. “I am an excavator driver. I receive my wages but with a delay of one to two months.”⁴³ Sergei, from Belarus, mentioned above, said that he and the other workers in his brigade, from Belarus and Serbia, had worked on the St. Petersburg Stadium for three months, but the employer paid them only once. He said that he had signed what he believed to be an employment contract, but that the employer did not give him a copy.⁴⁴

One worker from Kyrgyzstan working on the Luzhniki Stadium reported to Human Rights Watch, “They promise to pay you one thing, but actually pay a different sum. Less. It isn’t clear to us how they add it up. They haven’t prepared any [contracts] for us.”⁴⁵ Yaroslav, a 25-year-old resident of St. Petersburg, who performed work at heights on the St. Petersburg Stadium in a brigade of six men, said that one employer he worked with for three months from August to October 2015 cheated him of wages he believed he had earned. “They promised to pay twice per month.... The wages were calculated based on the volume of completed work. The work I completed each day was worth about 6,000 to 7,000 rubles (US\$106 to 124), but they paid me just 5,000 rubles (US\$88) once every two weeks.”⁴⁶ Aibek, a worker from Kyrgyzstan who collected garbage and performed other

⁴¹ Human Rights Watch interviews with Timur, with Azmat, with Umid, with Oleg, and with Nuriddin, Rostov Arena, Rostov-on-Don, September 30, 2016.

⁴² Human Rights Watch interview with Kirill, Kaliningrad Stadium, Kaliningrad, July 14, 2016. For more information regarding retaliation against Kirill by his employer, see Section III.

⁴³ Human Rights Watch interview with Roman, Kaliningrad Stadium, Kaliningrad, July 15, 2016.

⁴⁴ Human Rights Watch interview with Sergei, St. Petersburg Stadium, St. Petersburg, July 17, 2016.

⁴⁵ Human Rights Watch interview with Melis, Luzhniki Stadium, Moscow, July 13, 2016.

⁴⁶ Human Rights Watch interview with Yaroslav, St. Petersburg Stadium, St. Petersburg, July 17, 2016.

low-skill jobs on the Luzhniki Stadium in Moscow said, “They [the employer] pay whenever they want, however they want.” He did not have a contract.⁴⁷

For many workers, the only option in the event of non-payment of wages is to quit. For example, Egor, a Russian worker on the Kaliningrad Stadium, explained that most workers in his brigade of 60 men left without receiving their wages of several months.

When the conversation turned to payment of wages, they [the employer] started [arbitrarily] fining everyone, 8,000 rubles [US\$144] for taking too long a break, things like that.... Now there are only 11 [in the brigade]. People left because they didn’t get paid. We’re the only ones who stayed. We’re waiting to see what they can pay us.⁴⁸

Pavel from Chelyabinsk, Russia, who worked on the St. Petersburg Stadium, without being given a contract, as described above, said he received only part of the wages promised to him during the first month, and no more payments after that. He chose to quit after working for three months.⁴⁹

Not all workers interviewed by Human Rights Watch reported problems with wages. Among those who received their wages in a timely manner were workers with contracts and workers without contracts. For example, two workers from Kyrgyzstan, both about 40, working in low-skilled jobs on the Luzhniki Stadium, said that they were paid about 1,000-2,000 rubles (US\$18 to \$35) daily, at the end of the working day. Neither man had a written employment contract.⁵⁰ Two workers who worked on the Ekaterinburg Arena reported that they had employment contracts and were paid regularly twice a month, according to the terms of the contract.⁵¹ Human Rights Watch did not interview other workers in Ekaterinburg.

⁴⁷ Human Rights Watch interview with Aibek, Luzhniki Stadium, Moscow, July 12, 2016.

⁴⁸ Human Rights Watch interview with Egor, Kaliningrad Stadium, Kaliningrad, July 14, 2016.

⁴⁹ Human Rights Watch interview with Pavel, St. Petersburg Stadium, St. Petersburg, July 18, 2016.

⁵⁰ Human Rights Watch interviews with Nuradil and with Bakytbek, Luzhniki Stadium, Moscow, July 12, 2016.

⁵¹ Human Rights Watch interviews with Muzafar and with Kadom, Ekaterinburg Arena, Ekaterinburg, January 9, 2017.

Working in extreme cold

Human Rights Watch saw workers engaged in construction at the Ekaterinburg Arena in January 2017, when temperatures were between minus 25 and minus 30 degrees Celsius. The two workers we interviewed at the stadium confirmed that employers require them to work when temperatures are well below freezing, without sufficient breaks for them to warm themselves. According to Kadom, from Tajikistan, “I have a brigade of 20 men. I don’t know at what temperature it’s prohibited to work. The employer simply says when it’s not allowed and we don’t go to work.”⁵² Another worker on the stadium said, “We work even in minus 25 degrees Celsius, but sometimes the employer just says, ‘Today we aren’t working.’”⁵³

Russian law requires employers with employees working in cold temperatures to do a special assessment of conditions to establish what protections are required for workers to remain safe. Protections include, among other things, limits on working hours as well as frequency and duration of breaks. The workers interviewed by Human Rights Watch stated that they only received one break indoors for lunch during a nine-hour working day.⁵⁴

The ILO notes that work in cold temperatures can lead to systemic or localized cold injuries as well as impaired physical work capacity, reduced manual and muscular performance, as well as reduced reaction times and cognition, placing workers in high-risk jobs such as construction at increased risk. The ILO recommends employers undertake complex assessments and precautions to address the risks of working in such temperatures: “Where the assessment shows that the workers may be at risk from exposure to cold, the employers should, if practicable, eliminate the need for work in cold conditions (for example by rescheduling work to be performed in a warmer season...).” Employers are also expected to ensure adequate warm and dry clothing, adequate water and food, and

⁵² Human Rights Watch interview with Kadom, Ekaterinburg Arena, Ekaterinburg, January 9, 2017.

⁵³ Human Rights Watch interview with Muzafar, Ekaterinburg Arena, Ekaterinburg, January 9, 2017.

⁵⁴ Labor Code of the Russian Federation, arts. 92 and 212, together with Federal Service for Protection of Consumer Rights and Human Welfare, Methodological Recommendation “Work hours and breaks for workers during cold weather outdoors or in unheated buildings,” No. 2.7.2129-06 (2007).



The Ekaterinburg Arena, a World Cup 2018 venue, in Ekaterinburg, Russia, under construction in January 2017. © 2017 Semyon Simonov for Human Rights Watch

“implement work-rest cycles with warm shelters for recovery.” The ILO also notes that “a residual risk of hypothermia is unavoidable, even after all the control measures have been taken, and particularly below $-12\text{ }^{\circ}\text{C}$,” and requires a range of special measures.⁵⁵

Human Rights Watch was not able to document the protections afforded to workers on the Ekaterinburg Arena or any other World Cup stadiums where workers worked in cold temperatures. As far as Human Rights Watch is aware, the Russian government and FIFA have also not made public the precautions for cold weather on 2018 World Cup stadiums.

⁵⁵ International Labour Organization (ILO), “Ambient Factors in the Workplace, and ILO Code of Practice,” (2001), http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---safework/documents/normativeinstrument/wcms_107729.pdf; and Ingvar Holmér, Per-Ola Granberg, and Göran Dahlström, “Cold Environment and Cold Work,” ILO, March 21, 2011, <http://www.iloencyclopaedia.org/component/k2/item/717-cold-environment-and-cold-work> (accessed May 25, 2017).

III. Intimidation and Retaliation

During its research, Human Rights Watch frequently encountered, and workers consistently reported, an atmosphere of control, suspicion, and intimidation regarding reporting of labor concerns on World Cup sites in Russia. Some workers reported threats or experienced retaliation for raising concerns about labor conditions or for actively participating in strikes. Human Rights Watch's research consultant was subjected to official surveillance as well as police detention in Volgograd.

Intimidation and retaliation against workers

In Kaliningrad, workers told Human Rights Watch that in September 2015, they tried to approach a delegation which included FIFA and Russian officials, to raise concerns about wage delays. Security guards surrounded the delegation and refused to allow the workers to get near them to speak. According to the workers, some migrant workers working at the site were forced to remain in their dormitories near the site, during the delegation's visit. The workers did not indicate who ordered those workers to remain there.⁵⁶ According to media reports, FIFA conducted an operational visit to the Kaliningrad Stadium in September 2015.⁵⁷

Construction workers on stadiums in Moscow, St. Petersburg, Kaliningrad, and Rostov-on-Don reported reluctance to disclose labor concerns in interviews with Human Rights Watch, out of fear of retaliation on the part of employers. One worker told Human Rights Watch, "The employers threaten us, that if we complain, that they will fire us without any payment at all and maybe even call in the police."⁵⁸ A worker on the Kaliningrad Stadium said, "Someone makes a fuss [about wages], they'll send him home."⁵⁹

Russian media reported that Rostov-on-Don authorities arrested and deported thirty migrant construction workers on the Rostov Arena who had complained about wage

⁵⁶ Human Rights Watch interviews with Kirill and with Egor, Kaliningrad Stadium, Kaliningrad, July 15, 2016.

⁵⁷ Daniel Etchells, "FIFA To Tour Venues for 2018 World Cup in Russia," *Inside The Games*, February 21, 2017, <http://www.insidethegames.biz/articles/1047294/fifa-delegation-to-tour-venues-for-2018-world-cup-in-russia> (accessed May 17, 2017).

⁵⁸ Human Rights Watch telephone interview with worker on Rostov Arena, October 27, 2016.

⁵⁹ Human Rights Watch interview with Roman, Kaliningrad Stadium, Kaliningrad, July 15, 2016.

delays. According to the reports, the workers were not paid before their deportations.⁶⁰ Workers on the Rostov Arena had gone on strikes in May 2016 and April 2017.⁶¹ Human Rights Watch documented detentions and deportations of migrant workers in Sochi ahead of the 2014 Winter Olympic Games.⁶²

Kirill, a Russian citizen who worked on the Kaliningrad Stadium and had not received his full wages for four months, as described above, said he called his employer's office to say that he would not continue to work if he was not getting paid. When he came to the construction site the next day to collect his personal work gear, his site pass had been terminated.⁶³ Human Rights Watch interviewed Kirill the day he was locked out of the site, and we do not know if he later received the wages owed to him.

Intimidation and detention of a Human Rights Watch researcher

On April 16, 2017, police detained Human Rights Watch's research consultant as he attempted to speak to workers outside of the Volgograd Arena. When the authorities approached him they addressed him by name, suggesting he had been under surveillance. They held him for three hours in a police station, where they questioned him about his work, threatened him by saying that they had information about his possible involvement in criminal acts, and accused him of seeking to "disrupt the World Cup." The authorities released the Human Rights Watch research consultant without charge but have yet to produce concrete results from an inquiry opened into the incident, based on a complaint the consultant filed.

Private security officers outside the St. Petersburg Stadium interfered with Human Rights Watch's interviews with workers at the stadium in July 2016. In the presence of Human Rights Watch's consultant, security officers told workers that they should not discuss problems on the construction site with anyone.

⁶⁰ "Hundreds of Rostov Arena Builders Haven't Been Paid in Months [Сотни строителей стадиона "Ростов-Арена" месяцами не получают зарплату]," *Donday.ru*, April 8, 2017, <http://donday.ru/sotni-stroiteley-stadiona-rostov-arena-mesyacami-ne-poluchayut-zarplatu.html> (accessed May 17, 2017).

⁶¹ "Another Builders Strike on the Rostov Arena. Workers Demand Wages [Очередная стачка строителей "Ростов-Арена". Рабочие требуют зарплату]," *GOB1.ru*, April 13, 2017, <http://www.gob1.ru/news/1618984> (accessed May 18, 2017).

⁶² Human Rights Watch, "Race to the Bottom," pp. 44-46; "Russia: Sochi Migrant Workers Targeted for Expulsion," Human Rights Watch news release, October 2, 2013, <https://www.hrw.org/news/2013/10/02/russia-sochi-migrant-workers-targeted-expulsion>.

⁶³ Human Rights Watch interviews with Kirill, Kaliningrad Stadium, Kaliningrad, July 14, 2016.

IV. FIFA and Human Rights

FIFA's growing recognition of its human rights responsibilities

FIFA has taken steps to begin to improve human rights protections in conjunction with hosting of World Cup events. FIFA announced in May 2016 that human rights requirements would be part of the consultation and bid process phases of the selection process for the 2026 World Cup. Russia, the 2018 World Cup host, and Qatar, the 2022 host, were not subject to human rights requirements.⁶⁴

In December 2015, FIFA asked John Ruggie, author of the United Nations Guiding Principles on Business and Human Rights (see below), to develop recommendations on what it means in practice for FIFA to embed respect for human rights across its global operations. The report describes the relevant human rights context for FIFA, and presents 25 detailed recommendations.⁶⁵ Ruggie noted, among other things, that, “FIFA needs stronger internal systems to address the increasingly predictable human rights risks associated with its business” and “to translate its commitment to respect human rights, included in its new Statutes, into its daily actions and decisions.”⁶⁶

FIFA's revised statutes, published in April 2016, state: “FIFA is committed to respecting all internationally recognised human rights and shall strive to promote the protection of these rights.”⁶⁷ In September 2016, FIFA created and staffed a new post—a Human Rights Manager—to coordinate and develop its human rights-related work.⁶⁸ In March 2017, FIFA established an independent Human Rights Advisory Board, composed of experts from the

⁶⁴ “FIFA Council Agrees on Four-Phase Bidding Process for 2026 World Cup,” *FIFA.com*, May 10, 2016, <http://www.fifa.com/about-fifa/news/y=2016/m=5/news=fifa-council-agrees-on-four-phase-bidding-process-for-2026-fifa-world--2790472.html> (accessed May 19, 2017).

⁶⁵ John Ruggie, “For the Game. For the World.” FIFA and Human Rights. Corporate Responsibility Initiative Report No. 68 (2016), Cambridge, MA, <https://www.hks.harvard.edu/centers/mrcbg/programs/cri/research/reports/report68> (accessed May 16, 2017).

⁶⁶ *Ibid.*

⁶⁷ “FIFA Statutes. April 2016 edition,” *FIFA.com*, http://resources.fifa.com/mm/document/affederation/generic/02/78/29/07/fifastatutswen_neutral.pdf (accessed May 16, 2017).

⁶⁸ “Fact Sheet: FIFA's Work on Human Rights,” *FIFA.com*, November 2016, http://resources.fifa.com/mm/Document/AFFederation/FootballGovernance/02/87/55/00/FIFABackgroundInfoonHumanRights_Neutral.pdf (accessed May 14, 2017).

UN, trade unions, civil society, and business, to provide advice and report on FIFA's implementation of its human rights commitments.⁶⁹

FIFA leaders have called "Integration of human rights" as one of the central planks in the "Implementation of Governance Reforms," and have spotlighted their embrace of human rights as part of the reform package "FIFA 2.0"⁷⁰ FIFA Secretary General Fatma Samoura said the addition of human rights to the FIFA Statutes "must be translated into tangible measures," including by "creating policies and processes and integrating human rights into everything that we do."⁷¹ On June 8, 2017, FIFA published its Human Rights Policy and FIFA Activity Update report on Human Rights. Human Rights Watch was not able to include discussion of these publications before this report went to publication.⁷²

Workers' rights and World Cup 2018

With respect to the 2018 World Cup, in July 2015, FIFA and the Russian Local Organizing Committee (LOC), announced a "Sustainability Strategy for the 2018 FIFA World Cup." The strategy's stated goal is to help ensure "the 2018 FIFA World Cup lessens the negative and enhances the positive impacts of the event on people, the economy and the environment." Regarding the strategy, LOC President Alexey Sorokin stated that in organizing the World Cup in Russia, "We will do our utmost to leave an unprecedented legacy of sustainability as well as social and human development." Among the key issues identified in the sustainability strategy are decent work and capacity building, including to "promote decent working conditions for FWC [FIFA World Cup] stadium construction workers."⁷³

⁶⁹ "Independent Advisory Board of Human Rights Experts to Meet on 13 March," *FIFA.com*, March 10, 2016, <http://www.fifa.com/governance/news/y=2017/m=3/news=independent-advisory-board-of-human-rights-experts-to-meet-on-13-march-2875485.html> (accessed May 15, 2017).

⁷⁰ "One Year Extraordinary Congress," *FIFA.com*, undated, http://resources.fifa.com/mm/document/affederation/generic/02/86/79/92/oneyear_extraordinarycongress_neutral.pdf (accessed May 25, 2017).

⁷¹ "Q and A with FIFA General Secretary Fatma Samoura," *FIFA.com*, February 26, 2017, <http://www.fifa.com/about-fifa/news/y=2017/m=2/news=q-a-with-fifa-secretary-general-fatma-samoura-2868389.html> (accessed May 25, 2017).

⁷² "FIFA Publishes Landmark Human Rights Policy," *FIFA.com*, June 8, 2017, <http://www.fifa.com/governance/news/y=2017/m=6/news=fifa-publishes-landmark-human-rights-policy-2893311.html> (June 8, 2017).

⁷³ Letter from Federico Addiechi, head, sustainability and strategy, FIFA, to Human Rights Watch, June 8, 2017, and "Sustainability Strategy 2018 FIFA World Cup," *FIFA.com*, July 2015, http://resources.fifa.com/mm/document/tournament/competition/02/66/69/50/sustainabilitystrategyfor2018fifaworldcup_neutral.pdf (accessed May 16, 2017).

Although work on some World Cup stadiums had begun many years earlier, in May 2016, FIFA announced that for the first time, it was organizing a system to monitor labor conditions at stadiums being built or renovated for World Cup 2018. According to FIFA, the program, underway since April 2016, involves two-day quarterly visits to each World Cup stadium by the Klinsky Institute of Labor Protection and Working Conditions, an auditing organization, to examine “rights at work, working conditions, health and safety, and housing conditions and catering.”⁷⁴ All visits are announced in advance. According to FIFA, the monitoring evaluates labor conditions with respect to Russian legislation, International Labor Organization (ILO) conventions, and “FIFA requirements,” but FIFA does not enumerate what its own requirements are in the letter.⁷⁵

FIFA and the LOC describe the Klinsky, Institute, hired by the Russian LOC, as “an independent third party,”⁷⁶ The Klinsky Institute was contracted by the Sochi 2014 Russian Organizing Committee for services related to labor protections for Sochi 2014 Organizing Committee staff, and also serves as a contractor to numerous Russian federal agencies, energy, and manufacturing concerns, and multinational companies operating in Russia.⁷⁷

Among the concerns identified during the first round of inspections were shortcomings in “provision of protective equipment, compliance with legal requirements to labour agreements... [and] working and non-working hours regulations.”⁷⁸ According to FIFA,

⁷⁴ “Working conditions monitoring system launched at World Cup stadiums,” *FIFA.com*, May 11, 2016, <http://www.fifa.com/worldcup/news/y=2016/m=5/news=working-conditions-monitoring-system-launched-at-world-cup-stadiums-2790536.html> (accessed May 16, 2017). The April 2016 announcement followed a few initial monitoring steps: a September 2015 self-assessment survey of companies engaged in Russia 2018 construction, and a FIFA and LOC February 2016 inspection of the St. Petersburg Stadium together with the Building and Wood Workers’ International (BWI) trade union and the Russian Construction Workers Union (RBWU). “Experts Assess Labour Conditions and Workers’ Safety at St. Petersburg Stadium,” *FIFA.com*, February 9, 2016, <http://www.fifa.com/worldcup/news/y=2016/m=2/news=experts-assess-labour-conditions-and-workers-safety-at-st-petersburg-5-2764629.html> (accessed May 16, 2017).

⁷⁵ Letter from Addiechi, FIFA, June 8, 2017.

⁷⁶ “Working Conditions Monitoring System Launched at World Cup stadiums,” *FIFA.com*, May 11, 2016, and Letter from Addiechi, FIFA, June 8, 2017.

⁷⁷ Klinsky Institute of Labor Protection and Working Conditions website: <http://www.kiout.ru/>, and <http://www.kiout.ru/clients> (accessed May 17, 2017).

⁷⁸ “First Round of Visits to Russia 2018 Stadiums for Monitoring Working Conditions Completed,” *FIFA.com*, July 12, 2016, <http://www.fifa.com/worldcup/news/y=2016/m=7/news=first-round-of-visits-to-russia-2018-stadiums-for-monitoring-working-c-2811754.html> (accessed May 16, 2017).

monitoring experts prepared an internal report for each company with key findings and recommendations. The program has also involved workshops on labor issues.⁷⁹

In August 2016, FIFA, the LOC, the Building and Wood Workers' International (BWI) trade union and the Russian Construction Workers Union (RBWU) signed a Memorandum of Understanding (MoU) for joint monitoring.⁸⁰ RBWU proposed the MOU in early 2016.⁸¹ Under this MOU, the parties monitor a World Cup stadium every three months.⁸²

According to FIFA, as of June 2017, under its monitoring program, a total of 58 visits have been carried out, with 10 companies operating on each stadium reviewed at each visit.⁸³ Typically, any major construction site in Russia has hundreds of sub-contractors. FIFA's letter states that the working conditions of "an average of 8,984 workers" were reviewed each quarter. The FIFA letter states that "the average number of inconsistencies and incompliances found per monitoring visit has been reduced by 72 percent" from the first visits to the fifth round of visits, and an 80 percent reduction from the fourth and fifth rounds of visits.⁸⁴ Neither FIFA's June 8, 2017 letter to Human Rights Watch nor a March 2017 press release about the monitoring system provide comprehensive details, such as the specific types of violations, where violations took place, if or how violations were remedied, or any other relevant information. FIFA's letter provided two examples in which FIFA said it resolved specific issues revealed by the monitoring process.⁸⁵

⁷⁹ Ibid., and Letter from Addiechi, FIFA, June 8, 2017.

⁸⁰ "Working Conditions: FIFA and Trade Unions Sign Cooperation Agreement for Russia 2018," *FIFA.com*, August 26, 2016, <http://www.fifa.com/worldcup/news/y=2016/m=8/news=working-conditions-fifa-and-trade-unions-sign-cooperation-agreement-fo-2823712.html> (accessed May 16, 2017).

⁸¹ "Experts Assess Labour Conditions and Workers' Safety at St. Petersburg Stadium," *FIFA.com*, February 9, 2016, <http://www.fifa.com/worldcup/news/y=2016/m=2/news=experts-assess-labour-conditions-and-workers-safety-at-st-petersburg-s-2764629.html> (accessed May 16, 2017).

⁸² Human Rights Watch telephone interview with Ambet Yuson, general secretary, Building and Wood Workers' International, May 1, 2017.

⁸³ Letter from Addiechi, FIFA, June 8, 2017.

⁸⁴ Letter from Addiechi, FIFA, June 8, 2017.

⁸⁵ Letter from Addiechi, FIFA, June 8, 2017. "Working Conditions Seminar Held in Moscow," *FIFA.com*, March 17, 2017, <http://www.fifa.com/worldcup/news/y=2017/m=3/news=working-conditions-seminar-held-in-moscow-2876391.html> (accessed May 16, 2017).

As noted above, transparency is a key component of the UN Guiding Principles on Business and Human Rights and is essential for private enterprises to ensure credibility, accountability, sustainability, and meaningful human rights improvements.

Another serious concern is that the FIFA program appears to be limited to stadium visits, as public statements refer to “construction sites of FIFA World Cup stadiums,” there is no readily available information suggesting any kind of monitoring is being done on related sites and infrastructure relevant to the hosting of World Cup 2018.⁸⁶ The methodology of the monitoring system of stadiums is also based solely on announced visits, giving employers advance notice of upcoming inspections.

Human Rights Watch has other serious concerns about FIFA’s current system of monitoring, including:

- Human Rights Watch found workers working in an atmosphere of intimidation and vulnerability. Many were reluctant to report labor concerns out of legitimate fears of retaliation.
- Officials denied workers the opportunity to speak with FIFA officials during an official site visit to the Kaliningrad Stadium, and may have deliberately kept some migrant workers off the site during the official visit.
- There have been frequent strikes on World Cup stadium sites, including repeated strikes at some stadiums, suggesting that many problems persist, despite FIFA’s monitoring.
- Officials directly interfered with Human Rights Watch’s research, including by encouraging workers not to speak to Human Rights Watch and through direct surveillance and detention of the researcher.
- Not a single worker interviewed by Human Rights Watch had spoken to any inspectors or other monitors nor had knowledge of any labor conditions monitoring having taken place on the worksite.

⁸⁶ “Working Conditions: FIFA and Trade Unions Sign Cooperation Agreement for Russia 2018,” *FIFA.com*; “Working Conditions Monitoring System Launched at World Cup stadiums,” *FIFA.com*; and “Working Conditions Seminar Held in Moscow;” and “Fact Sheet: FIFA’s Work on Human Rights,” *FIFA.com*.

Human Rights Watch has set out recommendations to FIFA for improving its implementation and transparency of its monitoring program, both ahead of Russia 2018, as well as the next World Cup, in Qatar 2022, where Human Rights Watch has serious workers' rights concerns, and in future World Cup tournaments.

V. International Legal Standards

The International Covenant on Economic, Social and Cultural Rights (ICESCR) recognizes “the right of everyone to the enjoyment of just and favourable conditions of work.”⁸⁷ Such conditions must ensure: remuneration, safe and healthy working conditions, as well as rest, reasonable limitation of working hours and periodic holidays with pay, and remuneration for public holidays.⁸⁸ The ICESCR also guarantees “the right of everyone to form trade unions and join the trade union of his choice...” and the right to strike.⁸⁹ The International Covenant on Civil and Political Rights also guarantees freedom of association and the right to form and join trade unions.⁹⁰

The International Labour Organization (ILO) has developed a comprehensive body of conventions that address virtually every aspect of workers’ rights. Russia has ratified several of these conventions, including the ILO Convention on the Protection of Wages (No. 95), which guarantees regular payment of wages, and the ILO Convention on Occupational Safety and Health (No. 155), which calls for policies to prevent accidents and injuries to health, for effective enforcement of laws and regulations concerning occupational safety and health, and for the government to publish annually information on accidents and other work-related health concerns.⁹¹

Corporate responsibility

Although governments have the primary responsibility to respect, protect, and fulfill human rights under international law, private entities, including businesses, also have internationally recognized responsibilities regarding human rights, including workers’ rights. These responsibilities apply to FIFA as well. The United Nations (UN) Guiding Principles on Business and Human Rights, which the UN Human Rights Council endorsed

⁸⁷ International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted by General Assembly resolution 2200A (XXI) of December 16, 1966, entered into force January 3, 1976, ratified by Russia October 16, 1973, art. 7.

⁸⁸ Ibid. The Universal Declaration of Human Rights also provides that everyone has the right to rest and leisure, including reasonable limitation of working and periodic holidays with pay, as well as the right to just and favorable remuneration, and the freedom to form and join trade unions. UDHR, arts. 23 and 24.

⁸⁹ ICESCR, art. 8.

⁹⁰ International Covenant on Civil and Political Rights (ICCPR), art. 22.

⁹¹ ILO Convention No. 155 concerning Occupational Safety and Health, adopted June 22, 1981 U.N.T.S. 279, entered into force August 11, 1983.

in 2011, recognize that all companies should respect human rights, avoid complicity in abuses, and ensure that any abuses that occur despite these efforts are adequately remedied. The Guiding Principles specify that businesses should exercise human rights due diligence to identify human rights risks associated with their operations, take effective steps to prevent or mitigate those risks, and ensure that the victims of any abuses that occur despite those efforts have access to remedies.⁹² The Guiding Principles are widely accepted as an authoritative articulation of businesses' human rights responsibilities. As one component of such due diligence efforts, businesses, including entities such as FIFA, should vet other potential business associates to avoid forming ties with individuals or entities that undermine human rights, including workers' rights, and include enforceable human rights provisions in contracts with parties involved in a relevant business relationship.

This should go hand in hand with company measures to monitor human rights impacts through ongoing internal processes and periodic independent reviews, and act to correct any identified problems.

Equally important, the Guiding Principles also call on private enterprises to ensure transparency as part of a credible response to human rights concerns, to "show that they respect human rights in practice." Specifically, the Guiding Principles state: "business enterprises whose operations or operating contexts pose risks of severe human rights impacts should report formally on how they address them" including by providing "information that is sufficient to evaluate the adequacy of an enterprise's response to the particular human rights impact involved..."⁹³

⁹² UN Human Rights Council, "Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework." The UN Human Rights Council endorsed the Guiding Principles in resolution 17/4 of 16 June 2011: "Human Rights and Transnational Corporations and Other Business Enterprises," Resolution 17/4, A/HRC/17/L.17/Rev.1; UN Human Rights Council, "Mandate of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises," Resolution 8/7, A/HRC/RES/8/7; UN Human Rights Council, "Human Rights and Transnational Corporations and Other Business Enterprises," Resolution 17/4, A/HRC/17/L.17/Rev.1.

⁹³ Ibid., Guiding Principle no. 21.

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RED CARD

Exploitation of Construction Workers on World Cup Sites in Russia

Construction for the stadiums and infrastructure for the 2018 FIFA World Cup in 11 cities in Russia has drawn tens of thousands of workers from across Russia, former Soviet Union countries, Turkey, and other countries. *Red Card: Exploitation of Construction Workers on World Cup Sites in Russia* documents how employers failed to pay some workers' wages, refused to provide workers with written contracts, and compelled some workers to work in dangerously cold temperatures without adequate protection. Thousands of workers have gone on strike on several World Cup construction sites to protest working conditions. According to the Building and Woodworkers' International global union, at least 17 workers have died on World Cup construction sites.

The report documents how employers threatened workers who complained about exploitation with detention or deportation and retaliated against some workers. With few opportunities to challenge employers' practices, some workers felt their only option was to quit and look for a different job, after weeks or months of work with little or no pay. Many workers feared speaking publicly about abuses. Russian police detained a HRW researcher interviewing workers in the southern Russian city of Volgograd.

The Fédération Internationale de Football Association (FIFA), the world governing body of association football, which owns the World Cup, has made vocal pledges to eliminate human rights abuses in its operations, including by conducting inspections, together with the Russian government and others, on World Cup 2018 stadiums. However, FIFA has published little substantive information about the violations identified by its monitoring, where violations took place and when, or if or how violations were remedied and the results for workers of any remedial actions, or any other relevant information. The inspections started long after World Cup construction was underway, and cover stadiums only, not all World Cup-related infrastructure.

FIFA and the Russian government should enforce zero tolerance for worker exploitation on World Cup sites; ensure effective investigations leading to payment of wage arrears and other meaningful remedies for workers; and publicize the findings and results of the monitoring program, to ensure transparency and credibility.



Construction workers on the St. Petersburg Stadium in St. Petersburg, Russia that will host 2017 FIFA Confederations Cup and 2018 FIFA World Cup matches. October 3, 2016.

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