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HTUR/JSV

14 March 2014

Forced Labour in Qatar

Dear University Presidents

In recent years, each of your universities has decided to offer degree programs at the Qatar Foundation's Education City campus in Doha, Qatar. While the goal of providing advanced educational opportunities to students in the Gulf is laudable, your universities have at the same time lent their considerable prestige to a government which has instituted a legal framework that facilitates the exploitation of migrant workers such that many are victims of trafficking for forced labour. These concerns have been well documented by credible human rights organizations, including Amnesty International and Human Rights Watch.¹ The Director General of the International Labour Organization, Guy Ryder, has also expressed concerns about the treatment of migrant workers in Qatar.²

¹ Amnesty International, *The Dark Side of Migration: Spotlight on Qatar's Construction Sector Ahead of the World Cup*, 18 November 2013; Human Rights Watch, *Building a Better World Cup: Protecting Migrant Workers in Qatar Ahead of FIFA 2022*, 12 June 2012.

² See CNN, Interview with ILO Director General Guy Ryder, 24 October 2013, available at <http://www.youtube.com/watch?v=rxu2ZAuLe6M>.

The International Trade Union Confederation (ITUC) has also lodged complaints with the International Labour Organization (ILO) alleging the exaction of forced labour in Qatar, in violation of ILO Convention 29, by means of the operation of the *kafala* sponsorship system. In addition, migrant workers are prohibited by law from exercising the right to freedom of association, meaning they cannot form or join a trade union, bargain collectively or file collective complaints regarding conditions of work, the subject of another ITUC complaint to the ILO. Attached is a brief summary of our forced labour and freedom of association concerns in Qatar.

ITUC have recently interviewed workers at the Education City campus. Unsurprisingly, given that trafficking for forced labour is widespread and systematic in Qatar, workers at Education City also alleged elements of trafficking for forced labour, including burdensome recruitment fees, fraud with regard to employment contacts and withholding of passports. It was very difficult to find workers willing to talk openly about their situation, as they were fearful of talking to outsiders. However, we have been able to document some cases.

We found cleaning staff, cooks and secretaries who are paid less than \$300 per month while employed at some of the world's most prestigious universities. These workers are employed by sub-contracting firms contracted by the Qatar Foundation, which manages the campus.

#1: Office Assistant, Philippines

She has been employed as an office assistant for roughly two years. Her current salary is QR 1,000 (US\$275) per month, though she was promised by her recruiter that the salary would be considerably higher. Indeed, she was told she would work in a hotel, not the university, and be able to make a lot of money. She was required to pay 30,000 Filipino pesos to recruiters for her job, around \$ 666.

#2: Office Helper, Philippines

She has worked in Education City for roughly 2 years. She reported working at times 12-15 hours a day, usually making coffee and running errands. She earns QR 900 (\$247) a month but was promised QR 1,200 (\$329). She was forced to sign a new contract against her will. She paid recruitment fees of 25,000 pesos, around \$555. She reported that if a worker is sick, the employer deducts the sick days from their wages.

#3: Cleaner, Philippines

She has worked in Education City for 2 years and 2 months. She was also told she would be working in a hotel. When she arrived, she became a tea server. After a few months, she was told she had to become a cleaner, which she did not want to do. She was told she would earn QR 1,200, but she now earns only QR 800 (\$219). She explained that this leaves her with very little money at the end of the month – not enough to save or to send home to her family – the whole purpose of working in Qatar. She also paid visa and

recruitment fess of 30,000 pesos. Initially, she was housed in a dormitory room with 8 other people, but after an inspection by the Qatar Foundation, it was reduced to 4 people in a room.

#4: Cleaner, Sri Lanka

He has worked in Education City for several years, and at the current university for nearly two. He migrated from Sri Lanka upon paying a recruitment fee, and was told he would earn 1,200 QR. However, after years of work, he earns only 800 QR today. The cleaning contractor has withheld his passport. He lives together in a room with ten men in a labour camp far from the campus.

Despite our preliminary and admittedly limited investigation, we believe it is highly likely that other migrant workers employed at Education City have suffered the same or similar violations – highly burdensome recruitment fees that trap them at work, contract substitution whereby workers are paid less and at time working different jobs than what was agreed to at the point of recruitment. The kafala system itself also limits the ability of workers to leave their job or to leave the country. Access to the labour justice system to contest these violations is typically out of reach.

We therefore call on your institutions to conduct an independent review of the administrative staff working at your universities in Education City, particularly workers employed by third party contractors operating at the schools. The ITUC is of course willing to help in any way possible. Further, as some of your universities are already affiliated to the Washington, D.C.-based Workers Rights Consortium, which monitors labour compliance in the university-branded apparel supply chain, they could also be called upon as a credible third party to conduct an investigation and prepare a report.

We would urge you to commit, based on these findings, to ensure that all workers are in possession of their passports, and being paid the wage rate of their initial contracts of employment (adjusted upward for years of service since arrival), and to reimburse or pay off any recruitment fees they may have incurred. We would also urge you to press the government to amend the kafala system, consistent with international norms, as well as to amend the labour law to allow migrant workers to associate. We will continue to undertake our own investigations but would appreciate a statement of your intentions in this regard within 30 days.

Sincerely,



General Secretary

Encl: General Labour Rights Situation in Qatar

Appendix A

September 14, 2015

Dear President Garrett,

In your August 25th Op-Ed in the *Daily Sun*, you stated that you have spent time familiarizing yourself with Cornell's presence in Ithaca, New York City, Rome, Qatar, and elsewhere. We hope that your familiarization with the Qatar campus has alerted you to the possible labor abuses occurring in Education City and inspired you to remedy the situation.

As you probably know, labor abuses prevalent in Qatar including wage withholding, passport seizures, inability to escape, and deplorable working and living conditions that result in the daily deaths of migrant workers. Workers are often tricked into signing false contracts with promises of a living wage and dignified working and living conditions. They arrive only to discover that they will be paid close to nothing and that they cannot escape until the term of their contract ends. The kafala system enables these abuses by tying migrant workers to third party contractors who are not held accountable for these inhumane conditions.

Unfortunately, the construction of Cornell's and other campuses in Qatar has resulted in the exploitation and deaths of campus workers, an outcome that is antithetical to our mission as a university dedicated to the public good. On March 14, 2014 the International Trade Union Confederation (ITUC) sent a letter to the presidents of universities with satellite campuses located in Education City. In their letter, they outlined some of the problems occurring on these campuses and within the larger Qatari labor system, most notably the exploitative kafala system. More than two years have passed since this initial request, but the exploitation in Qatar persists.

In continuing to allow these exploitative practices on its campus, Cornell University is lending its name to a globally recognized system of human trafficking and forced labor. With thousands of workers dying in the construction of Qatar's 2022 FIFA World Cup, this issue is attracting unprecedented global attention. Now, more than ever, Cornell has the opportunity to stand up for the rights of its satellite campus workers. Not only can we ease the suffering of workers aiding the expansion of Cornell, but we can also correct Cornell's role in the unethical practices occurring in Education City, thus improving our institution's reputation around the world.

Right now, our relationship with the Qatari government is lending legitimacy to this exploitative migrant-labor system. Former President David Skorton was unwilling to act on our requests to address these problems. However, with your help, we can take action.

To remedy this situation, we ask that Cornell University and its peers meet these demands:

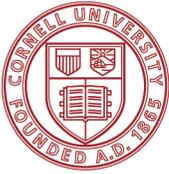
- All foreign universities operating in Qatar, and indeed the Gulf, must agree to an independent monitoring process, which could be undertaken by the Workers' Rights Consortium or a similar credible NGO. All regular assessments should be made public, save any business classified information or otherwise needed to protect individuals. Universities must make a commitment to implement the findings of these reports within a short, defined period of time.
- The universities must collectively call on the government of Qatar to abolish the kafala system, and to ensure that all workers have the right to form or join a union of their choosing and to bargain collectively.

· In the meantime, universities should recognize legitimate worker representatives and negotiate terms and conditions with such representatives. The universities must insist that the Qatar Foundation do the same, as they are the ultimate employer of many of the workers providing services at Education City.

The beginning of your tenure here at Cornell University can be marked by either a willingness to work alongside students and workers on these issues or by a disregard for the rights of workers at Cornell's Qatar campus. In this moment, you have a chance to prove Cornell's commitment to human rights on our campuses. We hope to set a precedent with you to protect the interests of workers in Ithaca and around the world. We thank you for your time and ask that you provide a response by September 29th, two weeks from today.

Sincerely,

The Cornell Organization for Labor Action



Cornell University

Elizabeth Garrett
President

September 25, 2015

Dear COLA Members,

Thank you for your September 15 letter expressing concern for migrant workers in Qatar, and also for the card you presented to me during the academic panel on the day of my inauguration expressing your good wishes for my presidency. It was very thoughtful of you.

I take quite seriously the health, well-being and safety of Cornell staff, no matter where they work. We at Cornell have particular principles that we uphold – academic freedom, equal opportunity and non-discrimination – and we adhere to them wherever we have a presence in the world.

In the nearly 12 months since I was announced as Cornell's next president, I have spent a great deal of time learning about our presence in Qatar, reviewing materials and engaging with Cornell leaders, faculty, staff and students. This past spring, I consulted with David Skorton as he considered and responded to your letter on this subject. After thoughtful review and my own independent assessment of our operations in Doha, I am convinced that we are treating our staff in Qatar the way that we treat our staff here in Ithaca and in New York City. None of the abusive practices you reference in your letter take place at Weill Cornell Medical College – Qatar. We will continue to actively monitor the situation to ensure that remains the case.

This is not to say that we should not question the treatment of workers unconnected to Cornell, whether in Doha or in other parts of the world, and I commend you for your ongoing attention to this critical issue.

But, as Professor Eswar Prasad noted at the academic panel some of you attended, this is a very complex issue, and strategies that are well-intentioned can result in unintended consequences for the very people you are trying to help. If we want to make a difference in these countries, he noted, we should focus on basic reforms to the core institutions that touch the lives of every citizen. He referenced government and financial markets, and I would add to that list health care, which is, of course, the basis of our presence in Qatar. Our medical college in Doha – the first American medical school established outside the United States – is training a new generation of doctors (men and women) who are transforming patient care and improving the quality of life for all in Qatar and throughout the region.

This is the avenue through which we can best affect change in Qatar, and we are using our platform in Qatar to advance conversations around a host of broader reforms. Among them, Cornell will continue to emphasize – with its institutional partners in Education City – our expectation that Qatar be at the forefront among Arab countries to address critical issues of worker protection and safety.

I expect to visit Weill Cornell Medical College - Qatar next May, which will afford me the opportunity to further deepen my understanding of the issue.

Thank you again for reaching out to me. I and my senior leadership look forward to continuing to engage with you on this issue as well as other issues of mutual importance.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Garrett".

Elizabeth Garrett
President