Evaluation of Los Angeles’ Human Rights Stakeholder Engagement Submission to FIFA

01/07/2022
1. Background

As part of the host city and stadia selection process for the FIFA World Cup 2026, FIFA required all 22 candidate cities to conduct human rights stakeholder engagement and produce a report outlining the stakeholder engagement process, its results, and the city’s human rights plans in relation to the competition. Prior to this, all candidate cities submitted Host City Human Rights Declarations in which they committed to respect, protect, and fulfill human rights in all activities associated with the hosting of the FWC 2026, and to support FIFA in implementing their operations in accordance with the UN Guiding Principles on Business and Human Rights and FIFA’s own human rights commitment. The candidate city human rights stakeholder engagement process took place between September 2019 and December 2021.

FIFA commissioned the business and human rights consultancy firm Ergon Associates to conduct an independent evaluation of all candidate city human rights reports. The evaluations were also informed by one-on-one calls with each city bid team and local stakeholders invited by the city to attend the call. The independent evaluation included a detailed assessment that allowed FIFA to make comparisons and consider human rights due diligence as a criterion in the selection process. On 16 June 2022, FIFA named the 16 host cities and stadia for the FWC 2026.

This report includes the independent evaluation’s qualitative findings for Los Angeles. It includes information in the five main areas of assessment, i.e. stakeholder engagement, risk assessment, mitigation measures, opportunities, and remedy.

FIFA greatly appreciates the contribution of all national and city-level stakeholders who have supported FIFA and the candidate cities during the host city selection process. FIFA looks forward to further and enhanced engagement in the in the next phase of human rights due diligence for FWC 2026.

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1 Due to Vancouver’s late entry as a candidate city, Vancouver completed a customized process and submission. For more information, please see the summary report published on FIFA.com.
2. Summary of findings

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<thead>
<tr>
<th>Assessment area</th>
<th>Evaluation summary</th>
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<tbody>
<tr>
<td>Stakeholder engagement</td>
<td>There is evidence of engagement with a diversity of stakeholders. Though not all recommended groups were engaged, some additional rightsholder groups were (young, elderly and migrants). External stakeholders such as the LA Fed were able to voice their opinions in the presentation to FIFA, and there is a plan for continued engagement with stakeholders moving forward. The submission could have been strengthened in this category by providing detail on the outcomes of individual engagements, and by describing measures taken to ensure engagements were accessible to a variety of groups.</td>
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<td>Risk assessment</td>
<td>The submission clearly describes a risk assessment process which included engaging with stakeholders. The city highlights human trafficking as an additional risk area. The city also flags the need for revised risk assessments in the coming years. The submission could have been clearer on how identified issues may arise as a result of tournament activities.</td>
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<tr>
<td>Mitigation measures</td>
<td>There is a clear description of existing mitigation to address all highlighted risks, though there could have been more detail on additional planned measures, and the role of external stakeholders in developing these, to reinforce existing protections. Providing milestones and timeframes for any additional measures described would also have improved the submission.</td>
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<td>Opportunities</td>
<td>Los Angeles identifies positive legacy opportunities in four areas, with the city highlighting various existing measures that could be expanded to achieve these opportunities. The submission would have benefitted from identifying stakeholder partners and describing clearly the role that they would play in implementing measures for all opportunity areas discussed.</td>
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<tr>
<td>Remedy</td>
<td>The submission lays out existing remedy pathways for various potential issue areas highlighted in the submission. However, there was not a clear commitment to provide remedy for all tournament-related impacts, nor to develop special measures for raising complaints directly related to the tournament. More detail on how measures could support vulnerable groups in accessing remedy would have been beneficial.</td>
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3. Methodology

In September 2020 FIFA shared guidance on the required stakeholder engagement process with the candidate cities bidding to host matches at the men’s FIFA World Cup 2026TM. FIFA also provided a city-specific baseline briefings on potential issues to be discussed with stakeholders. As part of the next steps, each candidate city was asked to respond to a standard set of questions raised by FIFA, providing as much detail and evidence as possible. Candidate host cities submitted their initial report to FIFA in June 2021.

In November and December 2021, each city participated in a separate meeting with FIFA officials and Ergon to present their human rights report. These meetings also gave the cities the opportunity to address open questions and receive feedback. Based on this discussion, cities were invited to submit additional information to supplement their original report in form of an Addendum. The final documentation was submitted to FIFA and published on the cities’ websites at the end of 2021.

All submitted information and presentations were assessed by Ergon. FIFA utilized Ergon’s assessment to make human rights-related determinations in the bidding process.
4. Los Angeles findings

4.1 Stakeholder engagement

The submission describes engagement with a variety of stakeholders covering many key groups. Stakeholders were engaged via a mixture of public webinars, virtual events, workshops and forums. The submission outlines who had led and moderated each engagement, with varying entities responsible for leading discussions in each engagement.

The city identifies additional rightsholder groups, highlighting young people, seniors, and immigrant communities as targets for focused engagement in the future, in order for the city to better understand how they may be impacted by the tournament. The submission states that all stakeholders engaged in the development of their human rights strategy were given the opportunity to review the report and provide feedback prior to submission to FIFA. The submission was accompanied by letters of support from public bodies involved in the tournament’s delivery such as the LAPD and the Mayor’s office. Additionally, stakeholders such as the LA Fed (the regional AFL-CIO), LAFC, and the LA84 Foundation, among others, were afforded an opportunity to express their views on the prospect of hosting in a presentation delivered to FIFA representatives in December 2021.

Looking forward, the city commits to continued engagement with stakeholders to manage potential adverse impacts, with plans for biannual meetings with stakeholders. There was an opportunity strengthen the submission for this category by demonstrating how stakeholders have been involved in the development of plans for future engagement.

Whilst there is some description of the topics covered and outcomes of engagements, this component of the submission could be strengthened by demonstrating how these engagements were linked to conversations about the tournament, as it is not always clear from the submission whether discussions and engagements were related directly to the hosting of the tournament. The submission could also have been strengthened by providing evidence of engagement with the wider array of suggested stakeholder groups, such as city procurement offices, transport bodies, and housing charities; and by outlining any provisions that were made to ensure that engagements were accessible to a wide variety of groups (different languages, formats, disability access options, etc.).

4.2 Risk assessment

The submission describes how the city used consideration of the 30 articles of the Universal Declaration of Human Rights, analyzing which of those articles are within the remit of the city government and which might also be affected by the tournament. In explanation of the stakeholder engagement carried out, it is clear how stakeholders were engaged to build an understanding of potential human rights issues that might be affected by hosting such an event in the region. For example, on potential risks to workers’ rights the submission describes working closely with the LA Fed and affiliates to understand how workers might be affected.

All prescribed substantive risk areas are clearly assessed, and the submission also highlights human trafficking as an additional area of concern. The report does not assess the severity of all identified risks, but does recognize that each has the potential to materialize, in spite of the strong regulatory framework in place in the city, thus also implying that additional measures may be needed. Severity levels are assigned for workers’ rights and disability access, with the city evaluating these as low risk areas on the basis of existing protections. The report acknowledges that due to the amount of time left until the tournament commences, it may be necessary to revisit risk assessments in the coming years.

The submission could be strengthened by clearly outlining how all identified adverse impacts may arise as a result of hosting the tournament.
4.3 Mitigation measures

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| Existing measures to address highlighted risks are clearly described, and the submission highlights relevant federal protections in place such as the Civil Rights Acts of 1964 and 1991, among other key legislation such as the Americans with Disabilities Act (ADA), and the 2009 Fair Pay Act. The submission also lists relevant government offices and external organizations whose work relates to the identified human rights issue areas.

This component of the submission could be improved by providing a fuller description of any additional measures planned by the city to reinforce existing measures designed to prevent tournament related human rights risks from occurring. Whilst the submission does include some description of planned measures (notably the use of PLAs for workers staffing tournament facilities), most of the discussion in this section refers back to ongoing efforts. Further, the submission does not clearly commit to, or explain how all the measures could be expanded or built upon to ensure rightsholders are protected from the range of harms that have been identified as having the potential to arise as a result of hosting the tournament.

There were additional areas for improvement in this category by highlighting which external stakeholder groups would be involved in the development and delivery of any planned measures, and by clearly explaining the role that they would play. There are some milestones laid out for the planned measures listed in the submission, but providing timeframes for the completion of these milestones would be beneficial.

4.4 Opportunities

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| The city's submission identifies opportunities for a positive human rights legacy in four areas. Firstly, the city identifies the opportunity for a sporting legacy, and highlights the capacity that hosting the tournament has to unify people of different cultures and ethnic groups. Also under the umbrella of the sporting legacy is the aim to expand participation in sport among women and girls, and the city clearly identifies ongoing programs working to that end which they state can be expanded to deliver lasting benefits for the region.

The city also identifies opportunities for an economic legacy, an infrastructure legacy, and a cultural legacy; and again highlights a number of existing programs and initiatives that could be expanded or ‘reimagined’ in order to realize those opportunities. In discussion of these existing measures, the city identifies various stakeholder groups with whom partnerships could be formed to deliver on identified legacy opportunities. However, this component could be improved by providing further detail on the role these stakeholders would play in implementing measures to achieve identified opportunities.

It was clear from the presentation delivered to FIFA and Ergon representatives in December 2021 that the city is already engaged in thinking about legacy projects for other sporting events, such as Super Bowl LVI, and that the city has experience of delivering legacy projects for major sporting events, as demonstrated by the work of the LA84 Foundation, who also participated in the December presentation.
4.5 Remedy

The submission lays out various existing mechanisms for raising complaints and accessing remedy related to various human rights issue areas highlighted by the city. For example, the California Department of Industrial Relations handles complaints related to workers’ rights. Additionally, the California Victim Compensation Board (CaVCB) is a state program that provides compensation to victims of violent crimes. The program has recently been expanded so that victims of human trafficking are compensated for the loss of income incurred as a result of human trafficking. Instances of human trafficking can also be reported to the National Trafficking Hotline (888). For complaints related to disability access the submission refers to the US Department of Justice as the relevant authority. General civil rights complaints can be raised with LA Civil Rights.

Whilst the submission does highlight the existing infrastructure in place to handle complaints in the identified risk areas, there is no explicit commitment by the city to provide remedy for all adverse impacts caused or contributed to by the tournament and related activities. The city states that stakeholder engagement is essential in the resolution of complaints, but the submission would have been strengthened by more clearly describing the role played by stakeholders in this process. The submission also highlights the possibility of created a ‘consolidated means’ of accessing the various remedy pathways highlighted, and states that this would also serve to aid vulnerable groups in raising complaints. However, the submission appears only to suggest that the creation of this consolidated means is possible, without explicitly committing to its development.

Annex: Reviewed submission materials

- FIFA World Cup 2026 HUMAN RIGHTS STRATEGY - City of Los Angeles
- FIFA WORLD CUP 2026 HUMAN RIGHTS STRATEGY Q&A - City of Los Angeles
- Presentation from Los Angeles team to FIFA on 8 December 2021.