



General Assembly

Distr.
GENERAL

A/HRC/WG.6/7/QAT/2
30 November 2009

Original: ENGLISH

HUMAN RIGHTS COUNCIL
Working Group on the Universal Periodic Review
Seventh session
Geneva, 8-19 February 2010

**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE ANNEX
TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

Qatar

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations¹

<i>Core universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	22 July 1976	None	Individual complaints (art. 14): No
CEDAW	29 April 2009	Yes (arts. 1, 2 (para. (a), 5, 9, 15, 16, and 29)	-
CAT	11 Jan. 2000	Yes (general and arts. 21 and 22)	Inter-State complaints (art. 21): No Individual complaints (art. 22): No Inquiry procedure (art. 20): No
CRC	3 April 1995	Yes (arts. 2 and 14)	-
OP-CRC-AC	25 July 2002	Binding declaration under art. 3: 18 years	-
OP-CRC-SC	14 Dec. 2001	None	-
CRPD	13 May 2008	None	-
<i>Core treaties to which Qatar is not a party: ICESCR, OP-ICESCR, ICCPR, ICCPR-OP1, ICCPR-OP2, OP-CEDAW, OP-CAT, ICRMW, OP-CRPD (signature only, 2007), and CED.</i>			
<i>Other main relevant international instruments</i>			<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide			No
Rome Statute of the International Criminal Court			No
Palermo Protocol ³			Yes
Refugees and stateless persons ⁴			No
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ⁵			Yes, except Additional Protocol III
ILO fundamental conventions ⁶			Yes, except Conventions Nos. 87, 98 and 100
UNESCO Convention against Discrimination in Education			No

1. In 2006, the Committee against Torture (CAT) expressed concern about the broad and imprecise nature of Qatar's reservation to the Convention, which consists of a general reference to national law without specifying the law's contents and does not clearly define the extent to which Qatar has accepted the Convention, thus raising questions as to the State's overall implementation of its treaty obligations. It recommended that Qatar consider re-examining its reservation with a view to withdrawing it.⁷ It also encouraged Qatar to consider ratifying the OP-CAT.⁸

2. In 2007 and 2009, the Committee on the Rights of the Child (CRC) recommended that Qatar consider acceding to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.⁹ It also recommended that Qatar ratify or accede to all core international human rights instruments, including ICESCR, ICCPR, ICRMW, CED,¹⁰ the Palermo Protocol¹¹ and the Rome Statute of the International Criminal Court.¹²

3. In 2009, while welcoming the information that Qatar withdrew the general reservation entered under the OP-CRC-SC, CRC regretted that Qatar made a partial withdrawal to its general reservation

to the Convention by narrowing it to articles 2 (non-discrimination) and 14 (freedom of thought, conscience and religion). It also expressed concern at a number of reservations entered to CEDAW, in particular articles 9, paragraph 2 and 16, paragraph 1(f).¹³ It strongly encouraged Qatar to review its reservations with a view to withdrawing them.¹⁴

B. Constitutional and legislative framework

4. In 2006, CAT¹⁵ and CRC¹⁶ welcomed the adoption of a new Constitution, which entered into force on 9 June 2005, which includes guarantees of human rights. The Special Representative of the Secretary-General on the situation of human rights defenders noted that the Constitution does not make any specific mention of women's rights or gender equality.¹⁷

5. In 2006, CAT noted the absence in domestic law of a provision on asylum or refugee status.¹⁸ In 2009, CRC, taking into account that Qatar was in the process of drafting the Children's Bill, recommended that it take this opportunity to adopt national asylum legislation and procedures on asylum in accordance with international standards.¹⁹

6. In 2009, the ILO Committee of Experts on the Application of Conventions and Recommendations noted the Government's statement that the Constitution and the Labour Law No. 14 of 2004 provide adequate protection against discrimination in employment and occupation on the grounds enumerated in ILO Convention No. 111 (1958). While appreciating the Government's explanations, the ILO Committee maintained that an explicit non-discrimination provision in the Labour Code covering all the grounds would considerably improve the legal protection.²⁰

C. Institutional and human rights infrastructure

7. In 2009, the National Human Rights Committee of Qatar (NHRC) was accredited with "A" status by the International Coordinating Committee of National Human Rights Institutions for the Promotion and Protection of Human Rights (ICC).²¹ The ICC will review the NHRC accreditation status in 2010.²² In 2009, the ILO Committee of Experts highlighted that the NHRC can investigate complaints of human rights and suggests suitable means to address them. The ILO Committee noted that the NHRC received 1,202 complaints in 2006.²³

8. CRC in 2006,²⁴ the Special Rapporteur on trafficking in persons, especially in women and children in 2007,²⁵ and UNICEF in 2009²⁶ noted the establishment in 2005 of the Qatari House for Lodging and Human Care, which provides victims of abuse and trafficking with social, legal, medical and psychological assistance, and defers sometimes cases to the police, the courts and the Director of the Human Rights Unit in the Ministry of Interior. The Special Rapporteur regretted that no system for identifying trafficked persons was in place.²⁷

D. Policy measures

9. In 2005, Qatar adopted the Plan of Action (2005-2009) for the World Programme for Human Rights Education focusing on the national school system.²⁸ The Ministry of Education indicated that teaching human rights has been incorporated into school curricula at primary, preparatory and secondary levels in a variety of forms, and that a programme has been developed for dissemination of human rights culture and awareness of the Convention on the Rights of Child.²⁹

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body³⁰</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	2001	March 2002	-	Thirteenth and fourteenth reports overdue since 2003
CEDAW	-	-	-	Initial report due in 2010
CAT	2005	July 2006	Overdue since 2007	Second report overdue since 2008
CRC	2008	Oct. 2009	-	Third and fourth reports due in 2013
OP-CRC- AC	2006	Oct. 2007	-	-
OP-CRC- SC	2004	June 2006	-	-

2. Cooperation with special procedures

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	Special Rapporteur on trafficking in persons, especially in women and children (8-12 November 2006). ³¹
<i>Visits agreed upon in principle</i>	-
<i>Visits requested and not yet agreed upon</i>	-
<i>Facilitation/cooperation during missions</i>	The Special Rapporteur thanked the Government for its hospitality and collaboration in facilitating meetings with officials from various branches of Government as well as visits to State facilities, including deportation centres and labour camps. ³²
<i>Follow-up to visits</i>	-
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, 3 communications were sent concerning, inter alia, particular groups and including 4 women. The Government replied to all the communications sent.
<i>Responses to questionnaires on thematic issues³³</i>	Qatar responded to 4 of the 16 questionnaires sent by special procedures mandate holders, ³⁴ within the deadlines. ³⁵

3. Cooperation with the Office of the High Commissioner for Human Rights

10. In its resolution 60/153, the General Assembly welcomed the initiative of the Government of Qatar to host the United Nations human rights training and documentation centre for South-West Asia and the Arab region, which will be under the supervision of the Office of the High Commissioner.³⁶ The United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region was opened by the United Nations' High Commissioner for Human Rights and the Qatar Minister of State for Foreign Affairs on 27 May 2009.³⁷

11. The Centre's overarching mandate is to strengthen existing regional arrangements and mechanisms for the promotion and protection of human rights, through its training activities building knowledge and expertise in a range of human rights procedures and methodologies; through the

development of a library with information and documentation systems in the languages of the region; and through partnerships with other human rights organizations, civil society and Governments. Additionally, the Centre has a role in lifting awareness of human rights generally, in the media and through communication activities.³⁸

12. Qatar contributed financially to OHCHR in 2008³⁹ and 2009.⁴⁰

B. Implementation of international human rights obligations

1. Equality and non-discrimination

13. In 2009, CRC expressed concern about some provisions of the Family Act and the Nationality Act which perpetuate discrimination against women and girls. Discrimination against children born out of wedlock and children of migrant workers was also an issue of particular concern to the Committee.⁴¹ It recommended that Qatar adopt a proactive and comprehensive strategy to eliminate de jure and de facto discrimination on any grounds and against all children, paying particular attention to girls, children with disabilities, children born out of wedlock and children of migrant workers.⁴² It also reiterated its concern that the Nationality Act does not confer de jure citizenship on children of Qatari women married to non-nationals.⁴³

14. In 2009, UNICEF highlighted that Qatar has made considerable progress in achieving gender equality at various educational levels. However, women's participation in the labour market and politics still requires intensive efforts to bridge the gap between men and women.⁴⁴ Also in 2009, the ILO Committee of Experts recalled that stereotyped assumptions regarding women's capabilities and "suitability" for certain jobs contribute to discrimination in hiring. It urged the Government to take more proactive measures to address discriminatory advertising and hiring practices, such as awareness raising to eliminate stereotyped assumptions by employers of women's and men's suitability for certain jobs.⁴⁵

15. In 2002, the Committee on the Elimination of Racial Discrimination (CERD) expressed concern at the distinction made in article 3 of Act No. 3/1963, as amended by Act No. 3/1969, between nationals of Arab countries and others as regards the length of time they must reside in Qatar before they can submit an application for naturalization.⁴⁶ It also noted with concern the distinction drawn between citizens by birth and naturalized citizens as regards access to public office and other kinds of employment, as well as the right to vote and stand for election.⁴⁷

16. CERD also noted that Qatari legislation does not, in principle, allow members of different religions to inherit from each other; but it learned from the delegation's explanations provided during the consideration of Qatar's report, that a Muslim can draw up a will in favour of a non-Muslim. It emphasized that such a situation should not result in certain categories of people being excluded from the right to inherit, given the requirements of the Convention.⁴⁸

2. Right to life, liberty and security of the person

17. In February 2006, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on extrajudicial, summary or arbitrary executions sent a communication regarding 18 men who had been sentenced to death in May 2001 for their alleged involvement in a failed attempt to overthrow the Government of the Emir in 1996. Concern

was expressed that they were sentenced to death following a trial that may have fallen short of international fair trial standards. Following their arrest, many of the 18 men were held incommunicado until their trial hearings began. Some of them alleged that they had been tortured in order to force them to "confess." In August 2006, the Government reported that one of the 18 men was sentenced to life imprisonment, not death, and that the convictions handed down by the courts were based on proper evidence that satisfied all legal standards and had been obtained from confessions which the defendants had made against themselves and each other.⁴⁹

18. In 2006, CAT recommended that Qatar adopt a definition of torture in domestic penal law consistent with article 1 of the Convention; ensure that all acts of torture are offences under criminal law, and that appropriate penalties are established for those responsible for such acts; and that all persons who have been victims of acts of torture are provided with fair and adequate compensation.⁵⁰

19. CAT noted that certain provisions of the Criminal Code allow punishments such as flogging and stoning to be imposed as criminal penalties by judicial and administrative authorities. It noted with interest that authorities were considering amendments to the Prison Act that would abolish flogging.⁵¹

20. In 2009, CRC urged Qatar to review its legislation critically with a view to preventing and ending the use of corporal punishment of children as a method of discipline, and to introduce explicit legislation prohibiting all forms of corporal punishment of children in all settings, including in the family, schools, penal system and alternative care settings.⁵²

21. In 2006, CAT noted there was no specific law protecting women from domestic violence and, despite numerous cases reported in 2005, there were no arrests or prosecutions in this regard. Noting the 2003 National Action Plan to prevent domestic violence, it recommended that Qatar introduce measures to prevent and punish violence against women, including fair standards of proof.⁵³ In its comments, Qatar indicated that the competent national authorities have taken measures to protect the family and young persons and tackle domestic violence, including through, but not limited to, the establishment, by Amiri Decree No. 23 of 2002, of the Supreme Council for Family Affairs, to promote family welfare and cohesion, and the issuance of Decree No. 38 of 2006 vesting certain officers of the Supreme Council for Family Affairs with the power to gather evidence on, and document, offences under the national laws on women, the family and children.⁵⁴

22. In 2009, CRC expressed concern at the limited information on the magnitude of domestic violence, including child abuse and neglect.⁵⁵ It recommended that Qatar strengthen public education programmes, including awareness campaigns and provide information, parental guidance and counselling; ensure that professionals working with children receive training on their obligation to report and take appropriate action in suspected cases of domestic violence affecting children, and strengthen support for victims of abuse and neglect in order to ensure their access to adequate services for physical and psychological recovery and social reintegration.⁵⁶

23. The Working Group on arbitrary detention noted that the President of the Foundation for Projects of a Charitable Character was arrested in March 2003 by the General Intelligence Police of Qatar. Neither upon arrest, nor later was he provided with any ground justifying the deprivation of his liberty. For approximately two months he was held in incommunicado detention. He was not given an opportunity to be heard by a judicial authority, and he was not allowed to appoint a defence lawyer. It was assumed that his detention was linked to his activities as President of a charitable foundation. In

March 2005, the Government announced that the person concerned had been released from detention in March 2005.⁵⁷ Similar cases were noted by the Working Group on 2006 and 2007.⁵⁸

24. In April 2005, the Special Rapporteur on violence against women and the Working Group on arbitrary detention sent a communication regarding a woman who allegedly was being forcibly held at her family's home in Doha. According to the reports received, she married a foreign citizen abroad in November 2002 and nine days later, was drugged and abducted by members of the Qatari security forces, who took her back to Qatar. Reports indicated that she was secretly detained by the authorities in Doha for five months. Then, she was reportedly transferred to the offices of the State's Special Security Directorate in Doha, where she was detained until November 2003. Security forces then handed her over to the custody of her family, which held her against her will at their home where she was allegedly subjected to beatings by her family and not permitted access to lawyers, doctors or visitors of any kind. In September 2005, the Government replied to the communication stating that the allegations were completely unsubstantiated.⁵⁹

25. In 2006, CAT noted that the National Human Rights Committee had begun to visit places of detention. However, it expressed concern about the adequacy and frequency of such visits, whether complaints were investigated promptly and thoroughly, whether its members had access to all persons detained, and if it reported publicly on its findings.⁶⁰

26. In 2007, the Special Rapporteur on trafficking was informed that Qatar is a country of destination for trafficked women, who are brought on entertainment or "artist/band" visas or in tourist groups, promised work as waitresses or entertainers in bars and restaurants, and then forced into prostitution. In some cases, women are brought in with working visas to work as domestic workers, and are then forced into prostitution and other forms of sexual exploitation. In Qatar, the Special Rapporteur was also informed of some cases of women forced or deceived into marriage for purposes of trafficking for sexual exploitation.⁶¹

27. In 2009, CRC noted the steps undertaken by Qatar in combating human trafficking, including through the establishment in 2005 of the National Office to Combat Human Trafficking and the Qatari House for Lodging and Human Care.⁶² It recommended that Qatar, inter alia, strengthen its procedures for the early identification of child victims of trafficking; and seek to establish bilateral and multilateral agreements and cooperation programmes with countries of origin and transit to prevent the sale, trafficking and abduction of children.⁶³

28. CRC also recommended that Qatar strengthen appropriate legislative measures to address the issues of sexual abuse and sexual exploitation; take appropriate measures to ensure the prompt prosecution of perpetrators of sexual offences against children; ensure that child victims of sexual exploitation or abuse have access to free, child sensitive complaints mechanisms and are not criminalized or penalized;⁶⁴ and consider launching a national communication strategy to combat all types of sexual exploitation of children.⁶⁵

29. CRC in 2006⁶⁶ and the Special Rapporteur on trafficking in persons, especially in women and children in 2007⁶⁷ welcomed Law on Banning the Employment, Training and Participation of Children in Camel Racing (Law No. 22 of 23 May 2005), which prohibits the recruitment, employment, training and participation of children below 18 in camel racing. Also in 2007, the ILO Committee of Experts noted that Qatar had adopted a number of measures aimed at assisting former

child camel jockeys and providing them with medical treatment for poor health or injuries sustained before returning them to their country.⁶⁸ However, the Special Rapporteur on trafficking remained concerned about reports that despite repatriation of a large number of children, some were retained as to work as farm workers in difficult conditions.⁶⁹ In 2006, CRC recommended that Qatar continue and strengthen efforts to provide adequate recovery assistance and social reintegration services for all children who are or will be victimized by being used as camel jockeys;⁷⁰ continue to repatriate these children and take all necessary measures to reunite them with their families when in their best interests;⁷¹ carry out regular unannounced inspections in camel races, and ensure that all persons responsible for trafficking and employing children as camel jockeys, are prosecuted for offences enumerated in OP-CRC-SC.⁷²

30. In 2009, CRC appreciated the efforts undertaken by Qatar to prohibit the use of child labour in the formal sector but regretted the limited information on child labour in the informal sector, for example in small family businesses.⁷³ It recommended that Qatar continue to take effective measures to prohibit the economic exploitation of children, in particular in the informal sector by designing special programmes aimed at combating child labour; and strengthen the labour inspectorate to monitor the extent of child labour, including unregulated work.⁷⁴

3. Administration of justice and the rule of law

31. In 2006, CAT expressed concern at the threats to the independence, in practice, of judges, a large proportion of whom are foreign nationals. Since residency permits for foreign judges are granted by civil authorities, a sense of uncertainty as to the security of their tenure and an undue dependency on the discretion of such authorities may be created, thus bringing pressure on judges. Also, under the Constitution, all persons are equal before the law, but a variety of protections are afforded only to citizens. It recommended that Qatar adopt effective measures to fully ensure the independence of the judiciary, and ensure that female judges may serve and address the same jurisdictions as male judges.⁷⁵ In its comments, Qatar indicated that with regard to the presence of women in the judiciary, a number of women are at the top of the profession in the Office of the Public Prosecutor.⁷⁶

32. CAT also recommended that Qatar ensure that trainings and programmes are organized for law enforcement, civil, military and medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual deprived of his/her liberty, in order to allow them to identify the physical consequences of torture, to respect the absolute prohibition of torture, and to take measures to ensure prompt and effective investigations into complaints of any such acts. It further encouraged Qatar to take into account gender issues and ensure that training programmes are provided to medical personnel engaged in rehabilitation.⁷⁷

33. In 2009, CRC reiterated its previous concern that the minimum age of criminal responsibility still set at seven years remains far too low. It was also concerned that the right of the child to be heard in criminal proceedings may not always be observed. It was further concerned that children between the ages of 16 and 18 may be treated as adults.⁷⁸ It urged Qatar to ensure that juvenile justice standards are fully implemented, and in particular it recommended that Qatar raise the age of criminal responsibility to a minimum of 12 years; provide children, both victims and accused, with adequate legal assistance throughout the legal proceedings and ensure that children are held separately from adults both in pretrial detention and after being sentenced; take all necessary measures, including strengthening the policy of alternative sanctions for juvenile offenders, to ensure that children are held

in detention only as a last resort and for as short a time as possible; ensure that children between the ages of 16 and 18 are afforded the same protection as other children and strengthen training programmes on relevant international standards for all professionals working with the juvenile justice system.⁷⁹

4. Right to privacy, marriage and family life

34. In 2002, CERD expressed concern that marriage between nationals of Qatar and foreigners is subject to prior approval by the Minister of the Interior.⁸⁰ It also noted with concern that Qatar does not appear to guarantee freedom of marriage between nationals and non-nationals unless the latter are nationals of States members of the Gulf Cooperation Council.⁸¹

35. In 2009, CRC recommended that Qatar rectify the disparity in the minimum age of marriage for boys and girls by raising the minimum age of marriage for girls to 18 years.⁸² It encouraged Qatar to strengthen its awareness-raising efforts aimed at girl children, their parents and communities on the many negative consequences of early marriage and other traditional practices harmful to the health, well-being and development of children.⁸³

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

36. While noting with satisfaction that minorities are entitled to practise their religious rites, CERD in 2002 wished to receive further information regarding limitations on this right, based on respect for public order or Islamic precepts.⁸⁴

37. In 2009, CRC noted that the role and cooperation with civil society organizations needed to be strengthened. It recommended, inter alia, that Qatar continue to strengthen its cooperation with foundations and civil society organizations and involve them systematically at all stages in the implementation of the Convention as well as in policy formulation.⁸⁵

38. UNICEF indicated in 2009 that in the past two decades Qatari women's participation has increased in many areas of public life. This trend is reflective of Qatari women's participation in the national workforce, with their participation rising from 14.3 per cent to 30.2 per cent between 1986 and 2004.⁸⁶ A 2009 United Nations Statistics Division source indicated that no seats were held by women in the national Parliament in 2009.⁸⁷

6. Right to work and to just and favourable conditions of work

39. In 2007, the Special Rapporteur on trafficking in persons, especially in women and children noted that in Qatar workers are protected through their legal right to go on strike and to form trade unions and workers' associations. However, she also noted with regret the information that implementation of the latter in the private sector was difficult because of the conditions of the law, requiring a minimum membership of 100 Qatari nationals.⁸⁸

40. Regarding female domestic workers, the Special Rapporteur on trafficking in persons, especially in women and children noted that according to the relevant laws, any dispute regarding the employment of domestic workers was mainly regulated by civil law.⁸⁹ However, she noted that authorities were reluctant to interfere in the contractual relationship between domestic workers and

their employers as this relationship was viewed as a private family affair; any interference would be seen as impinging on the family's right to privacy. This lack of protection impinged on enjoyment by workers of their rights and freedoms.⁹⁰

41. In 2009, the ILO Committee of Experts noted the Government's indication that the Penal Code of 2004 sufficiently protects women against sexual harassment in employment; hence, in the view of the Government there was no need to include similar provisions in the Labour Law. The ILO Committee requested the Government to consider including a provision in the Labour Law that defines and explicitly prohibits sexual harassment.⁹¹

7. Right to social security and to an adequate standard of living

42. In 2009, CRC welcomed efforts made by Qatar to protect the health of adolescents and promote healthy life styles. However, it was concerned at the emerging trends in obesity, psychological and mental health problems. It took note of the very low HIV/AIDS prevalence and welcomed Qatar's efforts to raise general awareness of HIV/AIDS among adolescents. However, it noted with concern that adolescents know little about other sexually transmitted infections.⁹²

8. Right to education and to participate in the cultural life of the community

43. In 2009, UNICEF indicated that Qatar has come very close to realizing the goal of universal primary education with the rate of enrolment in primary education being 97.6 per cent in 2006.⁹³ It highlighted statistics indicating a rise of enrolment rates at various levels of education, and noted that there is no longer a gender gap in education.⁹⁴ For its part, while expressing appreciation inter alia, for the inclusion of human rights in school curricula at the preparatory and secondary levels, CRC in 2009 expressed concern that only boys can access to the Qatar Leadership Academy.⁹⁵

9. Migrants, refugees and asylum-seekers

44. In 2007, the Special Rapporteur on trafficking in persons, especially in women and children noted that it is the sponsors who provide foreign workers with residence and work permits, and it is the sponsors who may also decide to terminate such permits in accordance with the relevant laws. It has been reported that as working conditions, depend on the behaviour of the individual sponsor, and that monitoring of compliance with the law is not always systematic, lead to slavery-like conditions.⁹⁶ Moreover, the Special Rapporteur noted that there are distortions of the sponsorship system, which further enhance the workers' vulnerability to exploitation. According to the so-called "free visa" system or "casual labour" system, companies are created with the main objective of hiring foreigners and exploiting their work. These supposed sponsors obtain work permits and visas for workers. Once these workers are in the country, the sponsors charge the workers commission for facilitating their entry, and then leave it to them to find work. The employment relationship in these cases is purely fictitious. Subsequently, the workers' employment with their real employers is not protected by law, as they are not declared. In addition, if these workers are found working for a sponsor other than the one to whom they are legally tied, they are subject to arrest and deportation.⁹⁷

45. In 2007, the Special Rapporteur on trafficking in persons, especially in women and children was informed that migrants are subjected to humiliating and degrading treatment, as well as physical and verbal abuse by authorities in police stations and detention centres, for no reason other than that of being migrants. Reports further describe how women are subjected to more violence both because of

their status as women and because of their status as migrant workers.⁹⁸ The main groups vulnerable to abuse and exploitation are domestic workers – mainly women and girls; other workers - mainly men, including minors, in the construction industry and in farm work; and children in the camel race industry.⁹⁹ The Special Rapporteur further noted that domestic workers are excluded from the purview of the labour laws and must rely solely on the provisions of the private contracts they sign with their employers for protection.¹⁰⁰

46. The Special Rapporteur on trafficking in persons, especially in women and children was concerned that large numbers of foreign workers are detained for prolonged periods in deportation centres pending the resolution of civil and labour disputes with their sponsors. In view of this information, the Special Rapporteur welcomed information that the Ministry of Interior, upon the recommendation of the National Human Rights Committee, set up a committee together with the Human Rights Department of the Ministry, with a mandate to minimize the number of persons held at the deportation centre by considering their particular situation, and to either release them or proceed with their repatriation. The Special Rapporteur encouraged the Government to transfer any identified trafficked persons to the shelter to receive the necessary support and assistance.¹⁰¹

47. In 2006, CRC expressed concern at the situation and vulnerability of migrant workers' children.¹⁰² It recommended that Qatar take special measures to address the situation of vulnerable groups of children, such as the children of migrant workers, who are at particular risk of being victims of multiple forms of exploitation.¹⁰³

48. In 2009, the ILO Committee of Experts noted from the Government's report that the National Human Rights Committee has received several complaints from domestic workers, who are mainly women, alleging excessive hours of work without weekly rest, prohibitions on leaving the house, and inhumane and severe mistreatment.¹⁰⁴ It welcomed that the situation of migrant workers was being given increased attention, and that violations of their rights were then being documented and recognized.¹⁰⁵

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

49. In 2007, the ILO Committee of Experts welcomed the prompt and effective measures taken to prohibit and eliminate the trafficking of children to Qatar for their use in camel racing. It considered the developments in Qatar concerning the use of robot camel jockeys to be a case of best practice.¹⁰⁶ In 2006, CAT made similar observations.¹⁰⁷

50. In 2009, UNICEF highlighted the fact that Qatar has achieved notable human development progress and is on target to achieve the MDGs prior to 2015, although there remains some weaknesses in achieving some of the MDG targets, such as the role of women in public life and sustainable environmental management (both the protection of ecosystems and land management).¹⁰⁸

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

A. Pledges by the State

51. In its voluntary pledge submitted in 2007 in support of its candidacy for membership of the Human Rights Council, Qatar, *inter alia*, stated that it was assiduous in implementing the recommendations of conventional mechanisms and in providing a suitable climate for the

implementation of the provisions of CRC and the two related Protocols, and CAT and ICERD. It also noted the visit in the country of the Special Rapporteur on trafficking, who reported that the visit was a positive prelude to constructive dialogue with the Government aimed at helping to promote measures at the international level to eliminate the phenomenon of human trafficking.¹⁰⁹

B. Specific recommendations for follow-up

52. In 2006, CAT requested that Qatar provide, within one year, information on its response to the Committee's recommendations concerning provisions in the Criminal Code allowing punishments such as stoning and flogging; absence of training on the prohibition of torture; conditions of detention; treatment of migrant workers, particularly female domestic workers; and invasive and humiliating body searches.¹¹⁰ No response has been received.

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

53. In 2006 and 2009, CRC encouraged Qatar to seek technical assistance from ILO and UNICEF on economic exploitation of children;¹¹¹ from among others UNICEF on camel child jockeys;¹¹² and from the United Nations Interagency Panel on Juvenile Justice which includes UNODC, UNICEF, OHCHR and NGOs, on juvenile justice.¹¹³

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁴ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

⁵ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at <http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html>.

⁶ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

⁷ Concluding observations of the Committee against Torture (CAT/C/QAT/CO/1), para. 9.

⁸ CAT/C/QAT/CO/1, para. 25.

⁹ Concluding observations of the Committee on the Rights of the Child (CRC/C/QAT/CO/2), para. 59 and concluding observations of the Committee on the Rights of the Child (CRC/C/OPAC/QAT/CO/1), para. 19 (c).

¹⁰ CRC/C/QAT/CO/2, para. 74.

¹¹ Concluding observations of the Committee on the Rights of the Child (CRC/C/OPSC/QAT/CO/1), para. 38.

¹² CRC/C/OPAC/QAT/CO/1, para. 10.

¹³ CRC/C/QAT/CO/2, para. 9.

¹⁴ Ibid., para. 10.

¹⁵ CAT/C/QAT/CO/1, para. 4.

¹⁶ CRC/C/OPSC/QAT/CO/1, para. 4.

¹⁷ E/CN.4/2006/95/Add.5, para. 1378.

¹⁸ CAT/C/QAT/CO/1, para. 13.

¹⁹ CRC/C/QAT/CO/2, para. 59.

²⁰ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning ILO Discrimination (Employment and Occupation) Convention (No. 111), 2009, Geneva, doc. No. (ILOLEX) 062009QAT111, p. 1.

²¹ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/10/55, annex I.

²² Report of the Secretary-General Process currently utilized by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights to accredit national institutions compliant with the Paris Principles to the thirteenth session of the Human Rights Council.

²³ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning ILO Discrimination (Employment and Occupation) Convention (No. 111), 2009, Geneva, doc. No. (ILOLEX) 062009QAT111, p. 2.

²⁴ CRC/C/OPSC/QAT/CO/1, para. 8.

²⁵ A/HRC/4/23/Add. 2 and Corr. 1, para. 45.

²⁶ UNICEF submission to the UPR on Qatar, p. 3.

²⁷ A/HRC/4/23/Add. 2 and Corr. 1, para. 45.

²⁸ See General Assembly resolution 59/113B, and Human Rights Council resolution 6/24. See also letters from the High Commissioner for Human Rights dated 9 January 2006 and 10 December 2007, available at <http://www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm> .

²⁹ Letter from the Permanent Mission of Qatar (presenting information of the Qatar Ministry of Education and Higher Education), dated on 9 March 2009, and letters from the High Commissioner for Human Rights dated on 9 January 2006 and 10 December 2007, see <http://www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm> .

³⁰ The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child

³¹ A/HRC/4/23/Add. 2 and Corr.1.

³² *Ibid.*, para. 2.

³³ The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate-holder.

³⁴ See (a) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation sent in July 2005; (b) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent in July 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (e) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (f) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices; (g) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (h) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (i) report of the Special Rapporteur on the right to education (A/HRC/8/10), questionnaire on the right to education in emergency situations sent in 2007; (j) report on the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/10/16 and Corr.1), questionnaire on trafficking in persons, especially women and children; (k) report of the independent expert on the question of human rights and extreme poverty to the eleventh session of the Council sent in June 2009 (A/HRC/11/9), questionnaire on Cash Transfer Programmes, sent in October 2008; (l) report of the Special Rapporteur on the right to education sent in June 2009 (A/HRC/11/8), questionnaire on the right to education for persons in detention; (m) report of the Special Rapporteur on violence against women, (June 2009) (A/HRC/11/6), questionnaire on violence against women and political economy; (n) report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences (A/HRC/12/21), questionnaire on national legislation and initiatives addressing the issue of bonded labour; (o) report of the Special Rapporteur on the right to food to the twelfth session of the Council (A/HRC/12/31), questionnaire on world food

and nutrition security; (p) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/12/23), questionnaire on measures to prevent and combat online child pornography.

³⁵ The questionnaire on the sale of children's organs; the questionnaire on trafficking in persons, especially women and children; the questionnaire on Cash Transfer Programmes; and the questionnaire on measures to prevent and combat online child pornography.

³⁶ General Assembly resolution 60/153.

³⁷ OHCHR Media release:

<http://www.ohchr.org/EN/NewsEvents/Pages/UNHumanRightsCentreOpensInGulfStateofQatar.aspx>

³⁸ Ibid.

³⁹ OHCHR 2008 Report on Activities and Results, p. 202.

⁴⁰ OHCHR 2009 Report on Activities and Results.

⁴¹ CRC/C/QAT/CO/2, para. 25.

⁴² Ibid., para. 26.

⁴³ CRC/C/QAT/CO/2, para. 33.

⁴⁴ UNICEF submission to the UPR on Qatar, p. 2.

⁴⁵ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning ILO Discrimination (Employment and Occupation) Convention (No. 111), 2009, Geneva, doc. No. (ILOLEX) 062009QAT111, p. 4.

⁴⁶ Concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/60/CO/11), para. 11.

⁴⁷ CERD/C/60/CO/11, para. 12.

⁴⁸ Ibid., para. 15.

⁴⁹ A/HRC/4/33/Add. 1, para. 217. See also A/HRC/4/20/Add. 1, pp. 275-279.

⁵⁰ CAT/C/QAT/CO/1, paras. 10 and 18.

⁵¹ Ibid., para. 12.

⁵² CRC/C/QAT/CO/2, para. 40.

⁵³ CAT/C/QAT/CO/1, para. 22.

⁵⁴ Comments by the State of Qatar on the conclusions and recommendations of the Committee against Torture (CAT/C/QAT/CO/1/Add. 1), para. 4.

⁵⁵ CRC/C/QAT/CO/2, para. 48.

⁵⁶ Ibid., para. 49.

⁵⁷ E/CN.4/2006/7/Add. 1, pp. 21-22, opinion No. 3/2005, adopted on 24 May 2005.

⁵⁸ A/HRC/7/4/Add. 1, pp. 3, 9 and 66.

⁵⁹ E/CN.4/2006/61/Add.1, paras. 153-155.

⁶⁰ CAT/C/QAT/CO/1, para. 17.

⁶¹ A/HRC/4/23/Add. 2 and Corr. 1, para. 76.

⁶² CRC/C/QAT/CO/2, para. 66.

⁶³ Ibid, para. 67.

⁶⁴ Ibid, para. 65.

⁶⁵ CRC/C/OPSC/QAT/CO/1, para. 16.

⁶⁶ Ibid., para. 35.

⁶⁷ A/HRC/4/23/Add. 2 and Corr. 1, para. 42.

⁶⁸ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning ILO Worst Forms of Child Labour Convention (No. 182), 2007, Geneva, doc. No. (ILOLEX) 062007QAT182, p. 2.

⁶⁹ A/HRC/4/23/Add. 2 and Corr. 1, para. 42.

⁷⁰ CRC/C/OPSC/QAT/CO/1, para. 32.

⁷¹ Ibid., para. 32.

⁷² Ibid., para. 36.

⁷³ CRC/C/QAT/CO/2, para. 62.

⁷⁴ Ibid., para. 63.

⁷⁵ CAT/C/QAT/CO/1, para. 11.

⁷⁶ CAT/C/QAT/CO/1/Add.1, para. 15.

⁷⁷ CAT/C/QAT/CO/1, para. 15.

⁷⁸ CRC/C/QAT/CO/2, para. 70.

⁷⁹ Ibid., para. 71.

⁸⁰ CERD/C/60/CO/11, para. 13.

⁸¹ Ibid., para. 14.

⁸² CRC/C/QAT/CO/2, para. 24.

⁸³ Ibid., para. 55.

⁸⁴ CERD/C/60/CO/11, para. 20.

⁸⁵ CRC/C/QAT/CO/2, paras. 21 and 22.

⁸⁶ UNICEF submission to the UPR on Qatar, p. 2.

⁸⁷ United Nations Statistics Division coordinated data and analyses, available at <http://mdgs.un.org/unsd/mdg/Data.aspx> (accessed on August 20, 2009).

⁸⁸ A/HRC/4/23/Add. 2 and Corr. 1, paras. 40 and 41.

⁸⁹ Ibid., para. 72.

⁹⁰ Ibid., para. 73.

⁹¹ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Discrimination (Employment and Occupation) Convention (No. 111) 2009, Geneva, doc. No. (ILOLEX) 092009QAT111, p. 1.

⁹² CRC/C/QAT/CO/2, para. 52.

⁹³ UNICEF submission to the UPR on Qatar, p. 2.

⁹⁴ Ibid.

⁹⁵ CRC/C/QAT/CO/2, para. 56.

⁹⁶ A/HRC/4/23/Add. 2 and Corr. 1, para. 60.

⁹⁷ Ibid. para. 63.

⁹⁸ Ibid. para. 68.

⁹⁹ Ibid. para. 69.

¹⁰⁰ Ibid. para. 71.

¹⁰¹ Ibid. para. 46.

¹⁰² CRC/C/OPSC/QAT/CO/1, para. 37.

¹⁰³ Ibid., para. 38.

¹⁰⁴ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning ILO Discrimination (Employment and Occupation) Convention (No. 111), 2009, Geneva, doc. No. (ILOLEX) 062009QAT111, p. 1. See also A/HRC/4/34/Add. 1, paras. 540-549.

¹⁰⁵ Ibid., pp. 2 and 3.

¹⁰⁶ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning ILO Worst Forms of Child Labour Convention (No. 182), 2007, Geneva, doc. No. (ILOLEX) 062007QAT182, p. 2.

¹⁰⁷ CAT/C/QAT/CO/1, para. 6.

¹⁰⁸ UNICEF submission to the UPR on Qatar, p. 2.

¹⁰⁹ Pledges and commitments undertaken by Qatar before the Human Rights Council, as contained in the letter dated on 19 April 2007 sent by the Permanent Mission of Qatar to the United Nations addressed to the President of the General Assembly, available at <http://www.un.org/ga/61/elect/hrc/>.

¹¹⁰ CAT/C/QAT/CO/1, para. 27.

¹¹¹ CRC/C/QAT/CO/2, para. 63.

¹¹² CRC/C/OPSC/QAT/CO/1, para. 32.

¹¹³ CRC/C/QAT/CO/2, para. 71.