



**State of Qatar**  
**National Human Rights Committee (NHRC)**

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The Situation of Human Rights in  
Qatar  
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**NHRC's Report on the situation of human rights as well as the Committee's activities, findings and results over 2006, with major recommendations by the Committee for human rights boost in Qatar.**

# **In the Name of Allah, the All-Merciful, the Ever-Merciful**

**Allah Almighty said: "We have honored the sons of Adam, provided them with transport on land and sea; given them for sustenance things good and pure; and conferred on them special favors, above a great part of Our Creation."**

**(Sura: Al-Israa, 17, Verse: 70).**

The Prophet (PBUH) said: "Nothing is better than a thousand beings of its kind but the human being-**Mankind**."

"Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety."

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## **Introduction**

Human rights related topics have become a prime concern for a number of Qatari entities. This is due to the nature of the matter since it is all about human beings and human dignity. Needless to say, people are the first beneficiaries of human rights, that's why they have to participate efficiently in putting such rights into effect. This report offers a unique opportunity for a comprehensive analysis of human rights conditions in Qatar, with a view to more respect and full observation of such rights; a step that aims, however fairly and evenly, at their enforcement and protection against any relevant violations. The national Human Rights Committee (NHRC) affirms its commitment to all rights and freedoms enhancement and protection for every individual under Qatari jurisdictions, including Qatari nationals and residents, pursuant to human rights as enshrined by Islamic Law (Shari'a) and international conventions on human rights. The committee also affirms its commitment to join hands with parties interested, both individually and collectively, as stated in NHRC's statute in order to improve human rights conditions in Qatar.

The NHRC stresses the need for all ministries and administrations to fulfill their responsibilities pursuant to the Constitution and law with a view to promoting respect for human rights and basic freedoms for every one irrespective of their race, gender, religion, language or ethnic origin.

Moreover, The NHRC constantly stresses respect for human basic rights; dignity and value, in addition to gender equality, better standards of living in an environment where freedom, equality and justice are guaranteed, an environment where every human relinquishes fear and have all of their needs fulfilled. This is attainable when human rights are part of our culture and daily practices rather being confined to mere standards and scripts, and when actions match words. Respect for human rights is the sine qua non for a society where human dignity, development, safety and peace are guaranteed for all.

The NHRC, on one hand, hails achievements related to human rights over 2006, particularly constitutional and democratic developments, and efforts for reform, transparency and accountability. On the other hand, it voices its utmost concern over labor rights violations manifested in Labor Act 3, 1963 that governs non-nationals admittance and stay, Act 3, 1984 on non-nationals sponsorship, stay and travel, permission to travel and sponsorship transfer and administrative deportation. The NHRC stresses its view of the sponsorship system as a contemporary practice and form of slavery.

It also demands the prevention of any violations of human rights at the Deportation Detention Center (DDC). This particularly important and pressing since the NHRC has found many under such detention with their numbers surging sometimes to 1500. Such demands by the NHRC are based on firm belief in freedom and safety as basic human rights.

The NHRC voices deep concerns over extrajudicial lengthy detentions at the DDC with some cases held in custody for more than 2 years.

The NHCR has requested swift consideration of the 7<sup>th</sup> ward cases at the DDC that houses flagrant cases unlawfully detained.

Furthermore, the NHCR has requested reconsideration of conditions and regulations of the Hiring Committee (HC), male and female equality in terms of rights to invite the spouse, the right to family re-union, and the right to parental custody, all of which

are stipulated in the Convention on the Rights of the Child ratified by Qatar to be a member country to the Convention.

The NHCR has demands for a number of legal amendments top among which is the abrogation of Society Protection Act 17, 2002 that allows for detentions for lengthy periods, up to 2 years, without trial, amendment of State Security Service Foundation Act 5, 2003 that allows for detention for a month prior to referral to prosecution office, amendment of Anti-Terrorism Act 3, 2004 that allows General Prosecution offices to detain suspects for six months infinitely extendible on orders by a relevant court.

Still with NHRC's demands and requests as it involve amendments to Labor Act 14, 2004 so as to include house maids, amendments to Inter-national Marriage Regulation Act 21, 1989 so as to regulate relevant matters without any limitations or restrictions such right and the right to choose a spouse. Further legal amendments include those requested to Association Act 12, 2004 in order to remove restrictions imposed on private and professional associations, and, finally, amendments to Naturalization Act 38, 2005. The NHRC further requests judicial supervision on all and every decision or action to maintain the right to access to the judicial system, to ensure the validity of administrative decisions and actions taken by the executive power.

The NHRC has shed more light on housemaids, requesting a statistical review of them and protection of their rights whether via Labor Act 14, 2004 amendment in a way that extends its umbrella to include them, or through a cabinet decree that puts into effect the last part of Article 3 of that very Act to enforce all or some terms of the Labor Act in dealing with this segment of workers, or through the introduction of totally new act.

The NHRC has followed up the re-naturalization procedures in favor of many denaturalized by the end of 2004 and during 2005. Many of the cases involved have restored their Qatari citizenship, while remaining cases are now under follow-up by the NHRC.

Cases in State Security Service detention for which pleas for visit have been received, and duly followed up, by the NHRC have been allowed access to family visits and released once their sentences ended. Other cases, however, are still in detention despite the end of their sentences in a clear violation to the right to freedom, personal safety, and law.

The NHRC demands better treatment of those at police stations, investigation of any allegations for violations, torture, mistreatment or degrading treatment, and immediate punishment to those involved in such practices.

It also demands better treatment of those under Deportation Detention where the NHRC received many complaints over mistreatment and threats by Investigation and Follow-up Department staff.

The NHRC demands swift prosecution procedures, prevention of ungrounded protective custodies, more training courses for prosecutors and judiciary personnel to overcome shortcomings manifested in their performance over 2006, and timely case settlement be they labor, civil or criminal. Criminal cases are particularly important since relevant suspects remain under custody unable to travel abroad for being black listed.

All bodies interested in women and child issues have been invited by the NHRC to cooperate to stop violence against women and children and abolish all form of discrimination against women.

The NHRC has shed light on rights of the disabled and the aged, demanding necessary amendments to be taken to protect such needy segments of society.

The NHRC has stimulated civil society through promotion of civil society culture, regulation of its entities' work, forming strong partnerships to improve human rights conditions and encouraging associations independent from all ministries or state-run departments.

The NHRC has demanded more transparency and accountability among all personnel with responsibilities regardless of their positions in order to protect public financial interests and ensure equality among citizens.

This report is an attempt to cover human rights conditions in Qatar over 2006 and a vast part of rights and freedoms. We have spared no effort to cover all fields and issues for which progress is necessary. In addition, we have shed light on the most important and urgent issues that can be duly settled in the near future such as sponsorship, deportation detention, Hiring Committee, administrative deportation and the Qatari House for Sheltering and Human Care.

Standard and approved detection and authentication procedures have been adequately observed as the NHRC is keen on full neutral, credible and transparent action to offer as much objective presentation of human rights conditions in Qatar as possible. With all of this in mind and practice, the NHRC has relied on its own investigations, pleas and information received, its field visits, reports prepared by the NHRC for fact-finding and data authentication missions and studies and research carried out by the NHRC.

This report consists of four main sections:

**Section 1:** Legal Developments,

Including the most important constitutional developments, Qatar's position on joining the International Convention on Human Rights, legislations enacted over 2006 and how compatible they are with human rights standards and the most important court rulings related to human rights over 2006.

**Section 2:** This section deals with human and basic rights conditions in Qatar over 2006, including

Civil, political, economic, social and cultural rights, with special focus on human rights conditions of segments in need such as women, children, workers, the disabled, the aged, and housemaids\workers. This section also sheds light on a number of issues including sponsorship, deportation detention, administrative detention, the Hiring Committee and the Qatari House for Sheltering and Human Care.

**Section 3:** The NHRC's activities and findings over 2006.

This section explores the NHRC's activities in terms of handling pleas and complaints received, periodic reports, field visits, fact-finding and data authentication missions, consideration of reports on human rights conditions in Qatar, books and publications on promotion of human rights, consultative activities of the NHRC, symposiums, lectures, workshops and training courses, as well as conferences organized, or participated in, by the NHRC.

**Section 4:** Recommendations and suggestions by the NHRC for better human rights conditions in Qatar, prevention of violation causes in the future through a number of suggested legislations, amendments to existing legislations or adoption of specifically relevant decisions, regulations or procedures that aim at human rights and freedoms improvement for every one under Qatari jurisdictions, nationals and non-nationals alike.

## **Section 1** **Legal Developments**

### **1. Ratification of International Conventions.**

### **2. Constitutional Developments.**

### **3. Legal and Procedural Developments.**

### **4. Court Rulings.**

#### **1. Ratification of International Conventions on Human Rights**

It goes without saying that efforts by a country to join as many as possible international conventions on human rights is but a reflection of a commitment by the political leadership of that country to protect and respect all rights and freedoms. Such approach unequivocally introduces a number of obligations to the country concerned including, but not limited to, rights and freedoms protection, report preparation and commitment to conventions ratified as part and parcel of the country's legal system that is to be complied with by executive, legislative and judicial powers concerned.

Qatar has ratified a number of international conventions on human rights such as the International Convention against all forms of Racial Discrimination (22/07/1976), the International Convention on Combating and Punishment of Apartheid, the Convention on the Rights of the Child (03/04/1995) and the two sub-protocols and the International Convention against Torture (11/01/2000).

The NHRC urges the State of Qatar to be a signatory in the near future to the following International Conventions - International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights, both being the essential reference on human rights and among the most important international conventions in this regard. Fifteen Arab countries are signatories to the two conventions with Mauritania as the most recent signatory in February 2005.

The NHRC is looking for near ratification by Qatar of the International Convention on the Elimination of All Forms of Discrimination against Women, to which most Arab countries have become members, most recently the United Arab Emirates and Oman, totaling seventeen Arab countries becoming signatories to the Convention.

The Committee urges the State to consider joining international conventions on the Protection of the Rights of All Migrant Workers and Members of Their Families.

The Arab Charter on Human Rights having been adopted in the pan-Arab Summit held in Tunisia in May 2004, the NHRC urges the State to ratify the Charter for its human rights-related importance.

Additionally, the NHRC urges reconsideration of general and non-specific reservations voiced by Qatar over conventions it ratified.

Finally, the NHRC deems it necessary to amend national regulations concurrently with obligations of international conventions on human rights. This is specifically necessary since some bodies give precedence for national regulations to international charters and conventions while Article 86 of the permanent Qatari Constitution

stipulates: "treaties and conventions shall be made by the Emir, and passed to the Shura Council with adequate explanations attached. Treaties and conventions, after ratification and publication in the Official Gazette, shall have the force of law...".

## **2. Constitutional Developments.**

The Constitution is the basis state laws. Being in such position, its provisions must be consistent with International Conventions on Human Rights. The Constitution reflects changes and developments that have taken place in Qatar, transition in favor of democracy, institutional state, rule of law and respect for human rights. The permanent Constitution has laid down many rights and freedoms in its third chapter.

However, the NHRC urges law-makers, as regulating rights and freedoms, to be wary of transition from regulation to restriction and to avoid any exclusion of any action or decision from the reach of judiciary, since such actions are but a violation to the Constitution and breaches to the rule of law.

The NHRC also demands speedy moves to have Political Rights Exercise Act in force in order to witness the first parliamentary elections in Qatar.

Moreover, the NHRC demands full enforcement of Constitutional provisions particularly those related to equal treatment of citizens, men and women, and to establish the body concerned with consideration of legality of laws and regulations as well as competent jurisdictions to settle administrative claims and disputes.

## **3. Legal and Procedural Developments:**

### **A. Society Protection Act 17, 2002**

Although the Society Protection Act 17, 2002 was not enacted in 2006, and does not therefore constitute a new legislation for that year, its significance, however, is all about constant relevance to rights and freedoms.

This Act has been enacted as a permanent one, not as an exceptional procedure like all exceptional Acts or emergency laws in other legislations.

This Act authorizes law enforcement bodies vast powers to arrest and detain individuals for prolonged periods without adhering to the provisions of the Criminal Procedure Code 23, 2004. A concurrent, however undesirable, consequence is restrictions on rights and freedoms, particularly personal freedom and safety, clearly ensured by the Constitution of Qatar. The Act allows the Ministry of Interior to arrest and detain any individual for two weeks extendible in equal periods up to six months, and even for another period of six months on consent by Prime Minister. In cases relating to national security, this period is duplicable.

Article 5 allows Ministry of Interior to seal off crime scenes and relevant places. an appeal of the (extended) sealing off, according to the same Article, is to be presented to the Prime Minister.

### **B. Anti-Terrorism Act 3, 2004**

1. Article 1 of this Act widens the definition of a terrorist crime to include any felony provided for in the Penal Code or any other code if the perpetrator commits any act of violence, force, threat or terror with the intention of hindering the provisions of the Constitution, the law, causing public disturbance, jeopardizing public peace or order or harming national unity; that is an act that may cause harm or panic to individuals, jeopardizing lives, freedoms or safety of the public, public health or the environment, national economy, institutions, public or private properties or taking possession of the same, or restricting or impeding the proper functioning of public authorities.

2. Anti-Terrorism Law is regarded, as all other anti terrorism laws, as a means of restricting civil rights of individuals and violating personal freedoms and privacy.
3. Article 13 prescribes punitive measures in contrast with human rights principles, particularly Freedom of Movement and Residence even after the sentence has been fully served.
4. The Act does not observe rules of the new Criminal Procedure Code 23, 2004, as it has extended the period of prosecution office-ordered protective custody for fifteen days extendible for similar periods up to six months at maximum. However, this period of six months is thereafter indefinitely extendible by a competent court order. Article 19 allows the Prosecutor General or public attorneys delegated by him to restrict civil rights, i.e. the right to freedom, safety, privacy, freedom of communication and correspondences, in violation to international standards and rules of Criminal Procedure Code 23, 2004.

### **C. Qatari Citizenship Act 38, 2005:**

Citizenship acts worldwide are undoubtedly among the most important and far-reaching legislations since they are the only means available to determine nationalities and citizenship rights. The Qatari Citizenship Act 38, 2005 has been enacted on 30<sup>th</sup> October 2005 and published in the official Gazette on 29 December 2005, effective as of 29 January 2006 pursuant to Article 142 of the Permanent Constitution of Qatar.

This Act and its provisions are constitutional pursuant to Article 41 of the Constitution. Article 25 of the Act provides for the nullification of Qatari Citizenship Act 2, 1961. The following is the NHRC feedback on the Qatari Citizenship Act 38, 2005.

- The first Article of the Act determines who a Qatari national is and restricts them to only four groups, namely:

Settlers in Qatar before 1930 who maintained their usual settlement in Qatar and their Qatari citizenship up to effective year of the Qatari Citizenship Act 2, 1961.

Individuals of proven Qatari origins, even if the above provision does not apply to them, for whom a royal decree has been issued in this regard.

Individuals who restored their Qatari citizenships pursuant to provisions of law.

A person fathered by a Qatari father in Qatar or abroad according to previously stated provisions.

The Act, hence, has basically determined who a Qatari national is in the first provision based on a settlement in Qatar before 1930, in addition to another almost unattainable criterion: maintaining usual settlement thereof, since Qatar had no controls for admittance and traveling till 1970s.

In the second provision, the Act disregards settlement conditions before 1930, maintaining usual settlement in the country and maintaining Qatari citizenship up to the year the Act 2, 1961 was effective, restricting the criterion thereof only to proven Qatari origins which is difficult to make sure of.

In the third provision, the Act limits a Qatari national to individual who restored their Qatari citizenship pursuant to provisions of law, which means here Article 7 of the same Act, providing necessarily for settlement in Qatar for three successive years, legal means of livelihood and good reputation and behavior.

All previous feedback, however, apply to the fourth provision.

- The second article provides for giving the Qatari citizenship to a non-Qatari national by a royal decree when certain conditions are met, including a 25 successive years of usual stay in Qatar with annual period of traveling abroad not exceeding two months along with intention to return, a legal means of livelihood, good reputation and behavior and good command of Arabic.

The second provision of the second Article stipulates that "priority is given to Qatari-mother individuals to get the Qatari citizenship according to this Article."

The Act, then, does not recognize the right for a Qatari woman's children to the Qatari citizenship. It rather prioritizes giving Qatari citizenship to Qatari-mother individuals who meet conditions referred to at the beginning of the second Article: a 25-successive-year stay in Qatar, a legal means of livelihood, good reputation and behavior and good command of Arabic, while a Qatari mother would be in bad need of Qatari citizenship to her children at an early stage of their life so they can enjoy citizenship rights particularly health care, residence, education, right to property, work and other rights that overburdens a mother.

- The third provision of the second Article regards an individual a Qatari-naturalized as long as they are born in Qatar or abroad by a Qatari-naturalized father. The rule of naturalization is, however, that every one fathered by a national with a specific nationality receives that nationality and becomes a native, not naturalized, citizen.

The fourth provision of the second Article regards a newly-born in Qatar for unknown parentage a naturalized, not native, Qatari. A foundling is a Qatari-born unless proven otherwise. Thus, a foundling is accorded better position than a newly-born for a Qatari mother.

- the eighth Article gives a woman who marries a Qatari according to the relevant law the right to Qatari citizenship by law if she notifies Minister of Interior of that in writing, with her marriage existing for five years. This five-year period is somewhat long.

It is worthy to mention that the Act does not give that very right to a Qatari woman married to a non-Qatari national. This is but a discrimination against women and a flagrant violation to international naturalization standards. In this regard, we have the ninth Article of International Convention on the Elimination of All Forms of Discrimination against Women which reads "signatories shall give women equal rights to those given to men in terms of naturalization, citizenship change or maintenance."

- Article 10 regulates naturalization of a Qatari woman when married to a non-Qatari national. The same article prevents denaturalization of a Qatari woman unless she is proven to have acquired her husband's citizenship.

- Article 12 provides for denaturalization of naturalized Qataris in many conditions in a clear discrimination against the naturalized. We demand reconsideration of some of these conditions such as final indictment in a criminal act, immoral crime, public job firing, ungrounded traveling for more than one year and for public interest reasons. All of such reasons do not justify denaturalization or, at least, too loose.

- Article 15 contains a discrimination between a Qatari and a re-naturalized Qatari albeit, of Qatari origins, in terms of the right to appointment or nomination for a legislative body until ten years have passed since re-naturalization. This is but an ungrounded discrimination as long as the person involved is of Qatari origins.

- Article 16 features a discrimination between a naturalized Qatari and a native Qatari in terms of the right to public service or generally to work until five years have

passed since naturalization. This discrimination might be observed in other laws regulating political rights, but not economic and social rights. Such discrimination is but a violation to the right to work.

Article 16 stipulates "no naturalized Qatari has the right to nomination, election or appointment in any legislative body." What is comprehensible here is that law-makers divide the Qatari society into categories and "first-class" citizens who enjoy all rights of citizenship including political ones on one hand, and "second-class" citizens who do not enjoy any political rights for their whole life, with the same applying indefinitely to their offspring although they are Qataris and of Qatari parents save for a naturalized father or ancestor. Law-maker should have considered a period of five years, for example, after which a naturalized Qatari can exercise his political rights. They should have also regarded every newly-born for a naturalized Qatari a native Qatari since being naturalized does not extend to the offspring of a naturalized Qatari as long as the newly-born is fathered by a naturalized Qatari. This is particularly true since the penultimate provision of the second Article reads "every one born for a naturalized Qatari in Qatar or abroad in a naturalized Qatari." This applies to individuals and their lineage no matter how far they go.

#### **D. Entry and Residence regulation Act , 2006**

The first Article of this Act allow the Minister of Interior to issue visas and residence permissions – for certain groups – as exceptions from provisions of Entry and Residence of non-Nationals Act 3, 1963 and Non-Nationals' Sponsorship, Residence and Travel Regulation Act 3, 1984. Groups referred to are: Investors, owners and beneficiaries of real-estate and housing units pursuant to provisions of the Act 17, 2004, or any other groups identified by a cabinet decree.

The fourth Article provides for granting residence permissions for the spouse, children and parents of the one granted residence without the precondition of work in the country.

The fifth Article provides for the right for the permitted residence to travel within their residence period without prior permission.

The seventh Article allows the Minister of Interior, or his authorized delegate, to respite the permitted residence or their family members – in case of residence expiry of renewal refusal – for a maximum of ninety days to leave the country as of the expiry of refusal date.

Law-makers have been right to enact such Act as it ensures freedom of movement, the right to residence and property and the right to housing for groups identified in the first Article of the Act. This Act, however, is criticized for discrimination between non-nationals as dividing them into the haves the have-nots. This is contrary to the right to equality and non-discrimination under any conditions.

#### **E. State-Running and Succession Act 15, 2006:**

This Act has been enacted pursuant to the last provision of the eighth Article of permanent Constitution which stipulates that "all matters related to state running and succession are to be regulated by an ad hoc Act to be enacted within a year of the effective date of Constitution, and the Act shall have the power of a constitutional provision."

Hence, this Act is constitutional and has an integral effect to the Constitution as clearly referred to in the above-mentioned Article. Its provisions have accordingly the

power and legality of the permanent Constitution which comes at the top of the legal system in the country.

The first Article of the Act explains the system according to which the state is run and ways of succession according to the order mentioned in the above-mentioned Article and Articles 3-6 of the same Act.

Articles 7-13 of the same Act provide for the establishment of the Ruling Family Council, its formation, number of its members, areas of competence and the mechanism for taking decisions within the Council in accordance with Articles 14 and 15 of the Permanent Constitution.

The Act also provides in Article 12 for the establishment of a "regency council" whose members shall be chosen by the Ruling Family in cases explained in the above-mentioned Article.

The Act provides, in Articles 15, 16 and 17, for the mechanism of that council, the majority percentage needed for decision-making and its term.

#### **F. Private Associations and Institutions Act 12, 2004 as amended by Act 8, 2006:**

The above-mentioned Act 8, 2006 has introduced amendments to Articles 2\last provision, 31 Act 12, 2004. The amendments include two new provisions:

The Act excludes, according to the last provision of the Article 2 "as amended", associations founded regionally or internationally with a percentage of non-Qatari founders and members, whose percentage must not exceed 20% of an association's members.

Article 31 – as amended - allows an association to join or partner with any association, body or a club outside the country after securing the agreement of Minister of Civil Service and Housing.

Law-makers have appropriately introduced such amendments since regional or international associations typically involve a high percentage of non-Qatari members. Additionally, to allow an association to join or partner with any other association, body or club based offshore after securing competent minister's consent is to give more momentum to activities of such associations along with their commitment to their own activities, thus ensuring the right to assembly and associations as a basic right guaranteed by international conventions (Article 1\20 of the Universal Declaration of Human Rights.)

It is worthy to mention that the NHRC as a number of reservations over Act 12, 2004 previously referred to in its earlier reports.

#### **G. Act 22, 2006 to enact Family Law:**

The Act, in its second Article, provides for the establishment of "Family Court" to settle disputes related to family affairs and legacies. This Court is to constitute one or more jurisdictions within the First Instance Court and the Court of Appeal jurisdictions. A single Judge may handle Family Court proceedings within the First Instance Court to settle family-related disputes and claims.

Law-makers have appropriately introduced this Act since it provides for settlement of all family-related disputes and claims before one court which means easier litigation process – being one of the most important rights – along with easier litigation proceedings for both judges and litigants thanks to "Competent Judge" system. The whole system therefore involves swift settlements and better environment for more accuracy and innovation; a prerequisite for effective justice as one of the basic human rights.

The Act, in its third Article, provides for the adoption of the most appropriate *Hanbali* opinion in cases not covered by this Act unless the Court adopts another opinion based on reasons clearly stated in its ruling. Where the rule of the most appropriate *Hanbali* opinion or coverage by the Act does not apply, the Judge shall refer to what he deems appropriate of opinions ascribed to the Major Four Schools of *Fiqh* (Jurisprudence). If this is not feasible either, he shall refer to general Juristic rules of Islamic *Shari'ah*.

This provision's significance proved well as it broadens the range of alternatives for the competent court - in cases not covered by law – to optionally refer to one of the Major Four Schools of *Fiqh* (Jurisprudence) when it deems the School chosen more appropriate to the dispute under consideration, and in accordance with the court's sole discretion in favor of the ultimate justice.

The fourth Article of the Act stipulates that "the Law applies to those governed by the *Hanbali* School of *Fiqh*, others shall be governed by their own terms. Family matters of non-Muslims shall be governed by the respective laws of the group concerned. In all cases, this Law applies whenever non-Muslims ask for it or when they are different in terms of religions or religious affiliations."

To stipulate referral to respective laws and terms of their respective groups uncovered by the *Hanbali* School of *Fiqh* is consistent with standards of justice since these laws and terms represent the environment in which legal positions of litigants have been set, not speak about their will to be governed by such laws and terms which makes such trend a fairer approach for parties involved. This is clearly obvious when it comes to disputes related to marriage contracts such as divorce, alimony, custody and guardianship.

The Law fully regulates all family-related matters in five sections with 301 articles in addition to articles of enactment. The first section handles marriage advances and regulations with principles of engagement fully detailed, while the second section principles of marriage contract, terms of validity, eligibility of contract's parties, prohibitions based on lineage and affinity reasons, terms of guardianship, eligibility and testimony, as well as dowry conditions and related disputes. In its third and fourth sections, the Law deals with types of marriage and conditions related marriage contract. As for the fifth section, it deals with couples' rights, while the sixth section is dedicated to alimony for marriage household, relatives, foundling and rules of lineage authentication.

In its second section, the Law provides for terms of spouse separation, with the first chapter dedicated to types of separation while the second dealing with divorce terms. The third chapter, however, is dedicated to terms of *Khul3'* (divorce in return for a monetary compensation by the wife to the husband), the fourth provides for terms and rules for separation enforced by judiciary, while the fifth provides for consequences of separation in terms of child custody and *3'ddah* (the period after a separation during which woman is legally unmarriageable).

The Law, in its third section, provides for rules and terms of eligibility and guardianship.

The fourth section of the Law states rules and terms for gift and will, and bases and conditions of both.

In the fifth section, the Law provides for terms and rules of inheritance, detailing cases of divine-decree and will-based inheritance, terms of disinheritance, redistribution of the remainder if inheritance and sustenance, inheritance of relatives on the maternal side. The Law is wrapped up by rules of disassociation.

#### **H. Act 23, 2006 to enact The Bar's Act:**

The Act provides for terms and regulations of legal practice (Bar practice). Its fourth article abrogates the Bar's Law 10, 1996.

The Act allows a non-Qatari Lawyer to plead before Qatari courts on a permission by the Minister of Justice.

Article 9 of the same allows non-Qatari lawyers, who work for Qatari offices for legal practices, to represent such offices before bodies mentioned in the Article 3. These are: courts, public prosecution offices, arbitration bodies, administrative bodies of judicial jurisdiction and criminal and administrative investigation bodies, provides that they are licensed practitioners of the Law profession and have no less than 3 years of experience in such Qatari offices.

The Act also allows – according to Article 32 – a lawyer to delegate a colleague for purposes of representation, pleading and other litigation practices without an ad hoc power of attorney unless it is legally necessary to. In addition, the Act allows a lawyer to delegate a colleague without an ad hoc power of attorney if the first is a major litigant in the case for which the delegation is made.

Having considered provisions of the aforementioned Articles, they are a major step forward to enhance human rights conditions and facilitate the right to litigation in general and the right to defense in particular as both are among basic human rights, not to speak about promoting the right to equality and non-discrimination between nationals and residents. The NHRC, however, regards the condition set by lawmakers in Article 9 - to have no less than 3 years of experience in Qatari offices for legal practices in order to represent the respective office before the abovementioned bodies – as but an overstatement since such condition would undermine any potential benefit from those to whom the condition applies for the period set, resulting in more burdens on Qatari lawyers. This is particularly true when some of those to whom the condition applies have a long experience back home. The NHRC recommends this group to be treated by analogy with judges and public prosecutors hired from other countries, or to have such period cut for 1 year; a period regarded by the NHRC as pretty enough for non-Qatari lawyers to get acquainted with the Qatari legal and judicial system. Article 34 of the Act criminalizes any verbal, behavioral and allusive aggression against a lawyer because of or in the course of practicing his profession, with any of such conduct punishable by the same penalty for that very crime when committed against a court member - as stated in Article 2\166, Penalty Code - which reads: "a maximum of 2 years in prison and a maximum fine of 10.000 Riyals, or one of them."

Undoubtedly, lawmakers, in this very provision, have ensured the rights of defense as being one of the most enshrined rights firmly established by several international conventions, especially the U.N. Basic Principles on Role of Lawyers, Sep. 1990. This is a right, when ensured, enables a lawyer to conduct his sublime work in a safe environment that protects him against any aggression because, or in the course of, practicing his profession. Having the same penalty for the same crime if committed against a lawyer of a court member is commendable as lawyering is the "standing" judiciary and the position of a judge is the "sitting" one, and both constitute the two scales of the judicial system.

Relevant to this is provisions set in Article 35 of the Act which provides for the illegality of arresting a lawyer, placing him under protective custody or interrogation, or searching his office on grounds related to his profession unless by the head of the relevant public prosecutor office – no lower rank allowed – as acting upon a judicial order by the respective judge. These conditions do not apply in cases where a lawyer is caught red-handed.

### **I. Building Superintendence Act 29, 2006:**

The Act assigns building superintendence to Ministry of Agriculture and Municipal Affairs' competent municipalities in order to adopt necessary measures to ward off any potential dangers of collapse or any other contradiction to the architectural consistency through directing respective owners to maintain or demolish buildings pursuant to provisions of the Act.

The Act provides for the formation of "Ministry of Agriculture and Municipal Affairs' Maintenance and Demolition Committee" which shall have the authority to review and survey buildings referred to it by the competent municipality and take appropriate decisions in terms of maintenance or demolition. Any decision so taken shall be communicated to the owner through the typical administrative channel. Accordingly, the Act deems the owner responsible for the enforcement of all Committee decisions, with the right to appeal guaranteed before the Minister Agriculture and Municipal Affairs within 15 days after the decision. Any neglect on the part of the owner is punishable by a fine not less than five thousand but not more than twenty thousand Qatari Riyals.

Provisions of the Act are definitely in place as they enhance and protect some basic human rights on top of which is the most important right: the right to live. It is undoubtedly dangerous to ignore ramshackle buildings. Such provisions are to enhance the right to physical and personal safety and to a safe home.

### **Measures and decisions:**

#### **Royal Decree 15, 2006 to extend Shura Council period from July 1<sup>st</sup> 2006 to June 30<sup>th</sup> 2007**

Cabinet Decree 38, 2006 on pensions due to those provided for in the provisions of the Social Security Act, 38, 1995 which raised monthly pensions for the following: Female widows, divorcees, needy families, the disabled, orphans, the fatherless, incapable of work, the aged, families with imprisoned providers, deserted wives and families of missing providers.

#### **- Minister of Civil Services and Housing's decision 9, 2006 on work hours at work places:**

The decision limited work hours in open or under-the-sun areas to five hours, and such period shall not begin after 11:30 a.m. nor shall it be resumed afternoon before 3:00 p.m. (first article of the decision). The decision provides for the closure of uncomplying workplaces.

This decision observes the humanitarian sides of such works as relevant workers are so simple that they would agree to bad working conditions lest they should lose their jobs or out of bad need of their daily sustenance. The decision, however, provides in its last article for enforceability as of June 15<sup>th</sup> 2006 to August 31<sup>st</sup> 2006 much to the impermanence of the decision. It would've been more reasonable to limit its enforceability to this very period each year in view of high temperature and humidity during that period of the year.

#### **Cabinet Decree 6, 2006 stating terms and conditions for non-Qataris to real-estate and housing unit usufruct.**

- The Cabinet Decree allows non-Qataris to use real-estate and housing units for a period not exceeding 99 years equally renewable.
- The Decree limits usufruct to 99 years.
- Allows for another equal period (only one).
- Restricts the decision to usufruct, excluding the right to ownership.

- Restricts the right to usufruct to investment areas.

**Minister of Civil Services and Housing's decision 14, 2005 on the approval and establishment of the Japanese-Qatari Friendship Society**

- **Minister of Civil Services and Housing's decision 15, 2005  
On juvenile work restrictions**

- The ministerial decision defines works prohibited for juveniles (under 18) according to restrictions stated in the first article of the decision on human grounds and to keep them away from harms associated with such works.

- **gnisuoH dna secivreS liviC fo retsiniM's decision 16, 2005  
On healthcare regulation for workers at  
organizations.**

**The decision provides for healthcare provision for workers.**

- **gnisuoH dna secivreS liviC fo retsiniM's decision 17, 2005**
- **On requirements and specifications of appropriate worker housing.**

- **gnisuoH dna secivreS liviC fo retsiniM's decision 18, 2005  
On statistic models for work-related injuries and illnesses and how to report  
them.**

The decision defines and standardizes concepts related to work-related injuries and serious accidents to avoid overlap in practical environments. In addition, it lists all and every work-related injury in the table attached to the decision, as well as employer obligations towards employees and management.

**gnisuoH dna secivreS liviC fo retsiniM's decision 19, 2005  
On medical examination of workers with potential work-related illnesses.**

**gnisuoH dna secivreS liviC fo retsiniM's decision 20, 2005  
On obligatory precautions and requirements  
At worksites to protect employees, workers  
And frequenters against work-related hazards.**

#### **4. Court Rulings**

The NHRC has detected lengthy court trials, particularly for worker cases, with estimated period of 6-12 months per case. This goes contrary to Article 10, Labor Act 14, 2004 which provides for quick and feeless settlement of worker cases.

The NHRC also has detected lengthy interrogations in some cases before Public Prosecution offices, with interrogations taking 6-12 months and excessive use of protective custody by both Public Prosecution offices and judges.

The following is statement of the number and types of human rights-related cases that took place in 2006.

**1. Cases related to the right to life**

Charge	Cases	Settled	Pending
Murder	4	4	-
Attempted Murder	1	1	-
Threat to Kill	14	14	-
Assault	521	501	20
Kidnapping	7	5	2
violence	3	2	1
<b>Total</b>	<b>550</b>	<b>527</b>	<b>23</b>

**2. Family-related Cases**

No.	Case Classification	Number of Cases	Settled	Pending
1	Family Violence	26	2	24
2	Mal-cohabitation	39	6	33
3	Provision of Residence	47	6	41
4	Alimony	189	69	139
5	Alimony Increase	47	10	37
6	Custody	131	46	85
<b>Total</b>		<b>479</b>	<b>139</b>	<b>340</b>

**Case Total: (22850 cases)**

**A. Number of cases pending before Labor Courts (summary jurisdiction) in 2006 and their progress**

Cases received	Settled	Pending
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1260	605	655
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**B. Number of Labor Cases Pending before Labor Courts (full jurisdiction)**

Cases received and Considered	Cases Settled	Cases Pending
268	145	123

**Section 2**

**The Situation of Human Rights and Basic Freedoms over 2006**

This section reviews the situation of human rights through a critical view and tries to define accidents and responsibilities, propose policies to deal with them and act to achieve the results sought-after. This is attainable through shedding light on basic rights and freedoms, whether civil, political, economic, social or cultural, with a prime focus on rights of the most-favored, as well as giving due attention to important issues that should be studied and settled to enhance human rights conditions in Qatar.

**1. Civil and Political Rights**

**A. Basic Rights**

- The right to life.
- The right freedom and personal safety.
- The right to fair trial.
- Prisoners and other detainees treatment.
- The right to equality.
- The right to nationality.

**- The right to life and forced disappearance**

The NHRC did not record any violation whatsoever to the right to life with the jurisdiction of public authorities during the period covered by the report; a positive indicator to the protection of the right to life.

As for forced disappearance, the NHRC did not record, nor did it receive, any complaint relating to a forced disappearance.

The NHRC, however, recorded few disappearances. With careful investigations, persons involved came out to have had traveled to Iraq to join Iraqi resistance. No news could be traced for such persons after travelling.

**- The right freedom and personal safety.**

The NHRC still regards enforceability of Society Protection Act17, 2002 as a violation to the right to freedom and personal safety as persons are kept in custody for lengthy periods without trial while being unable to appeal custody orders before courts, which is similar to emergency laws applicable in other countries. Moreover, this Act is permanent and follows a static type of enforceability while emergency laws

are temporary in nature. The NHRC recorded two cases where persons were detained at the central prison pursuant to the Act aforementioned.

State Security Service Establishment Act 5, 2003, and Anti-Terrorism Act 3, 2004, according to the NHRC, represent violations and restrictions to the Rights to freedom and personal safety as the first allows State Security Service to detain a person for up to thirty (30) days without interrogation, while the second allows public prosecution offices to detain suspects for six (6) months – indefinitely extendable - without trial before Competent Courts.

State Security Service has detained some individuals in 2006 for periods exceeding the terms legally allowed, including the case of H. Sh. – a Jordanian-Palestinian, and M. S. H. – a Syrian, both detained since March 21<sup>st</sup> 2005. In addition, a Qatari, A. M. A. A., was found to be detained since Jan. 26<sup>th</sup> 2006.

The NHRC recorded lengthy periods of detention for some deportation detention cases, with more than 6 months in detention and, sometimes, for more than 2 years without any legal ground while placing such cases under inhumane psychological and physical conditions. Furthermore, such cases are not informed of the legal grounds for their detention, while placed constantly under deportation threats. Much to their detriment, they are kept in crowded cells, that's why the NHRC regards the investigation of such cases and conditions as a priority to the authorities concerned, with deportation or sponsorship as a solution.

The NHRC noticed mistreatment of individuals by Investigation and Follow-up Department, use of threatening style during investigations and occasional call-ups ostensibly to complete relevant procedures only to have them present to place them under arrest at deportation detention centers.

### **- The Right to Fair Trial**

Protective custody, as an investigation and trial procedure in criminal issues, is still considered in some cases as a separate penalty. The NHRC noticed extensive use of such penalty by investigation authorities, the thing that entails the right for the accused who later prove innocents, or where investigations are closed, to compensation for physical and moral damages caused as a result of protective custody. In addition, the NHRC regards it important to amend provisions related to periods of protective custody to be commensurate to the crime committed.

The NHRC views it necessary to strictly streamline protective custody procedures, limit its use and allow for compensations for misuse or unnecessarily long protective custody after which the case at hand ends in innocence.

It is necessary to increase public prosecution members, along with training and development programs, judges and jurisdictions, to train and develop judiciary assisting bodies and to filter laws out to exclude procedures leading to lengthy litigation.

It necessary to find room for extra-judicial settlement of labor disputes through activating negotiation and arbitration committees provided for in Labor Act 14, 2004. This is regarded as necessary by the NHRC due to lengthy settlement procedures especially in labor cases, 300-800 Riyals as due expert fees per worker while they lack their daily subsistence not to speak about lay-off, and lack of timely payments: all of which deny a worker his right to litigation and a fair trial before a fair, independent, neutral and competent court.

Slow litigation is a very serious issue that leads to violation of the right to a fair trial. The NHRC recorded lengthy investigations at public prosecution offices with periods, sometimes, exceeding a whole year.

Any impunity against judicial supervision for any decision or action is but a violation to the right to go to court. Law-makers recently used to give such impunity to certain administrative decisions and actions.

The NHRC urges law-makers to define the competent judicial body with the authority to determine the constitutionality of laws and regulations provided for in article 140 of the Constitution in order to filter out impractical laws and eliminate the disadvantage of unconstitutionality.

The NHRC urges law-makers to immediate identification of the body empowered to settle administrative disputes in accordance with article 138 of the Constitution so every person can exercise their right to go to court and appeal against administrative decisions to ensure the rule of law and protection of individual rights against arbitrariness of administrative bodies.

### **- Treatment of Prisoners and other detainees**

Despite the continuous efforts of the Ministry of Interior to improve the situation of prisoners, the situation of prisoners at deportation detention centers is still tragic and in really bad need of change, where detainees are about 1500 without a ruling or an order by investigation authorities while still under custody for more than 2 years for some cases. Such conditions must be reconsidered seriously and as soon as possible.

Detention of large numbers of foreigners, most of whom are simple workers undertaking simple jobs, and quite often they have had an uncomplicated civil dispute with their sponsors. The dispute is usually in the form of the sponsor not providing the worker with an air ticket, or that the sponsor has reported the worker has fled him and in effect canceling the workers resident permit. Such workers live in large numbers within a single room or ward despite the availability of many wards. Sponsors usually do so to limit expenses of security and services.

- Central Prison detainees still suffer from the outbreak diseases especially Hepatitis C.

### **- The right to equality**

The NHRC has witnessed violations to the Right of Equality before law represented in discrimination between men and women in job opportunities, salaries, benefits and other advantage related to employment.

Similarly, the NHRC has witnessed lack of supervision over public servants, with the number of drop-outs on the increase leading to negative consequences in terms of job responsibilities due to impunity, nepotism and reliance on relatives.

The NHRC has also witnessed some cases where Qataris have been denied certain positions on security grounds. When complaints are submitted to relevant bodies, the response is the dismissal of such complaints for the public interest. No reasons are offered.

The NHRC has also noted discrimination in terms of loan openings for senior officials, lands and houses allocation; all of which are given to a Qatari national while denied to a naturalized Qatari. Such discrimination contradicts Sections 34 and 35 of the Constitution which provide for equal rights and obligations for all citizens.

## **- The Right to Nationality**

The new Nationality Act 38, 2005 has been enacted. It has already been tackled by the NHRC in the first section of this report.

As for denaturalization of about 300 families (5000 – 6000 persons), a large number of them have been re-naturalized over 2006 while the rest are still under consideration. The NHRC follows up this issue seriously for its importance and connection with a lot of Qataris, not to speak about connections with several rights enshrined by the NHRC.

Furthermore, there are a number of the stateless who hold Qatari IDs or do not have any but have been living in Qatar for a long time. It has come to the knowledge of NHRC that there is a committee concerned with the stateless and works for better legal conditions for them.

A number of Yemeni-born Qataris have been denaturalized in spite of the fact that most of them have been born and have lived in Qatar and know nothing about Yemen. The NHRC has recorded such cases and placed them under legal consideration. Competent authorities will be asked to address such conditions and provide suitable solutions pursuant to applicable laws and regulations.

## **2. Public Freedoms**

- Freedom of Opinion and Expression
- The right to Peaceful Assembly
- The Right to Form Associations, Parties and Unions
- The Right to Participation in Public Affairs Administration.

## **Freedom of Opinion and Expression**

The year 2006 has witnessed more space for the right to freedom of opinion and expression in various media. The NHRC conducts its work, report development, offer statements and organizes seminars and forums in a completely free climate where no red lines are observed. Various media, written, TV and radio, conduct their work and activities. The NHRC has recorded no violations in this regard.

In fact, workers in the field of media exercise self censorship when they discuss local issues such as nationality, labor cases, the system of sponsorship, exit permits, deportation detention, children victims of camel races, house maids etc.

Al-Jazeera satellite channel still undergoes heavy pressure, while covering events on the Arab arena, most notably by the United States of America and Britain which lead to the closure of its office in Iraq and use of judicial and security means to pressurize Al-jazeera to clamp down on it. The channel has also undergone temporary closure of its offices while perusing its correspondents in some Arab countries.

The NHRC has also noted the activities undertaken by clubs, schools and universities represented in the form of lectures and debates on various issues in which speakers and others expressed their opinions freely.

As for opinion prisoners, the NHRC has not received any complaints that may indicate the presence of such prisoners in Qatar over 2006.

There is still rigorous censorship over certain websites particularly those related to Islamic resistance in Iraq and Afghanistan and other websites of sexual content.

### **The right to Peaceful Assembly**

The Right to Peaceful Assembly and Marching Act 18, 2004 has been enacted, however, law-makers tried to organize such with many restrictions on its exercise, with the right turning into a restriction. The NHRC has already studied this Act and provided its views which were published in its 2004 Annual Report.

The NHRC, however, has not received any complaints relating to violations of this right.

During 2006, two demonstrations have been stages in solidarity with Palestine. Almost every society segments has taken part in these demonstrations.

### **The right to Form Associations, Parties and Unions**

The right to form political parties and trade unions was not embedded in the new Constitution, unlike the right to form associations.

Private and Professional Associations Act 12, 2004 has been enacted to organize the right to form private and professional associations which closely resembles unions. Carrying out activities irrelevant to associations' affairs is prohibited. The Act has also imposed many restrictions on the exercise of the right to form private and professional associations.

The Act restricts associations' activities to professional and sport activities as well as certain professional matters. It regulates issues of licensing, penalties and dissolution of such associations. Membership of such associations is the same among them.

Several associations have been formed over 2006.

The NHRC draws attention to the fact that restrictions imposed by the Act at hand is but a hindrance to the growth of the already nascent civil society organizations due to the lack of civil society culture. The NHRC has witnessed a number of administrative hurdles to association formation, including extensive consideration of terms of association and regulations, bureaucratic practices of meticulous commitment to forms of terms of association and regulations of formation.

### **The Right to Participation in Public Affairs Administration.**

The State has continued its steady steps towards a democratic transformation and political reform. Exercise of Political Rights Act is yet to be enacted and the NHRC is looking forward to that enactment.

## **2. Economic, Social and Cultural Rights**

- The Right to a Dignified Life
- The Right to Work
- The Right to Education
- The Right to Residence
- The right to Health

The new Constitution has ensured a number of economic, social and cultural rights. This in turn has placed an extra burden on the State to respect these rights and enable citizens to exercise them.

The Qatari leadership always stresses commitment to human development, good governance, democracy, state of institutions, rule of law, transparency, accountability and independent judiciary.

### **The Right to a Dignified Life**

The right to a dignified life is one of the most basic rights and the basis of the social and cultural rights as well as civil and political rights.

This right is closely connected with poverty. Therefore, the State must provide a sufficient standard of living to individuals and families in order to save its citizens from poverty and need. Poverty leads to grave social problems and creates an environment that encourages extremism, crime and corruption.

The United Nations Human Rights Committee has classified poverty as one of the worst forms of violations to human rights.

States have come to a mutual understanding in the United Nations Millennium Declaration that eradication of poverty is one of the major aims and objectives and which the International community is supposed to work on its realization by the year 2015.

The Cabinet Decree 38, 2006 on pension due to categories provided for in the Social Security Act 38, 1995 and relevant regulations. The decree has increased the monthly value given to the following:

Female widows and divorcees, needy families, the disabled, orphans, foundlings, those unable to work, the aged, families of prisoners, deserted wives and families of the missing.

The NHRC has observed that despite the States best efforts to combat poverty through increasing salaries by 40% pursuant to royal decree by His Highness Crown Prince Sheikh Tamim bin Hamad bin Khalifah Al Thani, improving the availability and standards of education, employment, the right of subscription of nationals to company shares. The NHRC still notices poverty among a small number of citizens. The way forward to abolish poverty is to expand, most notably by providing private-sector job opportunities for Qatari nationals, employment opportunities, change concepts towards certain work fields, illiteracy elimination, employment of the disabled or persons with special needs in order to obtain equality in the distribution of wealth, equal opportunities and overcome any aspects of nepotism.

The NHRC is of the opinion that poverty should be defined in relation to state income level.

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### **The Right to Work**

The right to work is one of the basic economic and social rights for human beings. It encompasses the right to work and the right to choose the type of work, to be protected against unemployment, to be given equal rights for equal working hours, to be granted the right of organization and assembly, the right to a rest and the right to work under safe and healthy working conditions. This right is one of the most violated

with regard to housemaids and simple workers in companies particularly contracting companies. A detailed account is given at a later stage under the Rights of Workers.

### **Unemployment**

The NHRC still strongly requests the implementation of insurance against unemployment along with strict guidelines and terms that urge young people to seek job opportunities whether in the public or private sector rather than limiting their efforts to the governmental sector.

### **\*The Right to Labor Unions**

The right to form labor unions has been provided for in the Labor Act 14, 2004. However it is impossible to realize the figures stated in the Act that an organization or a factory should include one hundred (100) Qatari employees, which is impossible to realize under the current job structure. That's why an immediate amendment is needed.

The Act also provides for the right to strike, but has heavily restricted it so much as to make it practically unattainable.

### **\*Health issues and Security and Safety Precautions**

There are new criteria in this regard, but commitment to them is below minimum standards. Additionally, there is no effective supervision or strict accountability in place. The new Labor Act 14, 2004 has provided for a number of procedures and precautions in order to ensure the safety and security of employees, such as medical care and supervision. Such conditions and criteria are not implemented on the ground.

### **\*Insurance and Contractual Rights**

Insurance rights are among the most important economic and social rights. The existence of such rights, with full attention quantitatively and qualitatively, is but a reflection of social progress of a nation. The lack of an insurance scheme to protect against unemployment is considered a violation to this right.

Generally speaking, it is the expatriates who suffer violations because of the sponsorship system which involves many flaws including: the inability for a worker to change their working conditions, arbitrary practices by sponsors, employer must grant the exit permit, default on payments due to workers, difficulties with transfer of sponsorship, withholding workers' passports, lack of adequate accommodation, shortage of food, advertising housemaids as if commodities, involuntary long hours of work, battering, lashing, detention, and sometimes sexual harassment or rape. When workers demand their entitlements or complain about the treatment, they get accused of theft and then forced to work without payment. There are other problems relating to labor disputes such as lengthy proceedings, expert fees and custody at deportation detention centre. Additionally, workers usually do not want to complain about the treatment they have lest they should lose their jobs and get deported. There is no controlling and duly empowered body to handle such conditions with complete neutralism and transparency.

### **The Right to Education**

The right to education is but an essential guarantee to economic development for the benefit of society as a whole in addition to self-improvement of individuals and positive community commotion. The state has made numerous reforms to education, particularly those made by the Supreme Council for Education. The right to education includes the right to knowledge, the right to scientific research and the like. Recognizing this fact, the State of Qatar is committed to offer free education up to university education. However, there are still hurdles that prevent Qatari student from university education. This is mainly due to the Supreme Council for Education policies as the NHRC has recorded some cases where students were denied education abroad by the relevant educational body even at student's own expenses.

Private sector, foreign bodies and some civil society sectors offer educational services, leading to various kinds and qualities of education from the government-run institution that accommodates vast segments of society and privately-run education renowned for its high expenses, to independent education which is still in the pipeline.

The right to education is related to the right to information. Government efforts with regard to e-government and internet-based services are undoubtedly a step forward to better exercise of the right to information.

However, there still remain some restrictions the limit free flow of information which is the prerequisite to exercising the right to knowledge, particularly restrictions imposed on freedom of expression and the Internet.

Closely related to the above is the free scientific research. A step towards better scientific research conditions has been taken in 2006 with 2% of the GDP dedicated to scientific research. The NHRC requests more allocations in this respect and the protection of the right to free flow of information.

In general, the NHRC deems it necessary for the Council to undertake supervision over the educational system and develop neutral reports that should be transparently and publicly availed in order to evaluate the performance of educational institutions periodically.

### **The Right to Residence**

Article 25 of the Universal Declaration for Human Rights encompasses the right to housing as a basic right that all individuals should be entitled to. This right is closely associated with the right to work, the right to education, the right to a dignified living and the right to medical care.

This right is not only associated with building housing units, land allocation and loans, but also related to urban planning policies, provision of infrastructure including roads, water facilities, drainage, electricity and all that is relevant to basic social services. It also relates to other factors such demographics.

Many companies directed their investments to establishing luxury residential compounds. This has resulted in the sharp decrease or even abandonment of housing projects for low and middle income households, which in turn affects the poor, workers, the expatriate and the youth due to skyrocketing rents.

The NHRC demands that the State intervenes in order to address skyrocketing rents. It is suggested that the State increases the number of housing units for low and middle income households, make necessary legislative amendments and fix the rent increases that a landlord can impose. The State has responded positively as a project is in progress to build a large number of housing units adequate to 300.000 residents

of low and middle income households, in addition to the enactment of Act 4, 2006 that offer temporary solutions for building and house rents.

There is a need for free accommodation for the elderly, widows, divorcees, and other categories mentioned in the Social Security Act, while developing priority standards to define most favored cases and put an end to waiting lists.

### **The Right to Health Care**

The right to health care means the right to being healthy and receiving medical care and health insurance that covers illness, disability, aging, and particularly maternal care in a way that ensures the best care possible for physical and mental health and building human capabilities.

Arab countries care about good medical services, while relevant total spending in Qatar among the highest in the Arab region, the thing that led to lower maternal mortality rates and lower mortality rates among children under five.

Medical mistakes increased over 2006, while using efficient physicians in administrative positions proved detrimental to performance in medical services.

The country still lacks a health insurance scheme. The NHRC hopes for planned and publicized medical policies that aim at focus on the health of women, children, foreign workers and house maids. It also hopes for commitment to transparent standards in terms of service distribution and enhancement, more protective care schemes, harmful behavior awareness programs including smoking, drug and alcohol addiction, early-age marriages, marriage to relatives. In addition, awareness schemes are needed for issues like AIDS, environmental approach to all projects as a major guarantee of sustainable development. Other efforts needed include containing higher medicine priced, patient waiting lists and lengthy periods (up to 2 hours) at emergency and health care centers, provision of fresh drinking water and pollution-free environment.

The NHRC is still waiting for serious steps to build a hospital for psychiatry and a unit for addiction treatment and rehabilitation.

The NHRC has witnessed lack of care inside psychiatry wards with confusion in dealing with mental and psychological disorders. It has called for immediate solutions for psychiatry and neurology department as it represent a flagrant violation to human rights especially the right to health care and adequate treatment and the right to freedom and personal safety, since the department has transformed into a place for detaining individuals whether on orders by security bodies or patients' relatives to get rid of him of as a kind of threatening.

The NHRC has received a number of complaints about psychiatry department patients, most of which are about hospitalization on security or family grounds rather than medical conditions.

### **Rights of Most-Favored Groups**

- \* Rights of Women
- \* Child Rights
- \* Worker Rights
- \* Rights of persons with disability
- \* Right of the Aged
- \* Role of the Civil Society

Most-favored groups are those who need care and protection most, or vulnerable groups who are likely to be extraordinarily affected by general aspects of human rights violations. Human development processes give special attention to such groups to ensure human and societal progress and development.

### **Rights of Women**

Rights of women have developed significantly over 2006 with female effective participation present in all walks of life. Main indicators in this regard include enroll increase in all education stages, better employment rates in general and in senior positions in particular, introducing females to new work fields, participation in the political life and establishing several official bodies, all of which led to addressing women-related issues and better conditions for their rights.

Despite such significant progress, new forms of discrimination against women have been recorded over 2006. This includes discrimination found in a number of legislations the involved flagrant discrimination against women, e.g. the Nationality Act 38, 205 which denies a Qatari woman married to a foreigner the right to pass her nationality to her own children, and also denying her the right, unlike a Qatari man married to a foreign lady, to pass her nationality to her husband.

### **Forms of Discrimination:**

- Discrimination in the Freedom of Movement.
- Discrimination in terms of passing nationality to the husband and children.
- Discrimination in Employment compromising the principle of equal payment for equal work. The discrimination is usually in the form of allowances such as residence allowances, or senior official loans or allocation of lands.

Women suffer in cases of custody of children whereby custody is usually granted to man as he has the means to support the child in terms of custody and residence.

### **- Family and Social Violence**

Women suffer in some instances from violence at family and society level. No accurate statistics are available because of the social taboos surrounding the issue. The culture, traditions, tribal system and customs all add to the reluctance of victims to report such incidents. Even in case of reporting, courts usually prioritize considerations of family protection and man's rights to the victim.

Housemaids do suffer from many forms of abuse and violations due to economic and social conditions that compel them to work for longer hours 7 days a week for salaries that do not afford them a dignified life. Housemaids are sometimes victims of physical and sexual violence, and they may even resort to prostitution as a last resort particularly if they fail to find alternative employment or transfer of sponsorship.

### **Women Trafficking**

Women trafficking activity has increased during 2006. With women coming for sexual services, whether voluntarily or not for prostitution or under other titles, increasing, there become certain places and networks offering such services. This kind of business has flourished due to the receiving nature of the society which opens

the door for male and female migrating workforce without families in many cases. There have been many cases where women befriend men and keep such relations for long times.

Additionally, there are explicit and masked forms of women trafficking including hiring women under poor conditions and using them for prostitution under the cover of working for hotels or cafes, etc.

Also, certain cases involve sexual harassment against women working for households or companies.

### **Child Rights**

Mortality rates among babies and children under five have decreased during 2006. Medical services offered to children have been enhanced, with medical care offered to pregnant ladies and children improving significantly, the thing that led better services for children.

### **Worker Rights**

These are one of the main challenges for the society in general and the NHRC in particular. In spite of the enactment of the new Labor Act 14, 2004 and the existence of Labor Department, violations of worker rights are on the increase due to the existing sponsor system.

Such violations represent a phenomenon with security, economic and social dimensions. Sponsorship and its transfer, the lack of freedom to move from a job to another, denial of entitlements and mistreatment of workers and bad living conditions are forms of people trafficking in some cases. Existing sponsor system is but a modern form of slavery according to international standards of human rights and the convention of forms and practices similar to slavery.

The NHRC has recorded cases where workers were used in construction, digging and concrete-making activities under severe working conditions with high temperature and humidity and in the absence of medical care leading to many injuries among them.

Simple workers – known as loose workers – are those who have been admitted into the country in large numbers and left all alone to seek jobs. They pay tributes that sometimes exceed their financial means which is a form of people trafficking. Annejmah market alone – Al-Haraj – has more than 500 loose workers every one of them pay 500—600 Riyals to their sponsor in addition to residence permit renewal fees in return for sponsorship, Not to speak about large numbers of loose workers who work in various fields and locations most of whom have never seen their sponsors.

The NHRC has recorded some cases of inhumane treatment of house maids including mistreatment, misuse, firing, working for more than 16 hours in an environment where there is no insurance against work-related risks, denial of weekly rests or going out, as well as the short arm of the Labor Act which does not cover this vulnerable group, arbitrary practices with regard to sponsorship transfer and granting travel permits, denial of entitlements and sexual harassment. In cases of disputes, such maids are detained at deportation detention centers for long periods hovering around 6 months to 2 years.

Instances of worker-employer disputes involve a worker being left jobless and stripped of their entitlements and passport while being unable to work for another employer or exercise their right to move to another job and even, sometimes,

to go their home country. If they think of claiming their rights, then they have to put up with deportation detention and waiting for almost more than a year for their claim to be considered by a court, as well as paying 300 – 800 in expert fees in spite of a clear provision in the tenth article of the Labor Act that directs to quick consideration and settlement of labor-related cases without judicial fees.

Despite the new Constitution and several recent legislations, this issue necessitates a new quick, effective, neutral and transparent to do justice to workers and protect their rights, with special focus on abrogation of Act 3, 1963 on Foreigner Sponsorship, Admittance and Residence and Act 3, 1984 on foreigner sponsorship and travel regulation, and sponsor system invalidation in order to be replaced with a contract or job opportunity system, with the contract and Labor Act used as the only tool to regulate worker-employer relations. There should be quick mechanisms to settle any aggressions by either party to a contract to protect the rights of both.

### **Rights of Persons with Disability**

Disability is described as being a state of inability for one or more of the body organs to function either partially or fully. Disability differs depending on the organ involved and the degree of inability.

The State is currently taking measures in order to integrate persons with special needs into society. The State is making every effort in order to ensure that the disabled are granted equal opportunities particularly in education and medical care. Persons with Special Needs Act stipulates that employment institutions should maintain at least two percent (2%) of its work force to the disabled. However there is no supervisory committee to guarantee that this is being implemented.

The Committee is of the opinion that legislations are not quite enough as additional services to the disabled should be provided, in addition to the quality of services provided being improved. Further studies in this respect is also important, in addition to availing many specialists and research and social care centers as well as voluntary and humanitarian work encouragement and providing financial means necessary for such efforts.

### **Notes on the Rights of the Disabled**

State and privately-run schools decline to enroll some children with disabilities without legal grounds.

Qatar University declines to enroll persons with speech and hearing disabilities: a violation to their right to university education.

Almost all state institutions and facilities go without conditions and specifications related to the disabled which allow such category access to these institutions and facilities.

The right to access the physical environment of the disabled is not established in Qatar. This fact entails restructuring this environment so a disabled can have easy access to all places, services, means of transport both private and public and communications, etc.

There are about five thousand (5,000) disabled persons who need to be integrated into the society and require the acceptance of society, inasmuch as wrong concepts in this regard should be changed.

## **Rights of the Aged**

Ar-Rumailah Hospital offers medical care for the aged. The Qatari Infirmary is under construction and it will be providing clinical care and other services.

According to the Cabinet Decree 38, 2006, pensions due to the aged have been increased by 100% so every aged can receive 2250 Riyals in monthly payment, with additional 900 Riyals for the wife and 540 Riyals for every child.

### **- Civil Society**

If the political and economic society in our country has prioritized the establishment of a true democracy and human rights promotion and development, the civil society is yet to be regularly involved in defending human rights and promoting its culture. It is a fact that propels us to demand civil society institutions to:

- Form associations that focus on human rights issues.
- Form associations specialized in the rights of certain groups, including the rights of: Women and children, persons with special needs, workers, prisoners, families of prisoners, house maids, laborers, etc.
- Establish channels of contact and communication between civil society bodies on one hand, and independent committees and governmental bodies on the other.
  - Develop a strategy of cooperation between the state and civil society bodies.

## **4. Topics of Priority**

### **A. Deportation Detention**

The NHRC has paid several visits to Investigation and Follow-up Department and Deportation Detention Center where it interviewed all detainees to find out about their human rights conditions. The NHRC has developed a number of reports and submitted them to the Minister of Interior. However, the NHRC still can record violations of human rights within the Deportation Detention Center as it comprises large numbers that sometimes amount to 1500 who would be illegally detained for long periods.

The NHRC voices its utmost concern over detaining persons for long periods.

The NHRC demand immediate measures to put an end to the grave, systematic and extensive human rights violations particularly one the most important and basic rights: the right to freedom and personal safety as large numbers at Deportation Detention detainees do have this right violated. Article 36 of the Qatari Constitution stipulates that "personal freedom is guaranteed and no person may be arrested, searched, placed under house arrest or have their freedom of movement and residence restricted unless pursuant to law."

The NHRC voices its utmost concern over long detention (4 years) at the Deportation Detention Center. Cases include Wazer Azam, a Pakistani detained in cell 7 for 4 years and 6 months on the background of disputes between him and his sponsor. Another case involving detention for 3 years is that of Sayed Ga'far Husain, a Pakistani detained in cell 7 for 3 years on the background of disputes between him and his sponsor in spite of a court ruling in his favor. He is still under arrest pending another ruling. Other cases involve 12 - 18 months in detention mostly done illegally

and on request by a sponsor, due to dispute between the detained and their sponsor or being a step to deportation, the sponsor being reluctant to pay for ticket, lack of seats on flights, reporting escape of the detained, incomplete papers or on order by a security body.

The NHRC voices its deep concern over large numbers at Deportation Detention Center (1200 - 1500 persons) despite deportation of a hundred persons a month. Total number are, consequently, very large.

The NHRC demands immediate consideration of cases inside cell 7 as they involve flagrant violations with illegal detention for long periods including cases of A. M., M. M., F. E., L. E., etc.

The NHRC voices concern over trials within the Deportation Detention Center concerning reports of escape. Such cases usually end in a deportation ruling after incomplete investigations. No consideration to how a sponsor is despotic is made.

The NHRC voices concern over 250 women and being detained and 9 children in like wise who are 6 - months to 6 years old, all of whom are detained in unhealthy conditions. A single-32m room houses 40 women which is far beyond the capacity of such a room.

The NHRC stresses that most of the female detainees are detained either to provide them shelter or as a step to be deported, on request by the sponsor, due to a civil dispute between them and their sponsors, on orders by security bodies or for begging.

The NHRC voices grave concern over arresting children inside the Deportation Detention Center where the NHRC has been able to see 9 children detained along with their mothers under harsh living conditions.

### **Recommendations:**

Consideration of cases of those detained at the Deportation Detention Center is thus a prerequisite of justice. This must be started immediately along with developing rules and regulations that govern activities within the Center. These include:

- Forming a joint committee between the Ministry of Interior and its relevant departments and the NHRC to look into Deportation Detention Center cases.

- This committee must be empowered to issue recommendations to invalidate deportation decisions or to release detainees on bail, provide grace periods and to execute immediate deportation. Needless to say such committee must be neutral, credible and quick. The committee's decisions should be approved by the Minister of Interior.

- Making full lists of the detained at the Center at the background of civil cases involving the detainees and their sponsors, releasing them on bail until cases are settled, and asking competent courts for quick settlements.

- Making full lists of cases that received pro-rulings to their entitlements and asking executive bodies to fulfill such rulings, while providing a living for those cases until rulings are enforced.

- Increasing staff members of the Department with a view to faster investigation and paper-filling procedures and decisions.

- Strict direction by the Minister of Interior to decline any arrest on requests by sponsors whosoever.

- Setting a limit for maximum pre-deportation or departure detention. We suggest it to be a maximum of 24 hours provided there is hard evidence of non-compliance with travel time by a deportee.

- Coordination with airliners to facilitate deportation of deportees for quicker enforcement of final deportation decisions.
- Fund allocation by the Ministry of Interior to provide tickets for deportees while seeking reimbursement by relevant sponsors.
- Assigning supervision and control to some body so as to manage investigation and follow-up procedures since such activities are ostensibly the responsibility of Passport Department while there is no actual supervision or control.
- Easier travel procedures, with persons allowed traveling directly through the airport without being treated as criminals or convicted.
- Coordination with Labor Department to issue necessary visas asked for by workers at the Deportation Detention Center who have been detained for being loose workers.
- It is necessary to set specific guidelines, rules and terms to detain any person at the Center.
- It is necessary to release children detained along with their mothers and to contact relevant embassies to issue IDs for such children or add them to their mothers' passports to be able to travel.
- It is equally necessary to abrogate or amend Act 3, 1963 on Foreigner Sponsorship, Admittance and Residence, and to enact an Act that restores balance to worker-employer relationship.

## **B. Sponsorship System**

Article 25 of the Qatari Constitution stipulates that "every legal resident has the right to protection of their person and property pursuant to provisions of law," however, Act 3, 1963 on Foreigner Sponsorship, Admittance and Residence and Act 3, 1984 on foreigner sponsorship and travel regulation and relevant enforcement do prevent protection provision for a resident's person and property. This is manifested in the following:

Article 321 of the Qatari Penal Code 11, 2004 stipulates that "it is punishable by no more than 7 years in prison any one who admits into or bring out of Qatar a person with intention to dispose of them as a slave, and every on who buys, sells, offers on sale, gifts, or disposes of any person as a slave shall be punished by the same."

Article 322 of the same Code stipulates that "it is punishable by no more than 6 months in prison and/or a 3.000 Riyals in fine any one who forces a person to paid or unpaid work...".

With all these actions incriminated, the biggest problem, however, lies in the aforementioned Act 3, 1963 the Article 10 of which stipulates that "every foreigner must, if they intend to reside in Qatar, obtain a residence permit from the director of Immigration, Passports and Nationality Department...".

Article 19 of the Act 3, 1963, and as amended by virtue of Act 5, 1981 and Act 7, 1986, stipulates that "1. A foreigner admitted entrance and permitted to reside for a specific purpose and work for a given body must not go for another purpose or join another job.

Foreigners must leave the country once the purpose or work for which they have been admitted and permitted residence is fulfilled. They must leave the country on cancellation of sponsorship for any reason whatsoever.

Minister of interior may approve the sponsorship transfer for a foreigner from an employer to another when the minister regards it to be in the benefit of the country.

2. If a foreigner is fired due to their neglect on terms of work and leaves the country, they may not come back to Qatar unless 2 years have elapsed since departure.

3. (A) Ministries, authorities, public institutions, companies and individuals are not allowed to let foreigners hired and sponsored by them to work for entities or use foreign workers not sponsored by them.

As an exception, Ministry of Interior may, after consulting Ministry of Labor and social affairs, allow a sponsor to second their foreign workers to another employer for a maximum of 6-month work, and allow such worker to work as a part-timer for another employer for hours other than those reserved for the worker's full-time job provided that the sponsor approves this in writing.

Article 7 of the Decree 9, 1963 on visa regulation and types pursuant of the Act 3, 1963 stipulates that "the offshore competent authority may not issue entry visa to persons who want to travel to Qatar for work before contacting Passport and Nationality Department with full observance of the Department's opinion in this regard. Certain conditions must be observed to issue a visa:

Those issued visas must be of professional skills needed in Qatar.

Those issued visas must have well-off Qatari sponsors.

Sponsors must submit declarations of good manners about workers they sponsor and a written commitment to refer such workers to competent Qatari authorities once their residence permits expire.. "

Article 1 of the Act 3, 1963 stipulates that "without prejudice to provisions of the Act 3, 1963 aforementioned, every foreigner asking for admittance or residence in Qatar to work, practice a profession, trade or accompany or visit a resident must have a sponsor. None of such foreigners is allowed - with the exception of women who do not work and minors and visitors whose stays in Qatar do not exceed thirty days - to leave the country whether temporarily or not unless they offer a leave bail.. "

Article 7 of the same stipulates that "A. minister of interior may – when this is in favor of the public interest – approve the sponsorship of a foreigner to be transferred to another employer. In this case, such transfer of sponsorship and change of work must be conducted in writing between the previous and new employers.

B. A sponsorship transfer entails the previous sponsor being replaced with the new one in terms of all rights and obligations. It also means expiry of sponsorship obligations of the previous sponsor."

Article 8 of the same stipulates that "every one, who deals or behaves legally in a way that entails later obligations on a resident foreigner in Qatar, must inform the relevant sponsor and get a written consent from him to the contract or the action before initiation..."

Whereas the first article of the Convention on Slavery signed in Geneva in Sept. 25<sup>th</sup> 1926 defines slavery as being "the status or position of a person over whom powers of ownership are exercised fully or partially";

And with the view to the elimination of slavery, slavery business, customs and servitude, the Complementary Convention to Slavery, slave trade and servitude elimination was issued in Geneva in Sept. 7<sup>th</sup> 1956 and put into force in April 30<sup>th</sup> 1957. It defines traditions and near-slavery practices as:

Debt bondage; the status or position resulting from a person being in bondage offering personal services or services of a person relating to them as a form of guarantee to a debt...

Servitude; the status or position of a person who is required, by virtue of tradition, law or agreement, to be appointed to work on another person's land, offering specific services to that person, for a payment or not, with being free to change their status..."

And according to Article 2 of the Forced Labor Convention, 1930 (No. 29) approved by the ordinary conference of the International Labor Organization in June 28<sup>th</sup> 1930 and put into effect May 1<sup>st</sup> 1932 to which Qatar is a signatory, "forced labor or servitude" means all works or services coercively imposed on any person under threat of any penalty while the person has not chosen to carry them out willingly;

Article 3 of the Anti-person trafficking protocol, especially women and children, defines person trafficking as "recruiting, moving, sheltering or receiving persons by means of threat of power use or actual use power or any other form of coercion, kidnapping, fraud, deceit, misuse of power, making use of weak persons through offering or receiving payments or advantages to obtain the approval of a person who has control on another person for purposes of exploitation which includes, at minimum, using persons for prostitution or any other form of sexual abuse, servitude, forced serving, slavery, near-slavery practices or organ theft;

Provision B of the same Article stresses that "agreement on the part of a victim of trafficking to be used in any form or for any practice as stated in the sub-provision A of this Article is not considered in cases where any of the means stated in the sub-provision A is used";

And whereas the Qatari Constitution, as clearly stated above, offers a legal resident the protection necessary for their person and property, which is clearly stressed in the Qatari Penal Code 11, 2004 as it incriminates any action against any person with intention of treating them as a slave, as well as incriminates any action involving dealing with a person as a slave and servitude or forced labor or any action that forces a person to work whether for a payment or not;

And after referring to the applicable sponsor system, we find that the persons sponsored are subject to violations of some rights such as job change or having a car, bringing his wife or children or having a driving license without sponsor's approval, since administrative authorities decline to accept any request by a sponsored unless approved by the sponsor;

The NHRC has recorded many cases where a sponsored pays for a visa, and when they come to the country the sponsor or boss might leave them to work for others or to swell the ranks of the loose workers in return for a monthly or annual payment. If the sponsored wants to transfer their sponsorship, they, sometimes, may be asked by the sponsor or boss to pay a sum of money in return for such service. All such forms of treatment are but flagrant person trafficking;

Thereupon it is necessary to cancel or amend the existing sponsorship system pursuant to rules and provision of the Islamic Law (Shari'a) and human rights international law and rules of justice. It should be replaced with another system that might be called "job contract of job opportunity" according to which a person who has received a contract or opportunity to work is issued a visa. This new form of relation is to be governed by state laws, Labor Act and the contract between that person and their employer. If either party defaults on their obligations, a quick and efficient mechanism should be in place within Labor Department, such as arbitration and negotiation committees, to settle the dispute. If a dispute proves pertinent, both parties go to court quickly and without any judicial or expert fees. Thus, a worker can change their job according to the contract in cases of contract expiry, a new contract or another job opportunity or when the employer defaults on their obligations. In case of

a worker defaulting on their obligations, the employer may resort to Labor Department or court to cancel the contract and get a compensation.

A worker can accordingly have a driving license or exercise their right to ownership according to law, marry, move, invite their family pursuant to law and without the need to sponsor's approval to any of these rights. A worker will also be able to move freely except in certain cases such as collection the sponsor's money.

### **C. The Hiring Committee**

It goes without saying that a person's right to family reunion, and the right of children not to be away from their parents, are among the basic indispensable and uncontrollable rights. The NHRC, however, has noticed that the Hiring Committee rejected many requests to invite wives or children as setting a number of controls in relation to the salary, bank accounts, housing, etc. Regulation of the right is thus turning into a restriction. The Committee has introduced totally new and illegal restrictions that also fall foul of human rights international law and constitute a violation to the right to family reunion and the right of children to be with parents. That's why the role of the Committee should be restricted to law enforcement and regulation of such rights as well as respect of these rights which have been ensure in articles 7, 8, 9 and 10 of the Child Rights Convention to which Qatar is signatory. This convention has the same power of legislations according to Article 142 of the new Qatari Constitution. Therefore, the Hiring Committee can not neglect such rights and impose illegal restrictions. Otherwise, activities of the Committee shall be deemed illegal and this will definitely compromise its status and decisions.

There must be a mechanism to appeal against decisions taken by the Committee, with the possibility to go to court – administrative court jurisdiction – to appeal against Committee's decisions as it is the case with any administrative decision. Such mechanism should protect the right to go to court.

### **D. Administrative Deportation:**

The NHRC has recorded several administrative deportation decisions taken after persons were convicted of committing any crime whether investigations were closed or the case dismissed, and whether a trial ends in innocence or conviction without deportation being a part of the ruling.

The NHRC is of the opinion that as long as investigations are closed, the case dismissed, the trial ends in innocence or conviction without deportation being a part of the penalty, there must be no decision of administrative deportation or it will be illegal as lacking the reason either because the innocence or conviction without deportation. Any other opinion would signal illegality of the decision or double penalty for the same act, and in all cases deportation is illegal.

The NHRC has recorded recently a number of administrative deportation decisions when some persons transferred their sponsorship. When contacting competent authorities, deportation came out to be for the public interest with no further reasons stated.

It goes without saying that a deportation decision is a really serious and yields grave consequences on the person and their family. That's why a deportation decision must be legitimate and legal.

If is all about Qatarization, sponsorship transfer can be rejected so the person involved can either resume their work or move to another job that is un-Qatarizable, with a

view to preserve the person's rights to work and job change. Needless to say that deportation decisions taken only because of sponsorship transfer request are illegal. In all cases, deportation decisions must be under judicial supervision so deportees can appeal against them and go to court to invalidate them in case of being illegal. Therefore, the NHRC demands reconsideration of administrative deportation procedures.

### **E. Qatari House for Sheltering and Human Care**

The Qatari House for Sheltering and Human Care is among 2005 achievements. It has provided many services and cooperated significantly with all authorities including the NHRC. However, one flaw in the House's activity is that it is limited to receipt of human trafficking victims since it defines such crime so narrowly, limiting it to women or children victims. It does not include all victims of sponsorship and misuse of sponsorship powers. Furthermore, the House constitutes of 7 high class villas: one for the management, 2 for men, 2 for women and 2 for children, however, these are not appropriately equipped as a shelter but rather as a place for 7 families. Consequently, the NHRC demands the design and construction of a house dedicated for sheltering and care provided that it can accommodate large numbers of victims rather than turn them into Deportation Detention Center.

## **Section 3: NHRC's Activities**

### **1. Complaints**

The NHRC has received 1201 complaints over 2006. The following are the details.

160 complaints about deportation decisions have been received and studied by the NHRC. Accordingly, the NHRC contacted the Ministry of Interior resulting in 29 decisions cancelled and the rest being enforced for the public interest without stating further reasons.

The NHRC has received and studied 340 sponsorship transfer requests. The Ministry of Interior has been contacted in this respect and 110 requests have been approved and the remaining requests dismissed.

The NHRC has received 230 complaints about disputes between sponsors and workers concerning money, travel, sponsorship transfer or working for others. Some of these have been settled extra judicially while others referred to Labor Department.

The NHRC has received 80 complaints about dome persons at the Deportation Detention Center. The Ministry of Interior has been contacted in this respect resulting in a few of them being released while other cases are under scrutiny by the NHRC through its periodic visits to the Center.

The NHRC as received 42 complaints about residence permit renewal, residence permit requests for wives and children or changing visit visas into residence visas. The NHRC has contacted the Ministry of Civil Services and Housing in this regard resulting in 12 requests being approved while others dismissed for being far from eligible.

The NHRC has received 13 complaints about the right to a house. The Ministry of Civil Services and Housing has been contacted in this respect.

The NHRC has received 31 complaints about the right to work. The Ministry of Civil Services and Housing and Labor Department have been contacted in this respect.

The NHRC has received 4 complaints about persons detained by the State Security Service.

The NHRC has received 10 complaints about the right to education and scientific exchange. Competent authorities have been contacted resulting in some of the complaints being settled.

The NHRC has received 4 complaints about the right to health care. The competent authority has been contacted and reasons to complain no longer exist.

The NHRC has received 6 complaints about slow procedures before public prosecution offices and case settlement in courts. Competent authorities have been contacted and reasons of complaints no longer exist.

The NHRC has received 4 complaints about dead-slow enforcement of final court rulings. Competent authorities have been contacted and rulings have been enforced.

The NHRC has received 30 letters requesting conditional release or release on health grounds. The NHRC has studied these cases and some of them have been pardoned. Cases eligible for conditional release have been released too.

The NHRC has received 2 complaints by families of prisoners for being denied the right to visit their relatives. The competent authority has been contacted and both families were allowed to pay their visits.

The NHRC has received 22 letters concerning women rights. Letters have been studied resulting in some of them being settled and others referred to competent bodies.

The NHRC has received 4 complaints about the right to marriage. Marriage-to-Foreigner Approval Committee has been contacted accordingly. Complaints are still followed up by the NHRC as the Committee has not conferred approvals yet.

The NHRC has received 2 complaints about violence against children. Ad hoc committees from the Department of Legal Affairs and Social Investigation have been formed to fact-find, document data and visits and to follow up the cases periodically.

The NHRC has received a large number of letters requesting legal aid in the form of expert opinion, identification of competent authorities, filing an action or filing a bill of defense. Legal aid needed for every case has been offered.

Finally, the NHRC has received a number of various complaints about issuing birth certificates, car license, ownership transfer, civil dispute, financial help or skyrocketing rents for housing units. The NHRC exerts its utmost effort to offer every help possible although some of these complaints do fall out of its jurisdiction.

## **2. Other NHRC's Activities**

Given its strategy and continuous efforts to promote human rights, the NHRC has been keen to develop reports, organize conferences, visits, forums, seminars and training courses, and develop books, booklets and publications that have human rights issues at their cores along with providing knowledge about main international conventions and agreements on human rights, with special focus on human rights promotion against Islamic and international references. Special attention has been paid to religious, cultural and civil aspects of the Qatari society so both universality of human rights and locality of application are duly observed. Activities by the NHRC are:

## **1. Reports**

The Committee issues two types of reports: annual, which are publicly published; periodical, submitted to the Cabinet and special reports on specific issues or visits. All types of reports include recommendations and proposals in order to protect basic rights and freedoms and for the promotion and enhancement of human rights in the State of Qatar.

## **2. Books and Publications**

The Committee has, within the framework of human rights promotion, prepared, published and distributed a number of publications on a number of international conventions and agreements on human rights to inform and educate individuals of their rights. Publications include a reference to the status of Qatar as being a signatory to such conventions or not. The Committee has undertaken the task of reprinting, publishing and circulating the International Declaration on Human Rights, along with the International Convention on Civil and Political rights, International convention on social, cultural and economical rights; which all represent the basis for international Human Rights.

The Convention on the Elimination of all sorts of Discrimination against Women, the Convention on Political Rights of Women, the Convention against Torture and the Convention on the Rights of the Child have been published and distributed.

The NHRC has developed, printed and published a number of books on human rights with a view for more promotion and knowledge about human rights.

The NHRC has issued "*Al-Sahifah*" periodic magazine in March, 2006 which included articles and research papers on human rights. The magazine has reflected a number of the NHRC's activities and its tireless efforts to promote human rights.

- The NHRC has issued a number of brochures and publications that aim at human right rights promotion and providing knowledge about the NHRC's aims, competencies and course of work.

## **3. Conferences, Forums and Training Courses**

- The NHRC has received at its headquarters a group of Qatar University female students - Sociology Department – to receive a 2-hour weekly field training on Tuesdays by the NHRC for 3 months starting from Feb. 28<sup>th</sup> 2006 to May 23<sup>rd</sup> 2006 according to a work plan that includes:

- Lectures and field visits to *As-shafalah* Center and the Orphanage.

- Research and training in how to treat others and receive complaints.

- The NHRC has organized the Second Conference of the National Institutions for Human Rights in Arab World titled "Human Rights Culture" held on 4-6 March, 2006 and attended by many Arab participants.

- The NHRC has, in cooperation with the Qatari Infirmity (Qatari Institution for the Aged Care), organized a regional workshop on laws and legislations concerned with the aged and the transition from mere legislation to full empowerment. It was held on 9-13 April, 2006 and attended by many participants from different State institutions,

including: The Qatari Infirmary, Ar-Rumailah Hospital, Nursery Institute, the Supreme Council for Family Affairs and others.

- The NHRC has organized a lecture on the Universal Day for Freedom of Expression titled "Freedom of Expression between Reality and Law" in May 7<sup>th</sup> 2006 at Qatar University, Ibn Khaldoun Hall, in cooperation with the Arab Committee for Journalists Advocacy and the Human Rights League at the Faculty of Law. It was attended by a number of famous press persons.

- The NHRC has participated in the Third Meeting of the National Council on Human Rights and Non-governmental Organizations held in Alexandria in May 10-11<sup>th</sup> 2006.

- The NHRC has participated in the international forum titled "Migrant Construction and Timber Workers in the Arabian Gulf" held in Bahrain in May 17-18<sup>th</sup> 2006.

- The NHRC has taken part in the lecture titled "Democratic Transformation in Qatar" held in May 22<sup>nd</sup> 2006 and organized by the Legal and Judicial Studies Center, Ministry of Justice.

- The NHRC has participated in the "Women Empowerment in Public Life" conference held in Turkey in May 21<sup>st</sup> -23<sup>rd</sup> 2006.

- The NHRC has participated in the Civil Society Institutions' Meeting held in May 22<sup>nd</sup> – 24<sup>th</sup> 2006 at the Planning Center, Doha.

- The NHRC has attended Lessons Learned on Human Rights Approach forum by Amnesty International at Al-Wajba Preparatory School for Girls in May 24<sup>th</sup> 2006.

- The NHRC has participated in the Training Course on Participants' Knowledge and Capabilities Development to Set a National Plan for Childhood within the frame work of the "National Childhood Strategy" where the following were discussed: The right to protection, education and development and sustainable health from 22 to 25 May, 2006, organized by the Childhood Department, Supreme Council for Family Affairs with 28 bodies participating in the event including the NHRC.

- The NHRC has organized the Arab Civil Society Organizations' Meeting, 17-18 June, 2006, in preparation for the International Civil Society Forum for Democracies.

- The NHRC has taken part in the Comprehensive and Integrated International Convention on Persons with Disability forum organized by the Supreme Council for Family Affairs on 18-20 June, 2006.

- The NHRC has participated in the detection mechanisms of the International Convention for the Disabled Rights Protection and Enhancement organized by the reporter concerned with disability on 21-23 June, 2006.

- The NHRC has participated in the Training Panel organized by the Legal and Judicial Studies Center in Doha.

- The NHRC has participated in the formation of a committee concerned with studying normal and secondary legislations related to rights of women. The Committee is formed by the Supreme Council for Family Affairs.

- The NHRC has participated in Sanaa' Conference on Democracy, Apolitical Reforms and Freedom of Expression on 25-26 June, 2006 in Yemen.

- The NHRC has participated in a workshop organized by the Regional Network for Arab Ombudsman Offices on 25-27 June, 2006 in Cairo.

- The NHRC has participated in Asian Civil Society Forum for Democracy on 28-30 June, 2006 in Mongolia.

- The NHRC has participated in the Eleventh Asia Pacific Forum for Human Rights Institutions from 31<sup>st</sup> July to 3<sup>rd</sup> August 2006 in Sofa-Fiji.

- The NHRC has presided over Civil Society Organizations in the Sixth Conference for New or Restored Democracies held in Doha, Qatar by the end of Oct. 2006.

#### **4. Lectures**

The NHRC has organized a number of lectures in cooperation with the Ministry of Education's Social Education Department on human rights awareness promotion in a number of Doha schools. Details have been as follows:

- A lecture titled "International Conventions on Children and Human Rights" at Qatar Sports Club in December 21<sup>st</sup> 2005.

- A lecture titled "Qatari Construction Code" in December 28<sup>th</sup> 2005 in cooperation with Environment Friends Center.

- 2 lectures titled "Concepts of Human Rights and Freedom" in Feb. 16<sup>th</sup> 2006 at *Fatimah Az-Zahra'* Preparatory School for Girls and in Feb. 20<sup>th</sup> 2006 at *Umm Ayman* Secondary School for Girls.

- A lecture titled "Human Rights between Islamic Law and the International Standards" in Feb. 16<sup>th</sup> 2006 at *Ahmed Ibn Hanbal* Secondary School for Boys.

- A lecture titled "Information on the NHRC, its Competencies and an Introduction to Human Rights" in Feb. 23<sup>rd</sup> 2006 at Khalifah Secondary School for Girls.

#### **5. Visits**

On 28 May, 2006, the NHRC has paid a visit to the Investigation and Follow-up Department to find out about conditions at the Department, Deportation Detention Center and the detainees, interview the detainees at the Center – men and women – to question the legality of their detention and make sure they enjoy all their rights, make contacts to find solutions and alternatives to detention and putting an end to reasons behind detention as persons are illegally detained for long periods in clear and flagrant violations and restrictions on one of the basic human rights: the right to freedom and personal safety. The visit has resulted in many views, suggestions and recommendations previously mentioned in Section 2 of the report.

The NHRC has paid a visit to Psychiatry Hospital – for women – during which it reviewed the building, mess halls, visitor lounges, activity places, the garden, medics and paramedics, social care staff and the assisting staff. The visit resulted in a number of recommendations and suggestions as several shortcomings were spotted in the Hospital.

The NHRC has paid a visit on 28 March, 2006 to the Qatari Orphanage which provides care for orphan children or children of broken families due to divorce, violence or desertion. Most of children have found step families. The Orphanage consists of 30 villas and hosts only one 14-year-old child

- The NHRC has noticed the lack of a rehabilitation and integration program. Furthermore, there are some restrictions on the freedom of dwellers and their ability to move.

The NHRC has paid a visit on 28 March, 2006 to *Ash-shaflah* Center which provides educational and rehabilitation services to male and female children with disability from day one to 18 years.

The Center accommodates only a few numbers of children with disability and there are long waiting lists.

The NHRC has paid a visit to the Psychiatry Hospital and *Ar-rumailah* Hospital to check patient conditions. The NHRC has developed a number of reports in this respect and submitted them to the head of the department.

## **6. Legal Consultations**

Within the frame work of its activities and efforts to provide the best services to visitors, the NHRC has offered legal consultations and aids in the form of expert opinions or referrals to competent authorities as well as filing actions and bills of defense in civil and criminal actions whenever parties proved unable to afford lawyers.

### **Section 4**

#### **Recommendations**

##### **Recommendations on Human Rights Conventions**

- The NHRC still demands ratification by that the State of Qatar to the International Convention on Civil and Political Rights and the International Convention on Economic, Social and Cultural Rights. 15 Arab countries have become parties to both Conventions with Mauritania being the most recent party (February 2005).
- The NHRC recommends that the State of Qatar ratify the International Convention on Abolishment of all Forms of Discrimination against Women, to which most of the Arab countries have become parties, wit the U.A.E. being the most recent party. Arab parties to the Convention are now 16.
- The NHRC recommends that the State of Qatar considers ratifying the International Convention on Protection of Migrant Workers and Members of their Families.
- The NHRC recommends that the State of Qatar should consider becoming a signatory to the Arab Charter on Human Rights, which was approved at the Arab Summit in Tunisia, May 2004.
- The NHRC demands review and amendment of national legislation in accordance with international conventions on human rights.

##### **Recommendations on Legislations**

- The NHRC demands reconsideration of a number of legislations particularly Act .17, 2002 on the Protection of the Community, Act 5, 2003 on the establishment of State Security Service, Anti-Terrorism Act 3, 2004, Act 12, 2004 on Association Formation, Act 38, 2005 on Citizenship, Act 18, 2004 on Demonstrations, Act 21, 1989 on Marriage to Foreigners, Act 3, 1963 on Foreigner Sponsorship, Admittance and Residence, Act 3, 1984 Foreigner Sponsorship and Travel Regulation in the manner endorsed by the NHRC in its feedback on these Acts.

##### **- Recommendations on the Protection of the Right to Freedom and Personal Safety**

The NHRC strongly demands abrogation of the Society Protection Act 17, 2004.

- This Act is but a flagrant violation to the right to freedom and personal safety and the right of the accused being innocent until proven guilty through a fair, neutral and independent trial where legal guarantees are fully ensured for defense.

- The NHRC demands the release of persons arrested under the Society Protection Act or referring them to competent courts.
  - The NHRC reiterates its recommendations on the amendment of Act 5, 2003 on the Establishment of the State Security Service, and Anti-Terrorism Act 3, 2004 in a way that ensure the right to freedom and personal safety and acting only upon penalties stated in the Criminal Procedure Code.
  - The NHRC demands quick consideration of cases at the Deportation Detention Center, release of those illegally detained and enforcement of final deportation decisions after considering their legality.
  - The NHRC demands ensuring the right of a suspect under protective custody to compensation if ultimately proven innocent.
  - Empowerment of persons to be deported to go to court to appeal against deportation decisions.
  - The NHRC demands that the Public Prosecution reconsiders protective custody rules. The NHRC stresses that a person is innocent in the first place and justice would not be much harmed because of impunity as it would be in case of rights and freedoms violation.
  - The NHRC demands immediate release of persons detained by State Security Service for periods longer than those specified by law.
- This NHRC demands the formation of a committee empowered to issue recommendations to invalidate deportation decisions or to release detainees on bail, provide grace periods and to execute immediate deportation. Needless to say such committee must be neutral, credible and quick. The committee's decisions should be approved by the Minister of Interior.
- Making full lists of the detained at the Center at the background of civil cases involving the detainees and their sponsors, releasing them on bail until cases are settled, and asking competent courts for quick settlements.
  - Making full lists of cases that received pro-rulings to their entitlements and asking executive bodies to fulfill such rulings, while providing a living for those cases until rulings are enforced.
  - Increasing staff members of the Department with a view to faster investigation and paper-filing procedures and decisions.
  - Strict direction by the Minister of Interior to decline any arrest on requests by sponsors whosoever.
  - Setting a limit for maximum pre-deportation or departure detention. We suggest it to be a maximum of 24 hours provided there is hard evidence of non-compliance with travel time by a deportee.
  - Coordination with airlines to facilitate deportation of deportees for quicker enforcement of final deportation decisions.
  - Fund allocation by the Ministry of Interior to provide tickets for deportees while seeking reimbursement by relevant sponsors.
  - Assigning supervision and control to some body so as to manage investigation and follow-up procedures since such activities are ostensibly the responsibility of Passport Department while there is no actual supervision or control.
  - Easier travel procedures, with persons allowed to travel directly through the airport without being treated as criminals or convicted.
  - Coordination between Ministry of Interior and the Permanent Hiring Committee at Labor Department to issue necessary visas asked for by workers at the Deportation Detention Center who have been detained for being loose workers.

- - It is necessary to set specific guidelines, rules and terms to detain any person at the Center.
- Immediate release of children detained along with their mothers and making quick contacts with relevant embassies to issue IDs for such children or add them to their mothers' passports to be able to travel.
- - It is necessary to abrogate or amend Act 3, 1963 on Foreigner Sponsorship, Admittance and Residence, and to enact an Act that restores balance to worker-employer relationship.

### **Recommendations on Prisons**

- Expansion in the application of conditional and medical releases.
- Increase of social, sportive and productive activities available to prisoners. Introduction of "supervising judge" system especially for freedom-taking penalties in prisons to ensure the minimum standards of prisoner treatment and realization of imprisonment aims: rectification and rehabilitation.
- Easier procedures for state prison and detention center visits by judges and public prosecution offices to ensure the non-existence of illegal prisoners and to find out about conditions and complaints of prisoners.

### **Recommendations to Combat Torture and other Cruel or Inhumane Treatment**

- The NHRC encourages the State to join the protocol attached to the International Convention against Torture.
- Invalidation of deportation detention considering the cruel, degrading and inhumane treatment it involves and replacing it with a shelter.

### **Recommendations on the Right to Litigation and Fair Trial**

- Enactment of a law as soon as possible that identifies the competent authority empowered to settle administrative dispute according to Article 138 of the Constitution.
- Enactment of a law as soon as possible that identifies the competent judicial authority empowered to consider the legality of acts, laws and regulations pursuant to Article 120 of the Constitution.
- Judicial supervision over all administrative decisions to consider their legality as no decision or action should have any impunity from judicial supervision.
- Increase the number of public prosecutors and judges in order to meet the increase in cases and actions.
- Better specialist preparation for judges and public prosecutors commensurate to the esteem of their positions.
- Develop the Legal and Judicial Studies Center, amend its course of work and list its orders in the Judiciary Act.
- Reform judiciary-assisting bodies to ensure full justice. This includes experts, secretaries and clerks being well prepared and closely monitored.
- Establish an expert house within the judiciary.
- Consider establishing judicial enforcers (police) to execute court rulings, keep order inside courts, fulfill Public Prosecution requirements, and supervise protective custody conditions.

- Alternative ways for dispute settlement by wider criminal order outreach, introducing a mediation system, arbitration in civil litigation, and conferring more powers on the Labor Department to resolve labor cases. - Form labor dispute settlement committees.
- Enhance the role of the media in spreading awareness of the rights of individuals, the means of protection and complaint mechanisms and bodies receiving them, etc.
- Filter laws out to exclude procedures leading to lengthy litigations.
- Quick settlements of labor cases, and the state should afford expert fees.

### **Recommendations on Freedom of Opinion and Expression**

- Repeal imprisonment in publication cases.
- Expansion in the protection of freedom of opinion and expression through protecting media personnel, especially journalists in order to eliminate self-sponsorship.
- Support the right to obtain information freely, and freedom of scientific research, knowledge and access to internet.

### **Recommendations of Association Formation**

- Amend Act 12, 2004 and abolish all restrictions imposed on the formation of private and professional associations.
- Encourage the civil society to establish associations concerned with Human Rights, especially categories such as women, children, laborers, housemaids, prisoners, persons with special needs etc.
- Easier procedures to form associations and abolishing all hurdles, lengthy red-tape procedures and strict commitment to forms of Terms of Association and Regulations set by the Ministry since such forms are merely for guidance not complication and restriction.

### **Recommendations on the Right to Participation in Public Affairs Administration**

Respect for the principle of equality and non discrimination, especially in drafting legislation for political rights, elections, and nationality, and laying down foundations for the principle of equality between citizens according to the provisions of the Constitution.

### **Recommendations on Social and Economic Rights**

- Introduction of social insurance in cases of death, sickness, work injuries, retirement, disability and unemployment.
- Train eligible citizens at training centers in order to assist them in obtaining employment or the establishment of productive projects capable of eradicating poverty.
- Develop a strategy for affordable housing units for low-income households.
- Encourage the establishment of productive projects and small scale service projects in order to combat unemployment.
- Expand supervision over independent, governmental and private schools to ensure quality education services.
- To provide hospitals and medical centers with necessary equipment and staff.
- Health insurance that covers all and every person.

- Check employment contracts so as to guarantee that salaries are sufficient to provide minimum living standards of a decent living for workers and their families.
- Stricter control over medical services to avoid mistakes during surgeries, waiting lists at emergency centers and mistreatment.
- Introduce special care approaches to take of creative and outstanding persons.
- Ant-unemployment insurance system.
- State involvement in building housing units for the needy and the disabled to eliminate the long waiting lists.
- Better state-run education to ensure quality educational free services that afford the poor a better opportunity to compete and reach the highest social levels.
- Introduction of a system concerned with the educational process assessment and educational institution management.
- Ensure the right to receive information and free scientific research.

### **Rights of Women**

- Abolishment of all forms of discrimination against women; especially those of nationality Act 38, 2005, Civil Service Act 1, 2001 and Marriage to Foreigners Act 21, 1989.
- Developing national plans for political participation of women that include political education, press role in order to encourage women and enlighten the society to accept participation of women in political life and have genuine involvement in the election process as a candidate and voter.
- Formation of "the Committee on Violence against Women" that undertake comprehensive scientific research on violence against women at the national level and develop policies and programs capable of combating violence against women and providing sufficient protection and care for victims.
- Formation of a competent committee to undertake research on spinsterhood and divorce, develop schemes to address such phenomena and provide care and protection to victims, if any.
- Convention on the Abolishment of Discrimination against Women ratification.
- To recognize the right of women to pass nationality to their children.
- Ensuring men (husbands) meet their financial obligations of custody, residence and alimony.
- Incriminate violence against women and provide sufficient and necessary care and rehabilitation programs for victims.
- Extend the coverage of Labor Act to include house maids, or enact a separate legislation to protect them and their rights against all forms of infringement.
- The NHRC demands immediate action to combat women trafficking through clamping down on networks that force women into prostitution out of weakness and poverty as women are, in certain cases, brought in under fake contracts and forced to prostitution.

### **Child Rights**

- Legislation amendments to push the age of childhood to 18 years.

- Enforcement of the Act 22, 2005 on prohibition of bringing and using children in camel races, and developing rehabilitation and integration schemes for camel race victims.
- Setting policies and programs to provide care for children with disabilities, ensure their rights, and protect them against discrimination and ensure full and equal enjoyment of their rights as sound children.
- Introduce Human Rights into school curricula and train teachers to undertake this task.
- Create and use attractive methods to educate and communicate human rights issues at schools, debates, lectures to students in a manner that ensures interaction rather than one-sided lecturing.
- Include human rights issues into university curricula for faculties of arts, science education, etc. and educate and train university professors on respecting Human Rights.
- Organize sessions for supervisors, teachers and school principals to provide the necessary training to assess the performance of teachers.
- Getting sufficient knowledge about ways of teaching human rights in developed countries.
- Integrate human rights into school environment and events such as sports competitions, magazines, various activity associations and school broadcasting.
- Provide protection for children against family violence and sexual harassment.

### **Rights of Persons with Disability**

- Respect for the rights of persons with disabilities and the need for them to be protected against discrimination and their right to enjoy all rights guaranteed for sound people.
- Develop a strategy to rehabilitate both persons with disabilities and those in interaction with them.
- Full possible outreach to the public to educate them on the rights of the disabled to protect their rights.
- The NHRC demands acceptance of person with disabilities at Qatari universities and all kinds of schools to offer them the opportunity to integrate and enjoy their right to education without any discrimination.
- It is necessary to restructure the physical environment to allow persons with disabilities easy access.

### **Worker Rights**

- Expedient processing of labor cases, as provided for IN Article 10 of the Labor Act 14, 2004 as the NHRC has observed very long litigation proceedings.
- Better safety, security and medical care procedures at work sites.
- Expert fees (300 Riyals) are to be afforded by the State in labor cases since workers can not afford such sum of money.
- For individuals, institutions and companies violating worker or house maid rights, the NHRC recommends to deny them visas for specific periods or until or until their respect for the rights of their workers is established or the violating body being closed.
- Create and activate an effective and expedient protective mechanism for workers, with wide powers and authorities of a mandatory nature against violating companies,

particularly violations relating to delayed entitlements, abuse of workers or inadequate place of residence.

- Lift any restrictions on labor organizations through amendments to Labor Act and the condition of 100 Qatari workers within a single institution or company to be allowed to form a worker committee. The NHRC recommends that this number applies but as covering Qatari and non-Qatari workers.

- Reorganize the relationship between employees and employers in issues of transfer of sponsorship, exit permits and freedom of movement from one work to another, since these issues represent the most important fields of violations to rights and freedoms of labors to an extent of bordering on modern forms of slavery and people trafficking. Act 3, 1963 on Foreigner Sponsorship, Admittance and Residence and Act 3, 1984 on foreigner sponsorship and travel regulation should be amended in a way that corresponds to the principles of human rights and rules of justice and equity.

- Solve the issue of unemployment before further complications through the following:

- Change the attitudes of the youth towards employment.

- Further efforts for educational reform to suit market needs.

- Unemployment insurance fund.

- The NHRC demands full compliance by the Hiring Committee with the Convention on the Rights of the Child, dropping any unnecessary restrictions to family reunion resulting in separation of children from parents because of meticulous and unattainable conditions in terms of salaries, house and nature of the job. Such procedures pull us back into the era masters and slaves when a master has the right to invite his wife, children and all his relatives while a simple worker could not.

- The NHRC demands building a shelter as soon as possible to accommodate large numbers detained at the Deportation Detention Center who are victims of sponsorship system and administrative and judicial deportation orders, in addition to victims of person trafficking.

- Full enforcement of the new Labor Act in terms of Qatari workers at private institutions and companies.

- Quick settlement of labor problems at Deportation Detention Center as well as turning the Center into a shelter for workers rather than a prison to violate their rights.

- Enable workers to exercise their right of job change - sponsorship transfer. Security Authorities should not decline to approve such procedure without legal justifications. The NHRC has received many complaints about instances where transfer of sponsorship was denied without legal or factual basis despite the approval of the former sponsor and the new employer. The only reason being the public interest though we can not figure out what kind of interest this is?! As for Qatarizable jobs, sponsorship transfer may be denied without deportation decisions.

### **Right of the Aged**

- A shelter for the aged.

### **Civil Society**

- Civil society promotion as well as encouraging its members to form associations concerned with human rights with special attention to most-favored segments of society.

- Effective strategy between the civil society and the state for better human rights conditions.

### **A national Plan for Human Rights Promotion**

The NHRC recommends and emphasizes the importance of a national comprehensive plan for the promotion of human rights in Qatar that should be integrated into the general approach of the State with participation by all ministries, authorities and civil society organizations.