



NHRC's Annual Report Human Rights Status In Qatar

**Doha
2010**

❖ وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ مِّنَ
الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَى كَثِيرٍ مِّمَّنْ خَلَقْنَا تَفْضِيلًا ﴿٧٠﴾

سورة الإسراء، الآية 70

“We have honoured the children of Adam; provided them with transport on land and sea; given them for sustenance things good and pure; and preferred them over much of what We have created, with [definite] preference.”

17:70

“*****”

وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ
الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ ﴿١٠٤﴾

سورة آل عمران، الآية 104

“And let there be [arising] from you a nation inviting to [all that is] good, enjoining what is right and forbidding what is wrong, and those will be the ones to attain felicity.”

3:104

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FOREWORD

The international community undoubtedly was and still is interested in human rights across all times, truth to say human rights have increasingly become a persistent concern worldwide to the extent that the promotion thereof has become the scale against which the progress and development of any nation could be measured, given the great value human rights have in terms of their importance to modern civilization as well as the key role they play in the advancement of nations being the most influential values to maintain a secure, productive and creative environment; a prerequisite for human potentials and capabilities to interact and consequently take off heading toward further liberality, production, and creativity.

The international community's interest in human rights has remarkably accelerated reflecting the civilized and modern perspective of any given country, granting it a more privileged and improved standing on the international arena.

Out of the **NHRC's** firm belief in the importance of the promotion and protection of human rights as a noble goal and even as a key goal within the country's national strategies, the achievement of which calls for mobilizing and rallying all national efforts and endeavors, the **NHRC** is fully convinced that the said goal, in particular, is being pursued by all the official authorities, agencies, and institutions in the country in line with the values of democracy which have been entrenched by **His Highness the cherished Emir of the State of Qatar, may Allah protect and guard him, and his honest Heir Apparent.**

Such a climate emphasizes the existence of the earnest and prudent political will that is determined to create and support the proper and necessary circumstances to enrich and consolidate human rights promotion endeavors in the State of Qatar so as to cope with the current developments in this area on the international level.

The present report addresses the human rights status in the State of Qatar throughout 2010; hence the **NHRC** has intended this report to be as thorough and inclusive as possible so that it could reveal the actual status of human rights as reflected by the true state of affairs, whether positive or negative. In so-doing; the report is committed to absolute accuracy and objectivity to reflect and express the **NHRC's** commitment to crystal clear transparency and credibility in compliance with the requisites imposed by the nature of our mission and the **NHRC's** independence as per the provisions of the Law on establishing the **NHRC**.

The present report is supplemented with the **NHRC's** recommendations and suggestions which will be convenient to submit to the kind attention of the decision makers since all efforts and visions have to be mobilized for the accomplishment of the same noble goal, sparing no effort to disclose all the obstacles that may hold back the implementation of that goal.

The present report covers a year that witnessed an important event on both the domestic and the international levels, an international attainment added to Qatar's record upon the decision by the FIFA near the end of 2010, choosing Qatar as host for the 2022 Football World Cup Competition. Qatar is proud of the winning bid taking into account that the other competing countries submitted well-designed ones. In this way, Qatar will be the first Arab county, and even the first country in the Middle East to host the said prestigious sports championship; an attainment that carries several positive implications concerning Qatar's standing on the international arena as well as other positive implications concerning the status of human rights in the country in addition to an obvious recognition and appreciation of the country from the part of the international community.

In this context, the **NHRC** would like to note that Qatar's winning bid does pose several important challenges concerning a range of economic, social and cultural rights, an issue that requires due preparedness.

Nevertheless, the **NHRC** is fully confident in the State of Qatar's capability and determination to appropriately address such challenges and that it will take further steps to develop all necessary strategies and action plans for that aim.

The **NHRC** would also like to indicate that upon monitoring the status of human rights in the State of Qatar since the beginning of the year 2010, several efforts and endeavors have been noticed on the right track, such efforts were put forth by the government toward the end of promoting and protecting human rights.

Whereas the **NHRC** has monitored some challenges that still confront the progress of human rights promotion, the present report has mentioned the major challenges and obstacles in this regard, however the developments that took place during the previous year, with the winning bid as the most prominent attainment, do reflect the subsistence of civilized visions and enlightened thinking which together inspire confidence and stir further hope as well as ambition so that we could head towards a new year for additional achievements on the level of enriching, consolidating, protecting, and promoting the human rights status in the State of Qatar, with the provision of effective means for overcoming the challenges ahead.

The **NHRC** thinks it is appropriate for the present report to fall into three parts as follows:

SECTION (I)

Developments on the Domestic Legislation Level

SECTION (II)

NHRC's Activities and the results thereof

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NHRC Views and Recommendations on Human Rights Status

SECTION (I)

(I) Developments on the National Legislation Level

This section comments on the legislative developments during the year 2010. It sheds light on legislations concerning human rights and the most important provisions in this regard guided by the provisions of the Islamic benevolent Sharia Law and the fundamental human rights principles that have been well-established by the permanent constitution of the state of Qatar, in line with the requirements of the international human rights standards.

The **NHRC** hopes the state will pursue the praiseworthy approach it adopted during the previous years, resulting in Qatar's accession to a host of important international human rights instruments, hoping for further steps, particularly the accession to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights due to the fact that these covenants are of particular importance among all international human rights instruments.

The **NHRC** is looking forward to Qatar's accession to the said covenants in the near future, given that the concerned committee has already issued its recommendations concerning the accession to the said covenants and filed reservations on some of their provisions. The **NHRC** looks upon Qatar's accession to the said covenants as a significant and efficient step for the promotion and protection of human rights in the state of Qatar, a step that shall reinforce the country's endeavors in this area on the international level.

(II) Commentary on National Legislation

Law No. (4) of 2010 on Money Laundry and Financing Terrorism

The said Law was passed on 18/03/2010 and published in the official gazette in its third edition on 31/03/2010 providing for the abolishment of Law No. (28) of 2002 on anti money laundry measures as amended by decree Law No. (21) of 2003.

The first clause of the said Law contains definitions of the acts constituting money laundry activity as well as definitions of the acts that constitute terrorist offences pursuant to the counter-terrorism international instruments.

The said Law provides for the creation of a National Committee to counter money laundry and financing terrorist acts. The said Law also identified the terms of reference of the said committee which shall be responsible for developing a national strategy to confront such criminal acts in the state of Qatar, and shall maintain close coordination among the concerned ministries and agencies represented in the committee to examine and follow up international developments concerning money laundry and counter terrorism measures. The said committee shall provide its recommendations concerning the improvement of the instructions and organizational regulations issued by the state's auditing offices, it shall also propose legislative amendments and draft Laws so that it would be possible to cope with such developments and maintain coordination with the National Counterterrorism Committee concerning all issues that stem from relevant international, regional and bilateral agreements and shall develop all necessary mechanisms to implement the UN decisions on counterterrorism.

The said Law also provides for the creation of a financial information unit, as an independent office having its own legal personality and independent budget, to act as a national central authority that assumes responsibility for receiving, requesting, analyzing and disseminating information concerning any funds that might be suspected of being

revenues from any criminal offences or probable money laundry operations or rather related to financing terrorism. The Law also indentifies the competent auditing authorities, investigation procedures, temporary arrangements in addition to the provisions of international cooperation and mutual legal assistance and exchange of the persons accused of money laundry and financing terrorism.

The **NHRC** believes that the said Law reflects Qatar's determination to take further steps against money laundry and financing terrorist activities by positively responding to and interacting with the international community. It is also an important and effective step towards consolidation and promotion of human rights because combating such criminal activities is a vital means of clearing serious threats against several human rights and freedoms.

Law No. (8) of 2010 amending certain provisions of Penal Code promulgated by Law No. (11) of 2004.

Law No. (8) of 2010 was passed on 08/06/2010 and published in the official gazette on 30/06/2010. The new Law has added a new clause (159 bis) to the provisions of the Penal Code; Law No. 11 of 2004, providing for the same punishment on the torture crime committed by an official or any other person acting in his administrative capacity, the legislator added another crime which is incitement to, agreeing to or keeping silent when torture takes place. The Law defines an act of torture as (any act that results in severe pain / suffering, whether bodily or psychological that is deliberately directed against a person for extracting information or confession from him/her or from another person, or as a form of punishment on an act committed by that person or for having been suspected of the same or for terrifying a person or forcing him or another person or if such pain or torture is caused on discriminatory grounds of any type. This does not include pain or

suffering arising from or accompanying any legal punishment or resulting wherefrom as a side effect).

The **NHRC** would like to praise the expansion of the concept of torture brought about by this amendment and the adoption of an obvious definition of torture in compliance with the definition provided by the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the “Torture Convention”) of 1984 which was ratified by the State of Qatar by decree No. (27) of 2001. The recent amendment maintains legislative harmony between the dictates of international instruments and the national Law.

Law No. (10) of 2010 amending some provisions of Law No. (12) of 2004 on Private Associations and Institutions.

The said Law was passed on 15/06/2010, and published in the official gazette on 19/08/2010. It contains a number of provisions the most important of which is providing for a minimum limit for a private association’s capital by QAR 10,000,000. The Law provides that the private association shall be entirely owned by the founder(s), the council of ministers may exempt the applicant from this capital provision according to the association’s activity. The Law provides for prison term punishment no less than one month and not exceeding one year and a fine on no less than QAR 15,000 , not exceeding QAR 50,000 or either punishment for whoever issues or submits a written document including untrue data. The said punishment shall be applicable on whoever exercises institutional activities prior to the registration of the association. The same shall be applicable on practicing prohibited activity, practicing activity that is in breach of the original purpose of the association as well as causing its funds to take part in financial speculative transactions or continuing the activities of an association in bad faith in violation of a decision on dissolving it despite being aware of the same.

The said Law replaced clause 2/ last paragraph of Law No. 12 of 2004 concerning associations and private institutions with a new provision that makes it permissible for the council of ministers to approve, upon proposal of the concerned minister, the establishment of private associations the founder of which is non-Qatari if this would serve the public interest. It also makes it permissible for the council, on the same conditions, to approve the establishment of associations if the founders are less than 20 persons. The **NHRC** would like to note that these new provisions are considered as a positive step toward the cancellation of one of the restraints that contradict the relevant international standards.

In several previous reports, the **NHRC** recommended to minimize the restraints stipulated by the Law on private associations concerning the right to form associations because such restraints do hinder the growth of the civil society which is still emergent. The **NHRC** believes that the condition of depositing the said amount to obtain approval on the establishment of a private association constitutes a new constraint in addition to the already existing ones. Moreover it imposes an extra burden on those who live on limited means who are the real beneficiaries from active institutions and associations that could care for their interests. One more point is that the said condition would discriminate among citizens on the grounds of their financial ability, and consequently empowerment will be limited to those who can satisfy the condition because they will obtain approval to establish a private association in violation of the “level playing field” concept, and in breach of the provision of Clause 22 of the International Covenant on Civil and Political Rights providing for the right of every individual to form associations with others including the right to form syndicates and the membership thereof seeking to protect one’s interest and that no constraints shall be imposed on the practice of this right except for those provided for by Law provided that they constitute necessary arrangements in a democratic society to preserve and maintain national security, public safety of public order as well as the morality of the society and the protection of the rights and freedoms of the others.

Consequently, the **NHRC** would like to reiterate the recommendations of its previous reports concerning the minimization of constraints on the establishment of associations and adopting easier registration procedures as well as removing existing obstacles and unnecessary procedures.

Law No. (5) of 2010 on Separating Labour Accommodation from Family Accommodation Areas.

The said Law was passed on 19/08/2010 to prevent property owners and managers of real estate as well as their representatives and agents from leasing premises or parts thereof as labor accommodation in places that are known to be family accommodation areas. The said Law set forth a number of provisions concerning violations, grievance and fines. A one year grace period from the date the Law comes into force was given to the lessors and lessees for compliance as per the provisions thereof. The said Law deems all lease contracts and agreements that are in breach of the provision thereof as null and void starting the end of the abovementioned grace period.

The **NHRC** believes that the said Law is in conformity with the norms and traditions as well as the demographic structure of the Qatari society as well as the social and economic state of affairs in the country and its current conditions of development.

Decree Law No. (17) of 2010 on the organization of the National Human Rights Committee.

The said decree Law was issued on 19/08/2010 concerning the reorganization of the **National Human Rights Committee** as well as the identification of its powers and terms of reference. The said Law added certain new powers to the **NHRC** including but not limited to monitoring human rights status and preparation of relevant reports

providing recommendations and conducting field visits to punitive institutions, reformatories, detention centers, labor accommodation areas, medical care centers, educational institutions.

The Law also provides that the **NHRC** shall provide its suggestions and proposals to the concerned agencies regarding the existing Laws and draft legislations to address their compliance to the provisions of international human rights conventions which Qatar has acceded to. The **NHRC** shall also take part in the preparation of human rights education programs and relevant studies and researches and participate in the implementation thereof. Clause 4 of the said Law stipulates that the **NHRC** is fully independent while practicing its activities. In addition clauses 16,17,18,19,20 and 21 of the said Law focus on several provisions that guarantee administrative as well as financial independence of the **NHRC**.

The said Law undoubtedly represents a significant civilized step that is added to Qatar's record toward more entrenched human rights status. It also complies with the requirements of the international standards and principles for national human rights institutions as well as Paris principles on the status of national human rights institutions as adopted by the UN general assembly in 1993 as the provisions of the said Law guarantee and consolidate the **NHRC**'s administrative and financial independence and adds further necessary terms of reference to its mandate so that it can achieve its goals regarding the improvement of human rights status, particularly what is related to field visits to punitive institutions, reformatories, detention centers, labor accommodation areas, medical care centers and educational institutions. These provisions as expressly stipulated by the Law would guarantee and empower the **NHRC** while performing its mission in this respect.

Emiri Decree No. (18) of 2010 on extending the term of the Advisory Council.

The said decree was issued on 01/06/2010 and published in the six edition of the official gazette on 30/06/2010. It extends the term of the Advisory Council to three calendar years starting the first of July till the 30th of June 2013.

The **NHRC** would like to note that its recommendations in several previous reports indicated the importance of passing the Law on the organization of the Advisory Council elections. The **NHRC** believes that extending the term of the Advisory Council would pose an important obstacle for active practice of the right to participation in the political life as since Decree No. 38/2003 was passed inviting the citizens to referendum on the country's permanent constitution in democratic and transparent climate, the outcome of these efforts was the adoption of the constitution which was enacted in 2005, these efforts of political life revival have been accompanied by several symposia and discussion of all policies and programs to enact political rights. The **NHRC** was expecting the Law on the organization of the Advisory Council elections during 2009; however it was not passed till the present moment. The **NHRC** recommends that it is increasingly important to reconsider the decision on extending the term of the Advisory Council and to speed up the issuance of the Law on elections since the actual practice of this right represents the ideal process for building democratic approach that far extends beyond the limits of political life to the different aspects of public life.

Emiri Decree No. (20) of 2010 on the establishment of Doha International Centre for Interfaith Dialogue.

The said Law was passed on 01/06/2010 and published in the official gazette on 30/06/2010. It provides for the establishment of a private public utility institution that is known as "Doha International Centre for Interfaith Dialogue". The aim of the center is to support and consolidate

the culture of dialogue and peaceful coexistence among different beliefs. It also triggers religious values to address the issues and problems which concern humanity. The center's statute stipulates that it aims at consolidating the culture of peaceful coexistence, encouraging the acceptance of the other, triggering religious values to address the issues and problems which concern humanity and extending the umbrella of dialogue to include all aspects of life which are in interaction with religion in a broader circle encompassing researchers, academic figures and those who are interested in the relation between religious values and the issues of life as well as the provision of scientific information, education and training in the concerned areas of specialization.

The **NHRC** would like to praise the said decision as it could disseminate the principles of tolerance and brotherhood among the followers of different beliefs and focus on common realities in addition to creating common factors around which the human family can meet in line with the objectives of the international society concerning the preservation of international security and peace. Moreover the adoption of dialogue emphasizes the human and social dimension of religions to contribute to the protection and promotion of human rights by discarding sectarianism and intolerance which ignite wars, disputes and clashes.

Emiri Decree No. (30) of 2010 on the formation of the National Human Rights Committee.

His Highness the cherished Emir of the State of Qatar, may Allah protect and guard him, issued the said decree on the formation of the **National Human Rights Committee** pursuant to the provision of clause 5 of the decree Law No. 17 of 2010 on the organization thereof. The new formation includes 14 members, nine from the civil society and four representing the Ministry of Interior, the Ministry of Labor, the Ministry of Social Affairs and the Supreme Council for Family Affairs. The

decree is in line with the Paris Principles on the organization of national human rights institutions in this regard.

The **NHRC** believes that the short period of time between the date on which Law No. 17 of 2010 on the reorganization of the **NHRC** was passed and the date of the Emiri decree No. 30 of 2010 serves as a true indication to the prudent political leadership's attention and unquestionable desire to guarantee the continuity of the **NHRC**'s mandate and the implementation of its mission pursuant to the provisions of the Law on the establishment of the **NHRC** in a manner that helps the achievement of its objectives and the practice of its terms of reference with priority to its main goal, that is the promotion and protection of human rights and the dissemination of human rights culture and education.

Emiri Decree No. (65) of 2010 ratifying the amendment of the constitution of the World Labour Organization.

The said decree was issued to ratify the amendment of the constitution of the World Labour Organization. The **NHRC** believes that the ratification of the WLO's constitution and its current amendments reflects Qatar's willful acceptance of all the principles and the rights provided for by the said constitution as well as Qatar's praiseworthy attitude toward the realization of the WLO's general objectives and principles via all available means in line with the requirements of the country's standing and its domestic conditions. The ratification of the said amendments coincides with the more and more persistent need for reassurance on the firmness of the principles and rights provided for by the WLO's constitution and the enforcement thereof on the international and the national levels with the increasing dependence on free trade and expatriate labor as well as economic exchange given that the WLO pursuant to its constitution is responsible for developing international

labor standards and addressing the issues related to these standards. It is also the competent organization concerning the basic rights at work.

Decision of the Council of Ministers No. (8) of 2010 on the creation of the Qatari Committee for Civilizations Alliance.

The said decision was issued on 28/03/2010 and published in the official gazette on 25/04/2010. Clause 1 of the decision provides for the creation of a new organ of the Ministry of Foreign Affairs, namely the “Qatari Committee for Civilizations Alliance”

Decision of the Council of Ministers No. (51) of 2010 on the creation of Organizational Structures Follow up Committee.

The said committee shall be chaired by the Minister of State for International Cooperation. The decision stipulated that the said committee shall aim at supervising the state’s action plan on civilizations alliance and following up Qatar’s contribution in this area. It shall also suggest topics for research and supervise meetings and forums as well as following up the implementation of awareness and educational programs to entrench the value of respect among all civilizations and the importance of their alliance via all possible means.

The **NHRC** believes that the country’s interest in highlighting the importance of civilizations alliance and the creation of a specialized committee to assume responsibility for this mission constitutes a civilized step to be added to Qatar’s record and endeavors aiming at the realization of peace and the resolving conflicts on the regional and the international levels.

SECTION (III)

NHRC's Activities and the Results Thereof

This section sheds light on the activities of the **NHRC** related to the performance of the mission duties assigned to it as per the Law on its creation, during the year 2010, as follows:

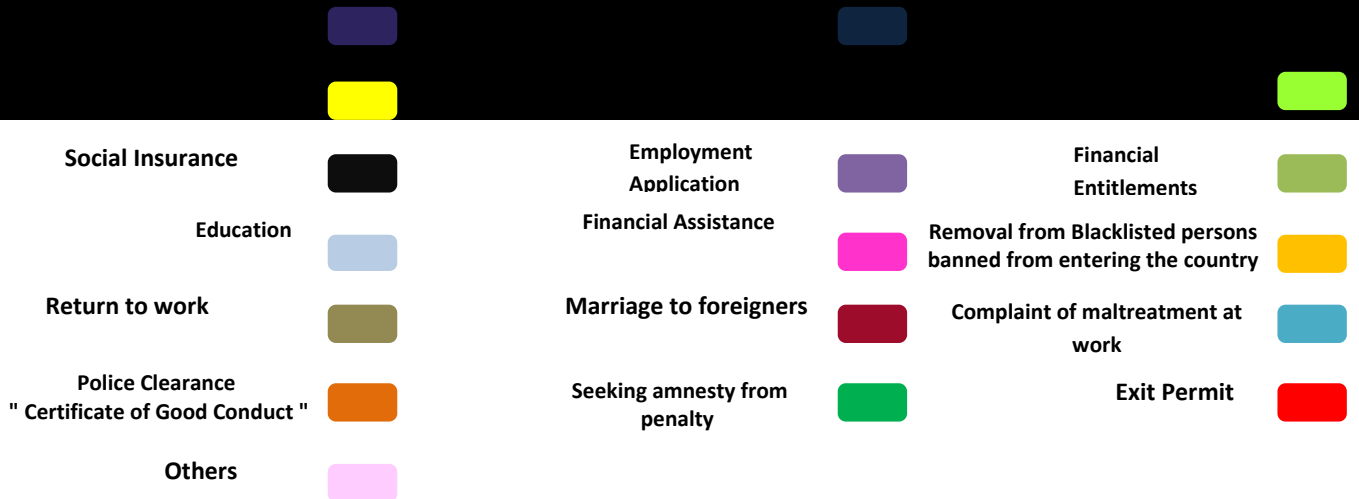
(I) Complaints:

The **NHRC's** pays exceptional attention to receiving and processing complaints or reports on human rights violations to enforce its terms of reference pursuant to the Law on establishing the **NHRC**, taking into account that investigating such complaints and reports and finding out the facts about them in addition to the provision of due legal advice constitute one of the necessary means to achieve the objectives and goals of the **NHRC**, envisaged by the Law on its establishment regarding the protection of human rights,

The **NHRC** is keen on investigating all reports and complaints, so it maintains close coordination with the concerned offices so that the causes of complaints could be eliminated and repetition of the same could be avoided. The **NHRC** exerts considerable efforts to reach amicable settlement of as much complaints as possible or instruct and refer the concerned persons to the competent authorities after having been advised on the necessary relevant legal procedures concerning the submittal of their complaints or rather deciding to set down any report or complaint that is found as groundless from legal perspective.







Complaints and petitions received by the NHRC over 2010

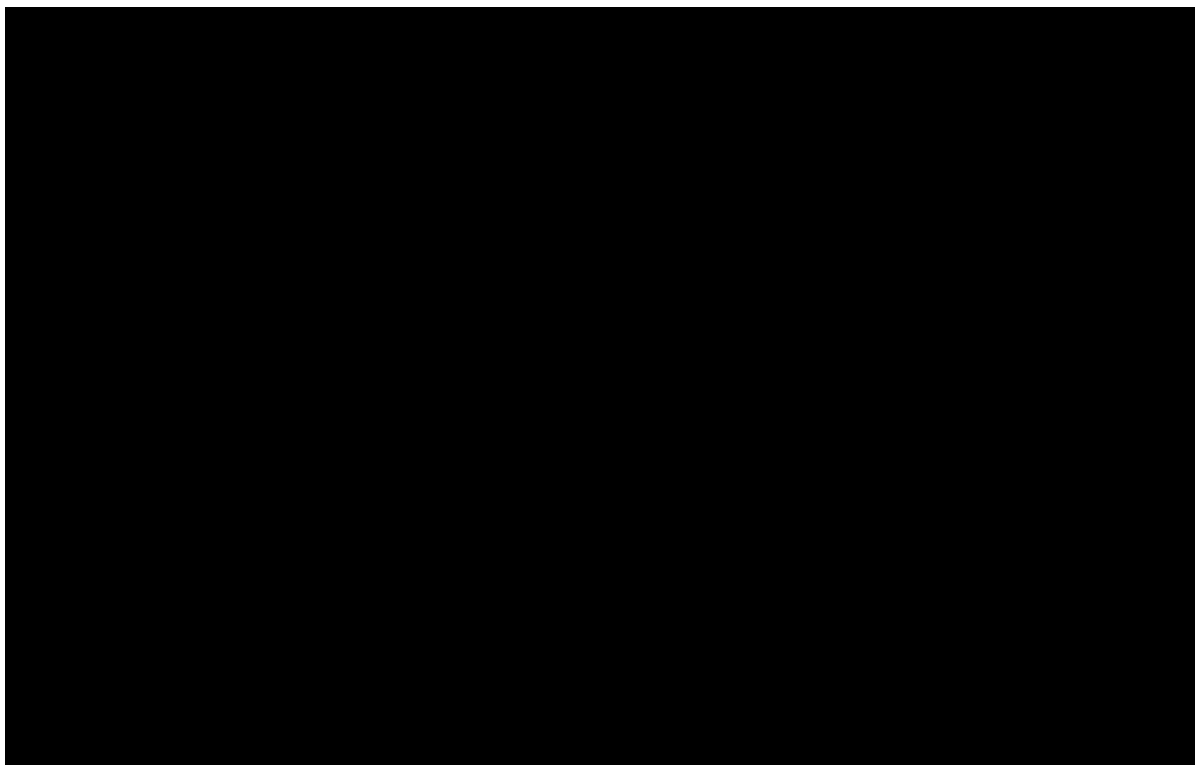
The **NHRC** received 791 complaints during 2010. They are related to a variety of human rights issues which have been classified as follows:



No.	Type of Complaints	Number of Complaints
1	Transfer of Sponsorship & RP Renewal	220
2	Financial Entitlements	40
3	Seeking Cancellation of Deportation Order	45
4	Removal from Blacklists of persons banned from entering the country	11
5	Maltreatment at work	13
6	Exit Permit	3
7	Seeking Utilization of the housing system	85
8	Seeking cancellation of Denationalization Decision	26
9	Employment Application	130
10	Financial Assistance	50
11	Marriage to foreigners	4
12	Seeking amnesty from penalty	23
13	Seeking Attorney to accept a case free of charge	6
14	Overseas Medical Treatment	10
15	Social Insurance	1
16	Education	3
17	Return to Work	16
18	Police Clearance " Certificate of Good Conduct "	3
19	Others	102
TOTAL		791

The following table sums up the procedures and actions taken by the **NHRC** concerning these complaints as well as the number of relevant correspondences sent to the competent authorities and the number of replies received by the **NHRC**:

Number of Correspondences Sent to the Competent Authorities	663	
1- Number of Replies Received by the NHRC	265	
2- Number of Non-Replies	398	
Complaints Found Groundless and Set down	17	
Amicably Resolved Complaints	13	
Total Number of Complaints	791	



The following chart the total number of petitions, reports and complaints filed by Qatari nationals and Non-Qataris as follows:

Number of Complaints January through December 2010

Qataris



GCC Citizens



Nationals of Arab States



Nationals of Foreign States



Number of Complaints January through December 2010

Qataris	379
GCC Citizens	13
Nationals of Arab States	231
Nationals of Foreign States	168
TOTAL	791

Developing Qatar's National Plan for Human Rights Protection and Promotion

In its previous reports the **NHRC** reiterated the importance of developing a national plan on human rights protection and promotion. All ministries, agencies and organizations that are interested in or concerned with human rights shall participate in the proposed plan pursuant to the Vienna Declaration and Action Program stipulating in its clause 71 that “Every country should consider the formulation and development of a national action plan to demonstrate the steps which the country will take to improve, promote and protect the human rights status. The **NHRC** would like to note that it has communicated this

requirement to the kind attention of the respectful council of ministers. Following the response of the council of ministers, the **NHRC** immediately got engaged in developing the draft national action plan in the light of the **NHRC**'s views in this respect and in the light of the principles of Qatar's permanent constitution as well as the teachings of the benevolent Islamic Sharia Law and the dictates of the international standards of national human rights action plans. The draft action plan was completed, taking into account that it must include and consider a couple of major issues as follows:

The First Issue: Description of the actual state of affairs concerning political, economic, social, cultural and other human rights by investigating the legislative and executive environments as well as the actual state of affairs from an institutional perspective and in practice regarding each and every human right.

The Second Issue: Determining the general strategic goals of the action plan as well as the secondary objectives concerning each and every civil, political, economic, social and cultural human right. This also focuses on the identification of the starting points and the referential framework of the action plan as well as the foundations, principles and values thereof in addition to the necessary legislative and executive arrangements which will help achieve the desired goals and objectives, and finally setting the appropriate time frame for the action plan implementation and the executive mechanisms. The **NHRC**

believes that the action plan should pass through three main stages as follows:

First Stage: Preparation for developing the action plan

Second Stage: Drafting the action plan

The **NHRC** reviewed the requirements and missions related to every stage; hence the **NHRC** believes that the action plan preparation stage requires the following:

Identifying the concerned agencies and organizations in addition to the **NHRC** including all the Ministries and public organizations interested in human rights. The **NHRC** suggested that representatives should be selected from the council of ministers, the ministry of foreign affairs, the ministry of interior, the ministry of justice, the ministry of higher education, the ministry of public health, the ministry of labor, the ministry of social affairs, the ministry of culture, arts and heritage, the supreme council for jurisdiction, the general prosecution, the supreme council for family affairs, the Qatari Institution for Child and Woman Protection, the Qatar Foundation to Combat Human Trafficking and the National Human Rights Committee.

An Emiri decision needs to be issued by **His Highness the cherished Emir of the State of Qatar, may Allah protect and guard him, his honest Heir Apparent**, or by His Excellency the Prime Minister on the creation of a committee consisting of

representatives from the said agencies to assume responsibility for the following missions:

Describing and investigating the actual state of affairs of the all civil, political, economic, social and cultural rights by examining the organizational provisions of the existing legislations concerning each and every human right to identify and determine whether such organization is adequate for the promotion and protection of human rights in the light of the principles of the institution and the principles of the benevolent Islamic Sharia Law and the international standards stipulated by the international human rights instruments.

Investigating the international conventions acceded by the State of Qatar to identify whether the existing national legislations are in line with the provisions of such instruments.

Studying the actual executive state of affairs for each and every human right to ensure whether or not the existing executive procedures and arrangements are adequate and whether they can activate these Laws, and whether the provisions of the said Laws, if adequate, are implemented in practice. This stage also addresses the challenges ahead of the effective implementation of these Laws and the need to investigate the real state of affairs of the national mechanisms in place to protect and promote all human rights on the level of jurisdiction and prosecution on the one hand and on the level of the governmental and non-governmental organizations and agencies concerned with human

rights on the other hand, to identify whether such mechanisms are adequate for consolidation the protection of human rights as well as the challenges ahead the performance thereof.

Identifying the partner organizations that have to take part in the plan implementation in the light of the actual human rights status and whether the civil society organizations such as private public utility institutions, academic figures and non-governmental associations are required to participate

Documentation of the outcomes of the foregoing steps

The **NHRC** has noted that the requirements of the preparation stage necessitate the committee created for developing the action plan to perform the following missions: examining the outcomes of the foregoing steps and investigating the legal and executive state of affairs regarding the human rights status as well as evaluating the adequacy of the national mechanisms in place in the country for the promotion and protection of all human rights together with identifying whether the civil society organizations are required to take part in the action plan implementation

Identifying the general strategic objectives of the plan as well as the secondary objectives concerning each and every civil, political, economic, social and cultural human rights in the light of the foregoing findings and results. Then, all requirements, priorities, arrangements, and necessary executive and legal procedures will be identified for the implementation of the set objectives. Consultations will follow with the civil society

organizations if the concerned committee finds out that it is necessary for such organizations to participate in the implementation of the plan about their views and suggestions concerning the implementation of the general strategic objectives of the plan and the secondary objectives, the last step will be drafting the plan in the light of the foregoing findings and results.

The **NHRC** has reviewed its views on the major elements of the plan taking into account the importance of incorporating these elements in the plan's referential framework and the general strategic objectives of the plan as well as the principles and foundations on which the plan depends and the method of its implementation, its time frame, execution and follow-up mechanisms in addition to ways to fund the plan and adoption of indicators which could be used to assess the achievement of the objectives of the plan. The **NHRC** would like to point out its views regarding the content of every element and was able to conclude a detailed report including its views on the draft plan. The said report was referred to the cabinet on 16/06/2010.

In the same context, the **NHRC** would like to praise the prompt response from His Excellency the Prime Minister before the end of the previous year as His Excellency directed that the **NHRC** would develop the Human Rights Strategy in the State of Qatar in line with the human rights vision and mission, taking into account the components of the Arab Plan on the promotion of the human rights culture and providing a link to Qatar' national vision 2030 and identifying the **NHRC's** views on the

coincidence of the implementation of the national human rights plan and the ministries' tripartite plan as well as identifying the necessary time frames for completing the preparation of the plan within no longer than three years and identifying the time frame for the enactment of the plan, while the proposed implementation mechanisms would be limited to creating a follow-up unit affiliated to the **NHRC** which shall assume responsibility for monitoring the implementation of the plan.

Cooperation with International Human Rights Organizations

In the framework of activating the **NHRC**'s cooperation with all the regional and international organizations that are concerned with human rights and pursuant to the provisions of the Law on establishing the **NHRC** in this respect, the **NHRC** maintained close communication with several international and regional human rights organizations as the year 2010 witnessed several activities conducted by the **NHRC** in this area as follows:

On 05/01/2010 the **NHRC** received a delegation from the US Congress staff to review and discuss the role of the **NHRC** and its terms of reference as well as its action mechanisms, activities, and events.

On 06/01/2010 the **NHRC** received the French human rights minister. During the meeting the achievements and mechanisms of the **NHRC** were discussed as well as the most important developments in the area of human rights in the State of Qatar.

On 03/03/2010 the **NHRC** received the Ambassador of the Italian Republic and the representative of the International Institute for Human Rights at St. Raymond, Italy. The meeting discussed the role of the **NHRC** and its terms of reference.

On 15/4/2010 the **NHRC** received the Ambassador of Turkey in an effort to strengthen the excellent relations between the two countries in the human rights area . During the meeting, human rights issues in the State of Qatar and the Republic of Turkey were discussed together with ways of mutual cooperation on the dissemination of human rights awareness.

On 16/04/2010 the **NHRC** held a meeting with the Vice President of the Canadian Research Center for International Development to submit the civil society organizations track activities to the seventh “Forum for the Future”. The said forum is chaired by the State of Qatar and Canada. Doha hosted the official “Forum for the Future” meeting in November 2010. The said meeting addressed all the organizational and logistical issues of these events and the regional workshops that were organized in: Doha, Beirut and Istanbul.

On 19/04/2010 the **NHRC** received the Ambassador of the Republic of Algeria to discuss ways to strengthen the special relationship between the two countries in the human rights area and ways of cooperation towards the promotion and protection of human rights and how to coordinate the expertise of the **NHRC** in raising awareness and education on human rights issues.

On 04.20.2010 the **NHRC** received Ms. Navi Pillay, United Nations High Commissioner for Human Rights to discuss ways of cooperation, partnership and exchange of experiences between the **NHRC** and the United Nations High Commissioner for Human Rights, the visit also discussed the role of the United Nations Centre for Training, Documentation and Information in the human rights area for South Asia, the Arab region and the State of Qatar.

On 05/11/2010 the **NHRC** received a delegation of the Arab Institute for Human Rights to prepare a series of studies on the right to education and how to integrate human rights concepts in the curriculum.

On 17/5/2010 the **NHRC** received the representative of the United Nations Office for the rights of refugees to discuss how to cooperate with the **NHRC** on the issue of refugees in the Arab world and the world.

On 24/5/2010 the **NHRC** received His Excellency the Ambassador of Brazil, the Deputy Head of the Brazilian Diplomatic Mission and Head of the Consular Section to discuss ways to strengthen the excellent relations between the two countries in the area of human rights.

On 30/5/2010 the **NHRC** received the Chairman of the National Foundation for Human Rights of the Kingdom of Bahrain, the

visit aimed to explore mutual cooperation, partnership and exchange of experiences between the two sides.

On 15/06/2010 the **NHRC** received the delegation of the **National Human Rights Committee** in the Sultanate of Oman the delegation was chaired by the Omani **NHRC** Chairman. The delegation attended a presentation on Qatar's experience in human rights to shed light on the objectives of the **NHRC** and its terms of reference and how to benefit from its experience, within the framework of building, strengthening and exchange of experiences and building relationships with relevant international bodies.

On 06/24/2010 the **NHRC** received the representative of the Association for the Prevention of Torture in Geneva. The meeting discussed ways of cooperation between the **NHRC** and the Association for the Prevention of Torture in Geneva. It was agreed that the **NHRC** would organize a training course in cooperation with the Association in October 2010.

On 02/11/2010 the **NHRC** received the Ambassador of Philippine in Doha to discuss issues related to cooperation between the two countries in the human rights area and ways of strengthening these relations and how to coordinate concerning the dissemination of human rights awareness and education.

On 9/11/2010 the **NHRC** received the Ambassador of the Kingdom of the Netherlands, and the. Secretary-General of the

Hague Conference on Private International Law to discuss ways of cooperation with the **NHRC** in the human rights area, particularly the rights of the child, and how to raise awareness concerning the importance of having a sound and integral family for the child and the possibility of partnerships between the Hague Organization and the **NHRC**.

On 11/30/2010 the **NHRC** received the Director General of the United Nations Centre for Training, Documentation and Information in the human rights area for South Asia, the Arab region. The meeting discussed issues related to cooperation between the two sides in the human rights area and means of human rights promotion and protection.

On 01/12/2010 the **NHRC** received the Chairman of the Algerian Advisory Committee on Human Rights Promotion and Protection to discuss means of cooperation between the two sides in the promotion and protection of human rights.

The **NHRC** participated in the program launched by the State of Qatar and the United Nations on the Uniform Humanitarian Appeal of 2011, dated 30/11/2010, which aims to raise USD 7.4 billion to provide humanitarian assistance to some 50 million people in 25 countries around the world.

As for the participation in developing national reports to be submitted to international bodies concerned with human rights: The **National Human Rights Committee** contributed its views,

observations and recommendations to the national report submitted by the State of Qatar to the United Nations Human Rights Council via the UPR, the **NHRC** prepared a report that included its views in this regard. The said report was sent to the Human Rights Office of the Ministry of Foreign Affairs.

The **NHRC** contributed its views in response to the comments made by some member states on the Qatari national report submitted to the universal periodic review mechanism of the Human Rights Council. The **NHRC** prepared a report containing its views on these observations. The report was sent to the Human Rights Office of Ministry of Foreign Affairs.

On 9/2/2010 the **NHRC** participated in the sessions to review the State of Qatar's report submitted to the UPR mechanism of the Human Rights Council in Geneva.

Following-up the International Coordinating Committee's classification (ICC):

On 25/10/2010, the International Coordinating Committee (ICC) of the United Nations is concerned with supporting, assisting and developing of the potentials of national human rights institutions around the world. The ICC reevaluated the Qatari **NHRC** as Category (A) national institution, which is a higher classification that could be obtained by any national human rights institution on the international level.

Concerning Conferences, Symposia and Workshops:

On 22/02/2010 the **NHRC** held a regional symposium entitled "Regional Symposium on Human Dignity" in the presence of Her Highness Sheikha Moza Bint Nasser Al Misnad, wife of **His Highness the Emir of Qatar**, may Allah protect him, and attended by a number of international and Arab experts, as well as representatives of civil society organizations and human rights activists. The participants discussed the interim report filed by the Swiss government under the title (Protection of Human Dignity).

The **NHRC** held the Arab-European Dialogue Conference during the period from 8 to 10/3/2010. The conference aimed at focusing on women's rights in the Arab world and Europe. The Conference addressed a number of relevant issues such as legislations and the actual state of affairs as well as the relevant challenges, opportunities for change, and the role of national human rights institutions in promoting women's rights.

The **NHRC** held a preliminary meeting for the Forum on the Future that was held in November 2010 in Doha.

On 20/4/2010 **NHRC** held the first forum of national human rights institutions in the GCC countries, which was held under the patronage of HE Sheikh / Hamad Bin Jassim Bin Jabr Al Thani, in order to support national human rights institutions that

were created on the regional level. The forum urged other GCC countries to create their own national human rights institutions.

On 30/4/2010 the **NHRC** participated in a symposium entitled "The rights of Filipino workers overseas" held by the Embassy of the Philippine in Doha, in cooperation with the U.S. Global Center for Labor Solidarity. The **NHRC** was honored by the Embassy of the Philippine in recognition of its efforts to promote and protect human rights in Qatar.

The **NHRC** held the first meeting of the women's rights action group of and gender equality which is based upon the recommendations of the fifth Euro-Arab Dialogue concerning women and gender equality to identify and address priority issues set out in the Doha Declaration on the rights of women and gender equality in the period 9:10/5/2010 .

In cooperation with the Arab Foundation for Democracy the **NHRC** held a regional workshop under the title "Peaceful Settlement of Conflicts and Democratic Transition" during the period from 29: 30/05/2010, in preparation for the seventh Forum for the Future.

The **NHRC** participated in a workshop entitled "National Strategy" which was organized by the General Secretariat for Development Planning on 6/6/2010 to investigate how to set forth the budget for future programs or projects.

The **NHRC** participated in the conference on “Efficient Practices of Policing Performance and Minorities in the Middle East” to exchange successful experiences of Policing Performance and Minorities, which was held in Beirut on 28/9/2010.

The **NHRC** participated in a workshops organized in the Philippines, Sri Lanka and Nepal in cooperation with the U.S Center for Labor Solidarity. during the period from 21:28/6/2010 in order to raise the awareness of expatriate laborers in the State of Qatar regarding their rights and duties during their stay in the country. The **NHRC** provided a number of proposals and views to help expatriate laborers protect themselves against all forms of abuse.

The **NHRC** participated in Istanbul regional workshop on "the role of the private sector and social responsibility" during the period from 9:10/10/2010 in the framework of the activities of civil society organizations track of the seventh Forum for the Future which is chaired by the State of Qatar in partnership with the Republic of Canada, which was held in Doha. The **NHRC** demanded the need to establish an Arab Observatory of Social Responsibility which shall provide information, studies and statistics on the progress made in this area.

The **NHRC** participated in the meeting the Arab Ibero-American national human rights institutions held in Casablanca from 12:13/10 2010. The meeting issued a number of

recommendations including the formation of a coordination and follow-up committee with Qatar and Morocco representing the participating Arab side; while Portugal and Spain representing the Ibero side and Mexico and Ecuador representing Latin America,.

The **NHRC** participated in a regional workshop on "Youth and Active Participation In Political, Economic and Social Development", which was held in Beirut from 18:20/10/2010.

On 07/11/2010 the **NHRC** participated in the last preliminary meeting which was held in the city of Uttara, Canada, attended by representatives of the civil society and the number of representatives of the Governments of nearly 40 countries, in order to complete the final preparations for the seventh Forum for the Future, scheduled to be held in Qatar in January 2011.

Training Courses:

The **NHRC** organized a training course in cooperation with the French Republic Mediator at Doha Millennium Hotel. The course was entitled (Mediation Agreements in the Human Rights Area) during the period from 14:15/03/2010.

The **NHRC** organized a training course in cooperation with the University of Lyon Human Rights Institute, France, the course was entitled (International Law and Human Rights) during the period from 16:17/3/2010 at Doha Millennium Hotel.

The **NHRC** organized a training course entitled: "Protecting Prisoners and persons deprived of liberty" in cooperation with the Association against Torture in Geneva during the period from 2:4/10/2010.

Training workshops continued for the staff of the Ministry of Social Affairs to promote the human rights culture in cooperation with the **NHRC**, the workshop, that lasted for two days 7:8/11/2010, addressed the rights of child, women, persons with disabilities and the elderly in domestic legislation and international instruments.

The **NHRC** organized a training session for its own staff on "the Qatari Constitution and legislations related to human rights", the session started on 28/11/2010 and continued until 09/12/2010 at the **NHRC** headquarters to develop and train the **NHRC** staff in accordance with the nature of their work.

The **NHRC** organized a training course on "International Law on Refugees", in cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR) at the **NHRC** headquarters during the period from 20:21/12/2010.

Human Rights Awareness and Education:

As a form of the **NHRC**'s continued endeavors and desire to perform its mission relating to the dissemination of human rights awareness and education as well as the promotion and protection of human rights in Qatar, the **NHRC** carried out numerous activities, as follows:

The **NHRC** prepared a compact disc (CD) including a presentation on its mission, the role it plays, a synopsis on its establishment, the nature of its mandate, its organizational structure, its members, and national human rights institutions in the Arab world and their legal framework, international conventions on human rights, the most important international and regional conventions on human rights, as well as the most important national legislation on human rights in Qatar.

On 04/02/2010 the **NHRC** signed a Memorandum of Understanding with the Supreme Council for Family Affairs on the dissemination of awareness regarding the international conventions on the family and conducting training sessions in this respect in order to strengthen the status of the family and its role in the society and the advancement of the members of the family and to maintain strong and cohesive families that can look after their children and commit themselves to moral and religious values and ideals as both parties have the desire to raise awareness concerning the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities. The two parties would provide training for the personnel of the agencies concerned with women and persons with disabilities, in addition to organizing training programs, workshops and seminars to raise awareness concerning these rights.

On 1/3/2010 the **NHRC** launched a program entitled (Human Rights in Qatari Schools) which aims to spread human rights culture in general and the rights of the child in particular. The program tries to get the students to know their rights and the means of protecting these rights. It also works for instilling the values of loyalty, belonging and participation in the students with a focus on the fact that every right has a corresponding duty. The program was directed to primary, prep. and secondary school students and included several activities such as the inauguration of human rights groups in Qatari schools to promote human rights culture in schools. Students also were asked to write their own articles and researches on human rights. The program also focused on the preparation of teachers to spread human rights culture in schools and a number of lectures for students and the idea of allocating a 'Human Rights Day' in Qatari schools. Human rights groups of students organized field visits to some government agencies and contests were organized on the rights of the child. The students' interaction with the program and competitions was significant.

On 01/04/2010 the **NHRC** completed the human rights program in Qatari schools. The program was first launched on 1/3/2010 in twelve schools of different educational stages. The program aims to promote a human rights culture in general and the rights of the child in particular as well as to instill the values of loyalty, belonging and participation in the students. The program included a number of educational lectures on human rights for schools students on the definition of human rights in general, the Convention on the Rights of the Child and the International Convention on the Elimination of all Forms of Discrimination

against Women. A Human Rights Day was chosen in all the participant schools. The Human Rights Day included drawing and writing contests as students were asked to write stories, articles and reports on human rights issues, it also included theatrical performances and the preparation of the 'Rights of the Child in Qatar' Panorama.

On 10/6/2010 the **NHRC** organized an event at Al-Wajba Independent Preparatory School for Girls to honor the winners of the contest entitled (Know Your Rights), which aimed to raise human rights awareness and culture among the students. The schools that participated in the program were also honored. During the event awards and gifts were given to the winners and the **NHRC** made an overall presentation about the program.

The **NHRC** participated in the activities of the educational workshop for the Ministry of Social Affairs' staff on human rights. The workshop was organized by the Ministry in cooperation with the **NHRC** in order to enhance their background work-related information and some lectures were delivered on the rights of women, the rights of the child, the rights of people with special needs, and the rights of the aged.

The **NHRC** signed a partnership agreement with the Qatar Centre for Islamic Culture (Fanar) on 20/10/2010 for the production of an international publication on human rights in Islam, intended to be published in both Arabic and English, the publication is entitled: "Islam and Human Rights". It contains

the Universal Declaration of Human Rights of 1948, and the corresponding Islamic texts and how the provisions of the declaration agree with these texts.

The **NHRC** participated in the civil society organizations gallery, at the College of the North Atlantic on 11/09/2010. A lecture was delivered to introduce the students and academic figures to the **NHRC**'s role in promoting and protecting human rights. the **NHRC** participated in the civil society institutions exhibition, held at Arwa Bint Abdulmutallab Secondary Girls' School on 28/11/2010. The students attended a presentation on the **NHRC**, its mission and the nature of its mandate as well as its goals concerning human rights protection and promotion.

On 5/12/2010 the **NHRC** participated in the opening ceremony of the workshop on the preparation of the Islamic Sign Language Dictionary in the framework of cooperation with the Qatari Cultural & Social Centre for the Deaf. In cooperation and coordination with the Arab League Technical Secretariat on Education, Culture and Sciences, the Qatari Centre aims, through this project, to develop a uniform sign language for the deaf on the Arab level.

Committee participated in the celebration of Human Rights World Day, which marks the tenth of December of each year, the **NHRC**'s speech on that occasion was disseminated through the media with reference to the historical and literary value of the Universal Declaration and a presentation on the reality of the current state of affairs of human rights in Qatar and to what

extent that status is in compliance with the civilized and human development of democratic systems concerning the promotion and protection of human rights.

Publication:

Given the **NHRC**'s concern regarding the performance of its mission related to the dissemination of human rights awareness and education, the committee compiled a book entitled (the Rights and Duties of the Employee in the Human Resources Law and Relevant International Standards and Application thereof Pursuant to the Law). The book include a simplified explanation of the provisions of the Human Resources Law No. 8 of 2009 with a brief presentation on the international standards contained in the relevant international conventions and the application thereof in the Law. The said book comes in recognition of the special importance of the human resources Law due to the wide scope of its application as it does cover the various official bodies in the state, its ministries, and public institutions in addition to using its provisions for guidance by other offices and organizations on which the said provisions are not applicable such as the National **NHRC** for Human Rights.

The **NHRC** prepared a booklet entitled (**National Human Rights Committee** of Qatar: Establishment - Objectives - Terms of Reference - Legal Nature). The booklet includes a presentation on the **NHRC**, its objectives, its terms of reference as well as its mission, activities and the most important challenges related to its work.

In the framework of the human rights program at Qatari schools, sponsored by the **NHRC**, two publications were published, the first was a story entitled (I Have Rights) and the other is a book entitled (My Right). The **NHRC** also issued the eighth and ninth editions of its periodical magazine which is known as “Al-Sahifah”. The magazines contained many topics and issues relating to human rights.

Concerning Researches and Studies:

The **NHRC** conducted a study on the status of the rights of the children of Qatari women in the Qatari legislation with a view of the corresponding Arab legislations for comparison and the relevant international standards in order to provide the necessary legal guarantees to promote the rights of this category and studying the possibility to benefit from the experiences of some Arab States, the provisions stipulated by Arab legislation on the rights of children of female citizens in this respect. The said study included a review on the status of the rights of children of female citizens in several Arab countries as per their comparative legislation. The study concluded a number of specific recommendations focusing on the importance of passing a Law on organizing the rights of the children of female Qatari citizens and providing them with equal treatment as the children of male Qataris regarding the right to education, health care, work and residence. A draft Law was prepared, attached to this study and submitted to the respectful Council of Ministers.

The **NHRC** prepared a study on pre-university education in the state of Qatar to examine to what extent the principle of compulsory and free of charge education is actually in Qatar and how to deal with this issue, and whether or not there is compliance with compulsory education in the Primary Stage pursuant to the provisions of the Law on compulsory education. The study also examined the reasons behind con-compliance. The study also focused on whether or not it is necessary to expand the application of the principle of compulsory education on kindergartens and secondary education. The study investigated the independent schools' compliance with free of charge education for children of citizens and residents. It also addressed some aspects of Qatar's initiative which is known as " Education for a new Phase "in order to find out the true state of affairs regarding some of the problems that encounter independent schools in terms of registration and enrolment, the new curriculum standards, why Qatari teachers are reluctant to participate in the new educational project, the mechanism for assessing students of independent schools, and the mechanism for the choosing licenses.

The **NHRC** conducted a study on the (Restrictions Contained in the Provisions of the Law on Associations Law No. 12 of 2004), the said study tried to shed light on the right to form associations and private institutions and its importance and the extent to which the Law of private associations and institutions meets the requirements and principles that are relevant to this right. The study concluded that it is important to review the said Law and recommended to amend the provisions of articles numbers (1) (7) (29) (35) of the Law on Associations Law No. 12 of 2004.

The **NHRC** prepared a study on the (conditions of newly released Qatari prisoners). It contained a presentation of international standards concerning prisoners' rights as per the Declaration on the "Basic Principles for the Treatment of Prisoners" and "Standard Minimum Rules for the Treatment of Prisoners", as well as the relevant national standards relating to prisoners' rights in the Qatari legislation, the study addressed the stages prior to and after release, and touched upon the provisions concerning "rehabilitation", the study also included the outcomes of the **NHRC**'s monitoring of the human rights status of those who have been released. The **NHRC** concluded a number of recommendations on the application of the concepts of rehabilitation and integration and to secure job opportunities for the newly released persons.

Continuous cooperation between the NHRC and all governmental agencies:

The **NHRC** received the draft program for the development of organ transplantation in Qatar by the Supreme Council of Health. The council sought the **NHRC**'s consultation and opinion on the above-mentioned program. The **NHRC** has studied the draft and explained the importance of the right to health that requires the provision of preventive and curative services, which in turn require that countries take all measures to provide a better life in the context of the provisions of the Law and respect for the fundamentals of the Sharia Law. The **NHRC** supported the organ donation program with absolute commitment to the parameters of Islamic Law.

The **NHRC** conducted a study on the situation of human rights defenders in Qatar. The study addressed the legislations concerning the implementation and functions of human rights defenders in Qatar, how much rights and freedoms they enjoy, whether there are national institutions for human rights which enjoy autonomy and effectiveness, whether there are policies in place and cultural programs for human rights, what role civil society institutions play to assist human rights defenders and the possibility of fund raising for them to practise their activities, the level of security and whether impunity for perpetrators of violations against human rights defenders is potential. The study concluded in general that human rights defenders in Qatar enjoy a great deal of protection despite the absence of specific legislation on human rights defenders providing them with immunities or special guarantees in spite of the existence of these guarantees in practise.

The **NHRC** participated in a field study on "the situation of unskilled workers in the construction sector in Qatar". The field study, conducted by a specialized team and supervised by the **NHRC**, recommended that it is important to raise the wages of unskilled workers in the construction sector in Qatar given the levels of prices in the country in response to the nature of their work and the risk of injury at work.

The **NHRC** conducted a study on Decree-Law No. 12 of 1996 concerning the collection of textbooks prices and transportation fees. The study reviewed the relevant international principles and standards concerning the right to education, the principles of

Islamic Law and the principles of Qatar's permanent constitution and concluded that there is a need to reconsider the said Decree-Law and consider the exemption of non-Qatari students from the prices of textbooks and transportation fees, taking into account the difficult humane and living conditions of those who live on limited means, in the light of the principles of the country's constitution and the provisions of Law 25 of 2001 on compulsory education for the implementation of the principles and international standards concerning the right to education pursuant to the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, ratified by the State of Qatar.

The study also reviewed the provisions of said Decree Law which require non-Qatari students to pay for school textbooks and transportation fees. The **NHRC** recommends that it is important to enact the stipulation of Article 5 of the said Decree Law, which allows the Council of Ministers upon the proposal of the Minister of Education and Higher Education to adjust the mentioned fees and charges or exempt the non-Qatari students therefrom, are for the mentioned considerations. The study was sent to the Supreme Education Council.

Field Visits:

No doubt field visits lead to numerous important results that help to promote and protect human rights as they help identify the actual human rights status at the visited places. In this

respect, the **NHRC** conducted a number of field visits as follows:

On 07/01/2010, the **NHRC** conducted a visit to the provisional detention section of the Ministry of Interior to monitor the conditions of some detainees upon complaint by their parents that they were arrested in accordance with the Law on the Protection of the Society; Law No. 17 of 2002.

On 14/01/2010 the **NHRC** conducted a visit to the Directorate of Punitive Institutions and Reformatories of the Ministry of Interior; the (Central Prison), the visit aimed to identify the status of prisoners and the services provided to them.

On 18/2/2010 the **NHRC** conducted a visit to the Search & Follow-up Department of the Ministry of Interior to identify the status of female detainees and discuss the problems they face.

On 8/4/2010, the **NHRC** visited the psychiatric clinic in order to identify the status of patients, the problems they face and the quality of services provided to them.

On 24/04/2010 the **NHRC** conducted a visit to the Rumaila Hospital, Hamad Medical Corporation, in order to identify the quality of health care services provided to the patients.

On 06/03/2010 the **NHRC** conducted a visit to the Criminal Investigation Department, General Administration of Public Security, of the Ministry of Interior, to identify the status of detainees and found that there were some cases that have been detained for more than three months under the Law No. 17 of 2002 on the Protection of the Society and are still under investigation.

On 09/06/2010, the **NHRC** conducted a visit to the Dukhan Security Department (Dukhan Police Station) to monitor the conditions of detainees and the problems they face.

On 13/6/2010 the **NHRC** conducted a visit to the Capital Security Department upon a telephone call from one of the detainees who reported that 27 detainees were on strike because of ill-treatment.

On 15/06/2010, the **NHRC** held a visit to the Qatari Foundation for Child and Women Protection to enhance cooperation between the **NHRC** and the said institution.

On 16/06/2010, the **NHRC** conducted a visit to Umm Said Security Department. It was found that a number of persons were detained pursuant to the provisions of the Law on the Protection of the Society, Law No. 17 of 2002. Those detainees were not notified with the dates of their court hearings.

On 20/06/2010 the **NHRC** conducted a visit to the Qatari Foundation for Care for the Aged to assess the status of the older persons and the extent of care provided to them.

On 22/6/2010 the **NHRC** paid a visit to the Department of Juvenile Social Care to monitor the status of Juveniles and the level of services provided to them.

On 28/09/2010 upon the request of Amnesty International, the **NHRC** visited the Capital Security Department to monitor the legal status of a citizen to ensure the availability of all fair trial guarantees for him and the provision of health care to him as well as his right to receive visitors and to communicate with his Lawyer as well as his other rights. The **NHRC** found that the said citizen receives good treatment and that he is allowed access to a number of Lawyers to defend him during his trial and members of his family were allowed to visit him several times.

Section III

In this section of the report, the **NHRC** is going to demonstrate its views and recommendations on the human rights status in Qatar during 2010 by identifying the facts of this status given that the **NHRC** has intended this report to be as thorough and inclusive as possible so that it could reveal the actual status of human rights as reflected by the true state of affairs, whether positive or negative, out of the **NHRC**'s firm belief that all efforts and visions of all the concerned offices, organizations and official bodies have to be mobilized for the accomplishment of the same noble goal which is the advancement of human rights guided by the principles of the Constitution and the principles of the Islamic Sharia Law and the relevant international standards and principles as follows:

The Right to Life and Physical Integrity:

The **NHRC** didn't observe or monitor any violation to this right, in addition, it didn't receive any reports, notifications or complaints in this regard which lies in the area of responsibility of public authorities and represents good communication concerning this right. The **NHRC** did not observe any court ruling of the death penalty in the past year. The **NHRC** notes that a significant increase in the number of deadly traffic accidents was observed due to excessive speed as the main cause for the most violations of the kind. The **NHRC** hopes the Traffic Department will take all necessary measures required to prevent and reduce the excessive speed, and increase awareness on the traffic Law. The **NHRC** also notes that it observed a few cases

concerning the right to physical safety at the deportation detention center, as will be mentioned later in this report when commenting on the conditions of deportation to avoid repetition.

Right to Liberty and Personal Security:

The **NHRC** continued its efforts to promote this right; among these efforts was the enactment of the provisions of Law 23 of 2009 amending some provisions of the Penal Code after having been published in the Official Gazette in early 2010. The said Law added unpaid community service penalties of minor misdemeanors instead of imprisonment applicable for some crimes, and well as the enactment of the provisions of Law 24 of 2009 amending some provisions of the Code of Criminal Procedure having been published in the Official Gazette at the beginning of 2010, which included, in turn, the possibility to postpone the implementation of the unpaid community service penalties in the same cases where deprivation of liberty penalties could be postponed in a manner that consolidates the said right.

Despite the progress made in strengthening this right on the legislative and the executive levels and despite the existence of the concerned Standing Committee to study the cases of detainees at the deportation center, however, the **NHRC** notes that it also observed the continuation of some of the challenges related to the right resulting from the continued application of some provisions of the laws in place including unjustifiable restrictions on this right.

For example the **NHRC** observed during field visits that were conducted over the previous year. There are some cases that have been detained pursuant to the provisions of Law 17 of 2002 on the Protection of the Society; some of them were not referred to the Public Prosecution to conduct the necessary investigations with respect to them. The **NHRC** also observed the detention of others pursuant to the said Law despite the issuance of release decisions by the prosecution or courts in favour of them, in a breach of the dictates of fair trial. Regarding these recent cases, the prosecution and the court supposedly have duly investigated and studied the cases and took the decisions that satisfied the mandate of them according to the authority prescribed by Law and in light of the principles of the Qatari Permanent Constitution that deems the accused as innocent until proved guilty by a court that allows him all the necessities of defense.

The NHRC 's Recommendations on the Right to Liberty and Personal Security

In consolidation of the Right to Liberty and Personal Security, the **NHRC** would like to reiterate that it recommended in several previous reports that there is a persistent need to reconsider some provisions of Law No. 17 of 2002 on the Protection of the Society, the provisions of Law No. 5 of 2003 on State Security and Law No. 3 of 2004 on terrorism, which include some provisions imposing certain restrictions that constitute an important challenge ahead of the right to liberty and Personal Security.

Punitive Institutions and Reformatories:

The **NHRC** has continued its efforts on improving the conditions of the inmates at the central prison and the detention centers. The Ministry of Interior continued its efforts related to the prevention of torture and cruel treatment. The **NHRC** observed some few cases of ill-treatment against some inmates at the central prison and detention centers such as the Capital Security Department's detention facility.

During a couple of visits to the central prison in 2010, the **NHRC** observed that there was congestion in some inmates' rooms as the number of inmates is not in proportion with the capacity of the wards. The **NHRC** also observed that some wards and rooms do not meet the requirements of health conditions. Some inmates complained that the time of visits is too short. It was also observed that the places allocated for sports activities are in poor condition. The medical care for inmates is also in poor condition.

It was also reported to the **NHRC** during the visit of the detention facility at the capital security department that there were a few cases who were not enabled to attend their trial sessions. There were several cases who were detained pursuant to Law No. 17 of 2002 on the Protection of the Society without being referred to the General prosecution.

NHRC 's recommendations on punitive institutions and the conditions of inmates / detainees:

The **NHRC** recommends that it is important to pursue further efforts to provide more medical care for inmates and detainees at the Central Prison. It is equally important to pay more attention to means of meeting health requirements in all places of detention.

The **NHRC** recommends the establishment of an office for "development of prisons" at the Ministry of Interior to assume responsibility for training the staff of punitive institutions and reformatories including officers and other members of staff to spread awareness and education on human rights, in general, and the international standards and principles concerning the rights of prisoners and inmates at places of detention, in particular.

The **NHRC** also recommends that it is important to adopt effective rehabilitation programs for the detainees and the newly released persons to reintegrate them into the society. In this regard, the **NHRC** would like to note the importance of assessing the status of the existing rehabilitation efforts for the prisoners and newly released persons for reintegrating them back into the society as qualified and abler persons to seek ways to dignified living and respect of the Law, and in turn to contribute to the protection of the society by minimizing the risk of those persons' returning to crime in line with the relevant international principles and standards which emphasizes that the ultimate purpose of punishment is reform and rehabilitation. It is

the same civilized thought which was adopted by Law No. 3 of 2009 concerning the punitive institutions and reformatories and explicitly stipulated by Article III of the said Law.

In accordance with the foregoing, the **NHRC** conducted a study over the past year on the conditions of the newly released persons and the adequacy of the rehabilitation programs in place for reintegrating them into the society. The **NHRC** appreciated the appropriate efforts done by the Ministry of Social Affairs in cooperation with the Sheikh Thani bin Abdullah Al Thani Human Services Institution (RAF) to adopt and implement the idea of a rehabilitation project for 70 newly released persons. The project is entitled (New Life) and will be implemented in coordination with the Ministry of Interior, the study concluded that there is an urgent need to launch more rehabilitation programs for newly released prisoners so that they could become intellectually and culturally qualified, and providing psychological assistance and support to them together with vocational rehabilitation programs or by providing appropriate financial support to them and their families.

In order to empower this category and consolidate their right to dignified living, and in order to protect the society from the risk of those persons' returning to crime, the **NHRC's** study concluded a number of recommendations as follows:

It is important to exert further efforts and adopt more social welfare programs for the said category in cooperation and active participation of the concerned government bodies as well as the

private sector and civil society organizations in order to secure job opportunities that are appropriate for the newly released persons in the light of their qualifications and experience.

It is equally important to support and encourage the establishment of small investment projects to accommodate the potentials and capabilities of this category to achieve greater production.

It is equally important to adopt more rehabilitation programs during the prison term at punitive institutions and reformatories on all levels including psychological rehabilitation, physical rehabilitation, cultural and professional qualification.

Rehabilitation programs during prison term should be assigned to specialized technical staff and should be implemented by using the necessary and efficient scientific methods.

Deportation Detention Center:

As usual in all previous reports, the **NHRC** is keen on identifying the status of detainees at the deportation detention center. The **NHRC** observed several improvements at the deportation detention center. The **NHRC** also observed the continuation of some positive efforts to improve the conditions of the detainees, but it also observed during its field visit that some female detainees were in custody for extended periods of

detention without having committed any offense. These cases claim and ask to be allowed to leave the country as soon as possible. It was reported that some female detainees were beaten by a security staff and slightly injured. It was also reported that investigation was being conducted on this incident.

It was also reported to the **NHRC** and in the same context that some cases were subject to deportation decisions as a result of filing transfer of sponsorship applications, though it would be sufficient to reject such requests in accordance with the considerations of Qatarization of some jobs, the **NHRC** believes that this procedure is severely unfair because deportation comes as an unexpected punishment simply because a person applied to transfer his sponsorship, an action which any person would not take if he knew that deportation will be the result of his application .

Recommendations of the NHRC on the deportation detention center:

The **NHRC** emphasizes that it will continue its concern regarding the conditions at the deportation detention center because this issue represents one of the most important challenges facing the human rights endeavors in Qatar due to its negative effects and implications on many levels as it may reflect a negative image which is not consistent with the real state of affairs regarding human rights in Qatar and its enormous endeavors in this area, and due to the fact that this issue has direct influences on the entirety of human rights and freedoms,

particularly the right to liberty and personal security, the right to fair trial and the right to litigation as guaranteed by all the country's constitution and confirmed by the relevant International conventions. The **NHRC** is also keen to reiterate the recommendations of the **NHRC**'s previous reports about, including the following:

It is important importance to speed up action towards abolition of the deportation detention system and replacing the same with care houses taking into account while establishing such houses that they must have their own regulations and must be administered on different systems other than those in place at punitive or penal institutions.

The importance to speed up processing deportation cases that are subject to final court rulings and enabling them to leave the country with immediate effect in coordination with the national companies of land and air transport in this regard.

The importance of paying further attention and care to the detainees at the deportation detention center and intensifying oversight to prevent any form of abuse against them.

The importance of enabling persons who are subject to deportation decisions to appeal against such decisions before the competent courts and providing them with the opportunity to defend themselves and clear the charges filed against them,

while the competent court shall be free to either abolish or support such decisions while providing the concerned persons with all the necessities of defense in a fair trial pursuant to Article 39 of the Constitution in this regard.

Limiting decisions of deportation from the country and giving them further investigation and study before they are issued to ensure that all causes for deportation do apply to these cases, particularly the deportation decisions issued as a result of applying for transfer of sponsorship due to the considerations of Qatarization of certain jobs since it is sufficient to reject the applications.

Freedom of Opinion and Expression:

The **NHRC** has observed continued rise and community growth of the freedom of opinion and expression on the individuals' level or the media and publication level. All are allowed to address and deal with the different issues and topics. And all are allowed to exchange ideas and visions via different media including the discussion and evaluation of policies, programs and activities related to the performance of the official agencies according to an approach that is often marked by objectivity in most cases.

The **NHRC** did not monitor any Lawsuit being filed against journalists or reporters during 2010.

The **NHRC** would like to appreciate the draft Law which is being prepared on the organization of media activities to replace the Press and Publications Law No. 8 of 1979, which is no longer keeping pace with recent developments in the area of media and journalism, furthermore the existing Law contains several restrictions regarding the procedures for establishing new press, publications and publishing houses that desire to engage in journalistic work as mentioned by several **NHRC** previous reports.

The NHRC's recommendations on freedom of opinion and expression:

The **NHRC** hopes and recommends that it is important of speed up the enactment of the new Law on the organization of media activities in the manner that promotes the freedom of opinion and expression and the freedom of the press and publishing. We hope the new Law can adopt a legislative philosophy that is consistent with the civilized approach followed by the state of Qatar in several areas. We hope it would be able to eliminate the existing restrictions on the establishment of press and publishing houses, amend the conditions of practicing the journalism profession and abolish imprisonment in publishing cases. The **NHRC** hopes the new Law would be able to mobilize more support for the constructive message of the media and its pivotal role in the enlightenment, progress and prosperity of the society.

The right to Equality - The rights of Qatari women's children:

No doubt Qatar's accession to the International convention on the Elimination of All Forms of Discrimination against women constitutes a vital step on the path to promote equality of rights between women and men, as confirmed by the constitution which stipulates that citizens are equal in all rights and duties, however, the **NHRC** would like to note that in view of its follow-up of the complaints disseminated and published by the media during the past decade several Qatari women who are married to non-Qataris spoke about their suffering due to severe inequality between them and male citizens regarding the acquisition of Qatari nationality to their children as well as their severe suffering their children are subject to, the **NHRC** conducted a comparative analytical study in 2010 on the status and the conditions of the rights of Qatari women's children regarding the right to nationality, the right to health care, the right to education, the right to work and the right to housing according to national legislations in comparison with some Arab legislations.

All efforts in this direction are in the light of the teachings of the principles of Islamic Sharia Law as well as the international principles and standards in this regard. The said study concluded that the children of Qatari women do not enjoy the necessary legal protection in the light of the principles of the Constitution, the principles of Islamic Sharia Law as well as the relevant international standards. Denying them the right to citizenship constitutes the major challenge leading in turn to deprive the concerned persons of all their rights or result in incomplete enjoyment of their rights.

The **NHRC** would also note that it observed the creation of a special committee by the Supreme Council for Family Affairs to review the status and conditions of the rights of children of Qatari women. The **NHRC** is represented in the said committee by one of its members. The said committee concluded that it is important to prepare a draft Law amending some provisions of Law No. 21 of 1989 on the organization of marriage to foreigners.

The NHRC 's Recommendations on the Right to Equality:

According to the conclusion of the said study, the **NHRC** recommends the following:

The provide the necessary legislative protection to the rights of children of Qatari women and providing them with treatment on equal basis with nationals with regard to education, health care, employment, accommodation. The **NHRC** also suggests preparing a draft Law on regulating the rights of this category as set out by the draft Law concluded by the said study.

To reconsider granting Qatari women the right to transfer their nationality to their children on equal basis as men pursuant to the provisions of the Constitution which holds that all citizens are equal in rights and duties, and in light of what is confirmed by official statistics issued by the Statistics Authority saying that the greatest number of these cases are marriages of Qatari women to GCC citizens of, taking into account that the GCC countries and Qatar have much in common in terms of culture,

values and religious and social traditions. Naturalization of the children of Qatari women poses no fear to worry about any impact on national identity or the social fabric. It is possible to seek guidance of the experiences of Arab countries and their legislations regarding the organization of nationality affairs and the rights of the citizens.

It is as important to reconsider the cases of marriage between Qatari women and non-Qataris and their children the offspring of such marriages, according to new insights and perspectives in line with the civilized approach followed by the state of Qatar in many areas, in particular marriage contracts made in accordance with the provisions of Law 21 of 1989 on the organization of the marriage to foreigners and contracts a marriage in accordance with the provisions of Islamic Sharia.

The Right to Litigation and Fair Trial:

The issue of judiciary independence lies in the heart of the issues concerning human rights, dignity and well-being, given that it is the basis for the rule of Law, good governance and promoting political stability as well as economic and social development.

The **NHRC** monitored the performance of the Qatari judiciary regarding its mission in settling justice in a fair and neutral manner without inclination or discrimination of any type. The

NHRC also encountered some challenges that are still ahead and constitute an obstacle in the way to endorse this right. Such

Challenges are represented in the slow pace of juridical procedures and the prolonged course of litigation due to the large increase in the number of cases before courts in comparison with to the number of judges and prosecutors; this of course results in delay of ruling labor Lawsuits in some cases. Moreover the **NHRC** observed that certain administrative decisions are immune and do not fall within the judicial oversight, in addition the mandate of the Higher Constitutional Court has not been endorsed yet despite the fact that the Law on establishing the Higher Constitutional Court, Law No. 12 of 2008, was passed about two years ago.

The **NHRC** would like to note that it is so important to endorse oversight on the constitutionality of Laws given that it is an important, necessary and essential means to ensure the constitutional rule, and to ensure that the Constitution, Laws and regulations are interpreted in an appropriate manner as well as to maintain and ensure the right to litigation by making sure that no statute will be applicable if proven as unconstitutional.

NHRC 's Recommendations on the Right to Fair Trial and litigation: -

The **NHRC** recommends to speed up action towards the establishment of the Higher Constitutional Court to practise its terms of reference and mission as assigned to it by Law on its establishment.

It is important to increase the number of judges and prosecutors to address the increasing numbers of cases before the courts.

It is important to permit litigants to appeal against and challenge administrative decisions before the courts and not to grant any immunity to such decisions from judicial oversight except for decisions that are related to issues of sovereignty.

It is important to refine the Laws and legislations governing the proceedings and the procedures of litigation which may prolong the process of litigation, to adopt only the procedures required by prompt justice. It is equally important to develop more and more appropriate time limits for the said proceedings and procedures and to direct and urge the litigants to speed up the completion of all requires procedures within the specified appropriate time limits by applying financial fines upon non-compliance from the part of litigants .

- Expansion in applying the system of specialized judges as it provides accuracy and speeds up legal proceedings.

- Expansion in activating alternatives of dispute resolution the resolution of disputes between individuals outside courts, and the expansion of the system of criminal orders, and activating the system of arbitration in civil disputes, in addition to activating the work of Labour committees governed by the Labour Law.

It is important to apply adequate means for prompt rulings concerning labor cases in accordance with the provisions of the Labour Law in this regard.

It is important to develop the performance and systems of the Center Of Judicial And Legal Studies and to include its provisions in the judiciary Law.

The Right to Peaceful Assembly:

The **NHRC** did not receive any complaints implying any violation of this right during 2009 regarding the right to peaceful gathering; this highlights the existence of good communication regarding this right.

The NHRC 's Recommendations on the Right to Peaceful Assembly:

The **NHRC** would like to reiterate the necessity of reconsidering some provisions of Law No. 18 passed in 2004 on Public Meetings and Demonstration because the said provisions put some constrains on this right. This would include the reconsidering amendments of articles 3,4,5,6,11,12,13,15,17,18, and 19 of the said Law.

The Right to Participation in Political Life and in the Election and Candidacy:

The **NHRC** monitored continued efforts exerted by the government in reinforcing democratic approach and activation

of participation in political life and democratic practice on all levels. The **NHRC** observed this in the form of continued symposiums and conferences that were held during 2010, and were plentiful in their discussions, visions, policies, programs, and ideas in the regard.

However, the **NHRC** would like to refer to and comment on the Emiri Decree No. (18) of 2010 on extending the term of the Advisory Council for three calendar years. This would automatically delay the issuance of the Law on organizing the elections which pursuant to the Constitution to be promulgated by a Law specifying the conditions and procedures for candidacy and voting, given that the Advisory Council has the legislative power and the authority to approve the public budget, while maintains oversight mission over the performance of the executive authority, in addition to many other functions and responsibilities, in other words any such a delay would hamper the path and the approach adopted by the state of Qatar towards democracy.

The **NHRC** monitored the efforts of the Ministry of Interior on preparation for the Municipal Council elections for the next session to be conducted in April 2011. The MOI's Supervisory Committee for the Municipal Council elections, the Ministry of Interior held numerous meetings to review the concerned plans which have been developed by the heads of the executive committees with respect to the overall procedures of the election process. Pursuant to the decision of the Minister of State for Interior Affairs No. (37) of 2010, the MOI's Supervisory

Committee shall supervise the organization of the electoral process, provide the requirements of the polling stations, regarding registration, appeals, grievances, and electoral issues, and provide the requirements of the electoral process in its different stages.

NHRC 's recommendations on the Right to Participation in Political Life:

The **NHRC** recommends that it is important to speed up the action of passing the Law on elections which sets forth the conditions and procedures for candidacy and the election system for the Advisory Council, the said Law has been long awaited by the **NHRC**, while we look forward to conducting the Advisory Council elections pursuant to the provisions of the country's permanent Constitution in this regard and further support to the right to participate in political life which constitutes the major democratic tool of political participation and management of public affairs .

The Right to Hold Public Office:

The **NHRC** observed a positive step regarding the right to hold public office, this step was materialized in the appointment of women in the judicial body for the first time, this step is looked upon as an important occurrence in many circles in the country as a remarkable development promoting women's right of equal access to all public jobs, a trend that does reflect an advanced keenness on the inclusion of all segments of the society in terms of job opportunities, contribution and construction. As well as

opening new horizons towards the empowerment of women to play an effective role in the society and ensure all their rights, particularly after women have actually assumed several responsibilities before, in other words this trend is consistent with the principles of the Constitution which affirm the right to equality and the right to work.

In line with the international human rights instruments, particularly in light of Qatar's accession to and ratification of the Convention on the Elimination of All Forms of Discrimination against Women, which requires the member states to take all measures to eliminate discrimination against women in employment, in order to ensure equality with men regarding the right to work and freedom of choice of profession and employment, as unchallengeable rights of all human beings.

The Right to Association:

While the **NHRC** did not receive any reports or complaints regarding this right given that the Constitution ensures the freedom of association, however the **NHRC** believes that it is still important to reiterate what it recommended in previous reports concerning the need to reduce the existing restrictions contained in Law No. 12 of 2004 on private associations and institutions, notwithstanding the foregoing, Law No. 10 of 2010 amending some provisions of the said Law has added new restrictions, by requiring exorbitant fees upon the establishment of associations, this constitutes an important challenge ahead the endorsement of this right because the amendment has posed a

new restriction on the establishment of new associations that could address any of human rights topics and issues of or private human rights associations to take care of the rights of some groups such as the rights of women, the rights of the child, the rights of people with disabilities, the rights of prisoners and other associations. In this respect, the **NHRC**, through cooperation with the Ministry of Social Affairs, received statistics on the number of applications concerning the establishment of new private associations and institutions, namely the number of (8) applications; of which (2) were approved, (2) were rejected and (4) are still under construction.

The **NHRC** also received Statistics from the Ministry of Justice on the number of private public utility institution that have been authenticated; namely (6) public utility institutions.

NHRC 's Recommendations on the Right to Association:

NHRC would like to reiterate that it is necessary to reconsider some provisions of Law No. 12 of 2004 on Private Institutions and Associations to eliminate the constrains related to the establishment of associations and limit the scope of their work so as to grant them more powers as required for them to carry out their tasks and mission. This necessitates amendments of articles. 7, 14, 22, 24, 31, and 42 of the said Law.

III: Economic, Social and Cultural Rights:

Positive Development and International Achievement:

The year 2010 witnessed a positive development which the **NHRC** observed with concern, namely the international attainment added to Qatar's record upon the decision by the FIFA near the end of 2010, choosing Qatar as host for the 2022 Football World Cup Competition. Qatar is proud of the winning bid taking into account that the other competing countries submitted well-designed ones. In this way, Qatar will be the first Arab country, and even the first country in the Middle East to host the said prestigious sports championship; an attainment that carries several positive implications concerning Qatar's standing on the international arena.

Furthermore, the said attainment indicates other positive implications concerning the human rights status in the country, in general, and the economic, social and cultural human rights, in addition the event marks an obvious recognition and even a certificate of appreciation of the country from the part of the international community.

In this context, the **NHRC** would like to note that Qatar's winning bid does pose several important challenges concerning a range of economic, social and cultural rights, that, particularly the right to work, anti-human trafficking procedures, the right to housing, the right to health care and the right to dignified living. This undoubtedly requires due preparedness for the expected

influx of large numbers of labor that will be recruited to meet the special requirements of constructions and facilities that are necessary to organize this international championship.

No doubt the influx of large numbers of labor does require due preparedness to meet their needs concerning the right to work, the right to housing and the right to health care, however the **NHRC** is fully confident in the State of Qatar's capability and determination to appropriately address such challenges and that it will take further steps to develop all necessary strategies and action plans to address them.

The State of Qatar in the 2010 UN Report on Human Development

The **NHRC** observed continued efforts and endeavors from the part of the government to promote and protect the overall economic and social human rights regarding both the right to health care, the right to education and the right to dignified living. The mentioned endeavors resulted in a significant advancement in the State of Qatar's rank in the 2010 United Nations annual report on Human Development which is based upon three variables while ranking the countries, namely the level of health care in terms of the average life expectancy at birth, the level of education in terms of the educational rate and quality index, and per capita income measuring the average per capita share in the country's GDP.

In 2010 Qatar was ranked 38th globally, although this rank has descended from the 34th globally in the 2009 Human Development Report, but Qatar is still, according to the report, classified within the very high human development rates, this classification in the **NHRC**'s opinion reflects the efforts of the State and its prudent policies for the investment of the country's potentials, capabilities and resources on the correct paths as well as Qatar's pursuit to achieve comprehensive and sustained development.

Following is a presentation on the status and conditions of economic, social and cultural rights in 2010:

The Right to Health Care:

The **NHRC** observed continuous efforts from the part of the state in providing health care services to citizens and residents, the **NHRC** also observed that the rates of public expenditure on health are still at high levels. It is worth mentioning that the average life expectancy at birth in Qatar according to the 2010 United Nations Report on Human Development has risen (Up to 76 years), this reflect the extent of development in the health care and the promotion of the services available to the individual.

The **NHRC** observed the continued efforts of the Ministry of Public Health on building more hospitals and the establishment of some medical centers. The **NHRC** hopes to quickly complete the construction works of these hospitals and medical centers in the near future. The **NHRC** observed the continued efforts on promoting awareness on epidemic diseases as well as means of

prevention thereof. The ministry of Public Health seeks to provide e-health services and establish a world-class integrated health services system and in partnership with the Supreme Council for Communications and information Technology.

The **NHRC** also observed news disseminated in the media near the end of December 2010 as the public works authority (Ashghal) signed an agreement with a foreign company to provide medical equipments for the hospitals of Hamad Medical City at the cost of QAR 1.9 billion for the total area of 216 square meters containing 500 beds distributed among the Obstetrics and Gynecology Hospital, One Day Surgery, Physiotherapy and Rehabilitation. The project is expected to be completed within 35 months. The **NHRC** hopes this project could be completed within the said time schedule as it will contribute to strengthening the health care services system. However, the **NHRC** would also like to note that certain persistent challenges still constitute an obstacle ahead the full endorsement of this right as follows:

The congestion of a big number of patients who go to Hamad Medical Hospital for treatment because the numbers of doctors and nursing staff in some departments is not in proportion with the steady increase in the number of patients which leads to longer waiting in some cases.

The **NHRC** observed the congestion of patients in large numbers at Hamad Hospital pharmacy waiting to receive the medicines prescribed for them for long hours.

The **NHRC** observed some positive developments concerning psychiatric cases in terms of increasing the number of beds designated for the treatment of these cases, however, the **NHRC** observed some complaints due to the lack of full medical care psychiatric patients.

Complaints were also reported about some medical errors while receiving medical treatment at Hamad General Hospital. The medical committee, to investigate a swine flu patient death, revealed some drawbacks in connection with this incident as follows:

There is a lack of efficient communication systems to alert physicians about the disease outbreak.

There is no proactive plan in place to determine the action to be taken to deal with the virus in an indication to the lack of staff awareness and training; this applies also to the staff of the Virology Department.

Some clinicians do not have enough information on the Virology technicians' current system of work.

The standard of continued care is not available at the Virology Department.

The lack of close supervision by resident doctors and the failure to detect the case whose X-ray showed unclear clinical outcomes, in addition the advisory team did not follow up the case during the weekend.

There was insufficient coordination between the Obstetrics Department Physicians and the Intensive Care Unit, and lack of due documentation.

There was no emergency obstetric plan in place at Hamad General Hospital.

The absence of reference policies / protocols on swine flu.

The system in place at Hamad General Hospital does not adopt any mechanism to seek the consultation of a doctor from outside the corporation to discuss a different medical point of view.

Insufficient number of intensive care unit staff. Priority must be given to the recruitment of new staff in the future.

The medical committee referred to several important recommendations in this regard as follows:

It is important to speed up the process of developing plans on emergency cases and alerting systems for responding appropriately to the emergence of infectious diseases.

Revitalizing the swine flu protocol and associated training plans, including advice and instructions on Tamiflu medication.

To promptly review the Virology Laboratory schedule during holidays and weekends.

To speed up the development of alerting systems so that staff could adequately respond in case of re-emergence of the pandemic swine flu.

Developing the physicians' communication skills and adopting appropriate means of communication with the patients' families. Paying more attention to documentation and organizing training courses for the medical and nursing staff who use a standard form.

Developing a follow-up mechanism for patients under medical advice during the weekends.

Developing a written plan by the obstetrics department's doctors for pregnant patients who receive medical treatment outside the Women's Hospital.

Maintaining closer cooperation between the obstetric team and Hamad General Hospital staff on how to prepare operating room

to carry out urgent operations for any pregnant woman under treatment in hospital.

Developing the mechanism of referring patients to international consultants to get a second medical opinion concerning the treatment of difficult cases.

Some patients also complained that despite their cases necessitates treatment overseas, they can not do so. Others complained about the medical services provided by governmental medical offices overseas because of the poor medical services provided to them while they are abroad.

Some patients complained that they can not speak English; the language commonly used while dealing with medical staff, examination and medical tests.

NHRC's Recommendations on the Right to Health Care:

Based upon the foregoing observations and in addition to the recommendations of the medical committee above, the **NHRC** would like to recommend the following:

To establish more branches to Hamad Hospital inside and outside the city of Doha to reduce congestion of patients and ease the suffering of patients who live outside capital.

To increase the number of doctors in some departments and disciplines to meet the steady increase in the number of patients of some sections to meet the congestion of patients and the long waiting hours in some cases.

To deploy more pharmacies within HMC and increase the outlets where patients can obtain the prescribed medications to eliminate congestion in this regard.

Given more care and paying more attention to psychiatry and establishing a specialized hospital for psychiatric and mental illnesses.

Adopting more awareness programs on mental health and mental illness and ways of dealing with them.

The application of health insurance coverage to all segments of the society.

Preparing programs for training the medical and nursing staff to use the Arabic language with patients who cannot speak foreign languages.

Preparing the necessary courses for training receptionists on how to deal with the patients and how to provide the necessary assistance to them.

In this context, the **NHRC** would like to note that it observed with interest and appreciation the statement of His Excellency the Minister of Public Health - reported in the media round end of December 2010 - concerning the Supreme Council of Health's endorsement of the "National Strategy for Health" in the State of Qatar 2011:2016. The said strategy was launched on 14th, December 2010, and includes 35 projects the implementation of which will bring about significant changes in the health care system to provide world class comprehensive health care system. The State will witness an integrated system of high quality health services through the provision of continuum of care and preventive care backed by research to improve the effectiveness and quality of health care in Qatar. The **NHRC** hopes to develop this strategy and put it into effect during the specified deadlines

The Right to Education:

The **NHRC** observed continued efforts and endeavors from the part of the state to support and improve education and scientific research. The rates of public spending on education is at high levels and the continued allocation of 2.8% of gross domestic expenditure on scientific research, and the integration of some of human rights principles in the curriculum. It is noteworthy that the illiteracy rate has fallen in 2010 to half what it was in 2004 according to the statistics contained in the population census of 2010. The said statistics indicate that the number of illiterate persons in the country does not exceed 10,000. it is also indicated that the ratios of enrollment to the different stages of

education at the Ministry of Education's schools, the independent schools, private schools or community schools have significantly increased.

However, the **NHRC** has observed some challenges that are still facing the right to education relating to free of charge education, as some complaints were reported to the **NHRC** from citizens who enrolled their children in private and foreign schools at very high fees. Some citizens complained that the educational coupons system, which is still being studied, has not been issued yet although the **NHRC** observed that a committee was formed to study the activation of this system. Some non-Qataris complained from having been required to pay the price of textbooks and transportation fees pursuant to the provisions of the Decree Law 12 of 1996 on collecting prices of textbooks and transportation fees from non-Qataris. In addition the schools' capacity is insufficient to accommodate all citizens and residents in some cases.

The NHRC's Recommendations concerning the Right to Education:

The **NHRC** recommends the adoption of the educational coupons system which is being studied to cover the costs and fees of tuition at the schools which are to be selected by the Supreme Education Council to take part in the program for the citizens working for the government and the private sector who are not entitled to allowances or financial assistance from their employers in order to enable the citizens who wish to enroll

their children in private and foreign schools, to support their freedom to choose the type of education they wish for their children and to ease their suffering from high tuition fees for greater equality of opportunities for those who are unable to obtain quality education service.

The **NHRC** recommends that more efforts are still needed to accommodate all citizens and residents in schools. It is important to review the provisions of Decree Law 12 of 1996 on collecting the prices of textbooks and transportation fees from non-Qataris, and to provide all students with free of charge education until the preparatory stage in order to effectuate the provisions of Law No. 25 of 2001, on compulsory and free of charge education pursuant to the principles of the constitution and the relevant international standards in this regard.

Until the provisions of the said decree have been reconsidered, the **NHRC** recommends activating the provision of Article 5 of the ordinance to exempt non-Qataris from the mentioned fees pursuant to a decision of the Council of Ministers upon the suggestion of the Ministry of Education and Higher Education.

It is important to maintain more integration of human rights principles and concepts in the curriculum for different educational stages.

The Right to Housing:

The **NHRC** observed the continued efforts of the state aiming to provide adequate housing for all citizens, and the attention paid to housing schemes for persons with low and limited income. The **NHRC** has also observed the steady increase in the total number of accommodation units according to the statistics of population census of 2010 issued by the National Statistics Bureau. The total number of accommodation units until 2010 is 254,309 units versus 126,203 units recorded in 2004 census, with an increase amounting to 102%.

The **NHRC** also applauded the media statements by officials of the Ministry of Municipality and Urban Planning on 29/12/2010 announcing that at the beginning of 2011 nearly 60% of accommodation applications to obtain land plots will have been delivered. The **NHRC** hopes for the said plan to be implemented within the specified time frame as per the official announcement, and that the said plots of land will have been duly handed over to the deserving applicants.

The **NHRC** also observed the quite increased number of cases that have been approved by the Department of Housing and the Ministry of Social Affairs according to the reports by the Department of Housing, in response to the **NHRC**'s request. The number of approvals in 2010 was (4008), while the total number of duly filed applications submitted in 2010 was (3173) and the number of requests on waiting in 2010 was 260. Nevertheless, the **NHRC** observed that some cases are still

posing a significant challenge for the realization of the right to housing as follows:

While the **NHRC** has observed fairly decline in the rents of residential units, it is important to note that the rate of this decline is still at a limited percentage which is not consistent with the increase in the number of housing units as indicated by the National Statistics Bureau.

The **NHRC** observed several complaints from those who are not meet the conditions and the requirements of the housing system and the relevant regulations in place regarding the duration of utilization and the age of the applicant. Moreover, the **NHRC** observed different types of the utilization transactions between Qataris and naturalized persons although all of them are holders of the Qatari nationality.

The **NHRC** observed some complaints from the prolonged and slow procedures concerning the allocation of land plots as many cases are still on waiting lists, although they meet all the requirements of the housing system and the relevant regulations in place. There is a total of 7200 pending applications to obtain land lots according statements by officials of the Ministry of Municipality and Urban Planning published in Al-Sharq newspaper on 29/12/2010.

The **NHRC** observed some complaints concerning formerly denaturalized persons who are not entitled to benefit from the housing system, even though they regained their Qatari citizenship.

The **NHRC** observed some complaints that priority is not given to earlier applications upon the consideration of housing decisions.

The observed some complaints that low rent allowances do not meet the purpose of the same under the prevailing high lease prices.

NHRC's Recommendations on the Right to Housing:

The **NHRC** would like to reiterate that it recommended by previous reports the importance to review some provisions of the Housing Law No. 2 of 2007, which include varied processing applications in terms of the citizens' entitlement to a housing system in place between the Qataris and the naturalized persons although they all hold the Qatari nationality pursuant to the provisions of the country's permanent Constitution which stipulates that all citizens are equal in rights and duties.

It is equally important to review the housing regulations in place to give higher priority to the most deserving persons. This revision should address the provision that requires the passage of fifteen years from the date of naturalization so that a person could benefit from the system housing, the period provided for by the said Law is too long and would prevent the concerned persons from benefiting or practicing their right to housing throughout this period, this undoubtedly increases their suffering as reported in complaints to the **NHRC**.

It is also important to review the regulations in place regarding Qatari divorced women's entitlement to benefit from the housing system as the current provisions require the passage of five years from the date of divorce to realize that entitlement. This applies to Qatari wives married to holders of temporary IDs or non- Qataris because the current provisions require proof of continued residence in the country for a period of five years prior to the realization of the entitlement. This constitutes a source of suffering that was reported to the **NHRC** in several complaints.

The **NHRC** recommends that it is important to speed up the procedures of processing housing applications for those whose applications duly meet the requirements of the procedures and the regulations in place.

The **NHRC** recommends that it is important to adopt more programs and policies needed to reduce the current rents and to review the low amounts of rent allowances allocated to those who are deserving or in need as reported by complaints which the **NHRC** received from a number of citizens.

The **NHRC** recommends that it is important to give priority to processing earlier applications and to take into account the date of application while taking housing decisions.

The **NHRC** recommends that it is important to reduce the age conditioned for entitlement to benefit from the housing system to 18 years instead of 22 years and amendment of Article " 6 " , Law " 2 " of 2007 on Housing.

The **NHRC** recommends that it is important to enable formerly denaturalized Qataris to benefit from the housing system as the **NHRC** received several complaints in this respect.

- Estimating compensation values against expropriation and allocation of lands in the light of prevalent market value.

The right to work:

The right to work is closely related to all human rights and freedoms, particularly the economic and social rights given the fact that it is a key approach to the realization of the human right to dignified living as well as the direct impact of that right on health, housing and education.

The **NHRC** observed continued efforts by the government towards the provision of adequate employment opportunities for all citizens and seeking to create appropriate fair and motivating work environment for promoting productivity. These efforts include, on the legislative level, the enactment of the provisions of the Human Resources Law No. 8 of 2009, which aims at the application of uniform standards and rules concerning the employment affairs and the provision of a safe, fair and motivating work environment to promote creativity, cooperation and the appropriate investment in human resources.

The **NHRC** also observed continued efforts at the executive and institutional levels for promoting the right to work and further lowering the unemployment rates in Qatar in comparison with the international rates. However, the **NHRC** has also observed that some challenges, as the **NHRC** believes, are still persistent relating to the right to work. The said challenges are not consistent with the provisions or the principles of the Qatari permanent Constitution nor with the relevant international human rights standards in this regard.

Some citizens complained that they are not able to find appropriate jobs though they filed job applications to several agencies. Many of them resorted to the **NHRC** which in turn addressed the Department of Workforce Development and the Ministry of Labour to take the necessary action concerning these complaints.

The **NHRC** observed several cases of citizens who are holders of primary and preparatory certificates complaining that job opportunities are so limited though they sought the assistance of several agencies. The **NHRC** observed some cases who cannot get jobs as a result of security measures and inability to obtain police clearance documents.

The **NHRC** observed that some formerly denaturalized persons cannot return to their previous jobs or find suitable job opportunities although they restored their citizenship.

The **NHRC** observed the inadequacy of some of the training and capacity-building programs which aim at developing the workforce's potentials and competencies. Some of the said programs fail to achieve the goals envisaged by the Human Resources Law No. 8 of 2009 in this regard

NHRC 's Recommendations concerning the Right to Work:

The **NHRC** recommends that it is important to adopt more vocational and training programs as well as capacity-building policies related to achieve the best investment of these potentials and competencies.

The **NHRC** recommends that it is important to concentrate on efforts to find appropriate employment opportunities for all citizens who are willing and able to work according to the qualifications and experience of each of them.

The **NHRC** recommends that it is important to allow formerly denaturalized persons to their previous jobs or provide them with adequate employment to eliminate the consequences of the loss of their jobs because of the denaturalization decisions they have been subject to.

The **NHRC** recommends that it is important to have accurate data concerning the holders of low and intermediate qualifications and or provide them with adequate employment

The **NHRC** also recommends that it is important to concentrate on efforts to provide adequate employment opportunities for the most deserving citizens who are able to work to earn their living.

The Rights of Labourers

The Constitution of Qatar assures that the relationship between workers and employers is founded on social justice and regulated by the Law, "Article 30 of the Constitution". The foregoing is also assured by the relevant international human rights instruments as work, in origin, must be based upon satisfaction and the person's free choice within the framework of a contractual or regulatory relationship that is acceptable to both parties for the fair and humane performance of duties provided that equality concerning pay is guaranteed.

The **NHRC** observed continued efforts from the part of the government in its quest to protect the rights of expatriate workers. Such efforts are materialized in the form of providing the necessary legal protection for the rights of labourers and the essential mechanisms to protect their rights, however, the **NHRC** observed that there are still a number of practices concerning work relations and conditions which still have a negative impact on the government's several endeavors and efforts to promote this right and the secondary rights related to them, despite the provision of the necessary protection for these rights at the legislative, executive and institutional levels.

There are still some practices that represent an important challenge ahead the rights of labourers such as some forms of misusing the sponsorship system as recruiting manpower without providing real job opportunities, this practice constitutes one of the most profitable activities, namely trading in visas in addition to several cases in which employers refuse to pay the salaries to expatriate workers and delay salaries in other cases in a violation of the provisions of the labour Law; (the **NHRC** received 40 labour complaints in 2010 in this regard). In other cases the employers deny to transfer the laborer's sponsorship. There are also some negative practices from the part of employers such as unjustifiably denying employees their right to obtain exit permits to leave the country. In addition in some cases employers apply to cancel residence permits of expatriate labor who ask for release or transfer of sponsorship, and consequently they are subject to deportation decisions (the **NHRC** received 220 labour complaints in 2010 in this regard). The said practices and others cause very difficult living conditions to expatriate labour

Recommendations of the NHRC on the Rights of Labor:

For further promotion of the rights of migrant workers the **NHRC** recommends the following:

It is important to maintain strict oversight and control over the companies and employers who are proved to have violated the provisions of the Labor Law. It is also important to activate security procedures, safety standards and health policies at the workplace. It is important to grant more powers to the Department of Labour Relations and the Department of Labour

Inspection of the Ministry of Labour concerning inspection of the conduct of companies and employers if they are proved to have violated the provisions of Labor Law.

It is necessary to maintain strict oversight and control on visa and recruitment affairs to prevent trading in visas. Violating companies and employers who are found in breach of the Labor Law provisions should be granted more work visas until it is ensured that they are in full compliance with the provisions of the Law.

In case there is legal dispute with the employer, temporary transfer of sponsorship should be made easier for the labour until such disputes could be resolved as per the provisions of Law No. 4 of 2009 on regulating expatriates' entry and exit. According to the said Law, the Minister of Interior or his deputy may order to transfer the labor's sponsorship in such cases upon proven abuse of discretion from the part of the sponsor.

In case the abuse of discretion from the part of the sponsor is proven by a final court ruling, transfer of sponsorship should be executed in all cases; these cases should not be subject to deportation decisions. Similarly, no deportation decisions should be issued in cases where a laborer's request to transfer sponsorship is rejected because it is sufficient to reject the request.

It is important to seek prompt settlement of labor Lawsuits and activate the provision of Article 10 of the Labour Law in this regard.

It is necessary to eliminate the existing restrictions on the right to labor organization and strike. It is important to reconsider the provisions of Articles 116 120 of the Labour Law, Law No 14 of 2004 in this regard.

Home-Based Labor:

The **NHRC** is still waiting for the enactment of the Law on home-based labor which has been under consideration for a long time. The rights of domestic workers still constitute a significant challenge because they are subject to more and more violations and abuse if compared with others to abuse because there is no specific legislation of their own to regulate their work affairs and relations, while the provisions of the Labour Law are not applicable to them.

The **NHRC** observed some complaints concerning longer working hours. Some home-based laborers are denied their right to weekend. They also cannot resort to the Department of Labour or seek assistance thereof because the provisions of the Labour Law are not applicable to them.

Recommendations of the NHRC on the Rights of Home-Based Labor:

To enhance and guarantee the protection of the rights of this category, the **NHRC** recommends the following:

The **NHRC** recommends that it is important to speed up the enactment of the draft Law on home-based labor, having been under consideration for a considerably long time. The **NHRC** hopes the said Law could be passed as soon as possible to ensure legal protection for the rights of this category.

The **NHRC** recommends that it is important to develop an effective mechanism to receive work-related reports and complaints from home-based labor and provide more protection against abuse or exploitation.

Combating Trafficking in Human Beings:

In the first place, the **NHRC** would like to note the critical importance attached by the international community to combating human trafficking in all its forms, given that trafficking in human beings has devastating consequences as it turns human beings into tradable commodities.

The **NHRC** has observed continued efforts on the legislative, executive and institutional levels from the part of the government to prevent all forms of trafficking in human beings. The **NHRC** has also observed continued efforts from the part of

the Qatari Foundation for Combating Trafficking in human beings aiming at combating and preventing all forms of trafficking in human beings. The Qatari institution plays a significant and active role in the provision of accommodation and comprehensive care to the victims of trafficking in human beings. Despite all the foregoing endeavors and efforts from the part of the state to provide legal protection and prevent all forms of trafficking in human beings under the provisions of the Penal Code and the labor Law, the **NHRC** has observed some cases that constitute involvement in human trafficking according to the concept stipulated by the relevant international instruments.

The **NHRC** also observed that most cases concerning forms of human trafficking are the result of exploitation workers in their home countries. This exploitation takes place when the victims are promised to be given job opportunities upon their arrival to the State of Qatar, after their arrival, and driven by their need they seek residence permits from any sponsors while there are no job opportunities. In addition, other cases are the direct result of misusing the sponsorship system and the exploitation of the poor conditions of persons to deny paying their salaries, reject their requests concerning transfer of sponsorship or involvement in recruitment visas.

NHRC's Recommendations:

The **NHRC** would like to note that since the State of Qatar has become an important world destination for many different nationalities, this would sooner or later lead to some forms of

trafficking in human beings, in order to promote the prevention and eradication of such practices, the **NHRC** recommends the following:

It is important to develop frameworks for cooperation and coordination with all domestic agencies and competent authorities on the one hand and the embassies of different countries to take the necessary preventive measures and develop sufficient policies concerning the prevention of all forms of exploitation that would lead or contribute to trafficking in human beings.

Seeking for efficient means to raise the awareness and culture of those who have plans to come to Qatar for work or visit to get them to be familiar with the regulations and systems in place as well as the established legal provisions concerning work and living in Qatar. It is equally important to promote, coordination and cooperation with the embassies and consular missions of the different countries so that they maintain and extend further efforts with the domestic competent authorities in this regard.

It is important to develop effective mechanisms to identify victims of trafficking in human beings, especially in communities that are most likely to fall under the brunt thereof. It is important to extend further efforts that are necessary from the part of the security authorities to investigate potential cases that may constitute material involvement in this criminal activity, because it is enough to merely rely on reports or complaints due to the nature of the circumstances surrounding

since it is usually difficult for the victims of these crimes to have access to the competent authorities lest they should fall under legal liability.

It is important to speed up the completion of the draft Law on combating trafficking in persons, which has been considered for a long time. It is equally important to pass and enact the said Law so as to ensure the prevention and elimination of all forms of trafficking in persons by providing for appropriate penalties fitting the seriousness of this crime.

It is important to adopt strict penalty on involvement in any practices of forced labor as provided for in Article 322 / 1 of the Penal Code in line with the provisions of the International Convention on forced labor of 1930, ratified by the State of Qatar pursuant to Decree No. 26 of 2003.

The Right to Dignified Living:

The **NHRC** emphasizes the serious importance of this right which constitutes the essence of all economic and social rights as it is closely connected to all human rights and freedoms, whether civil, political, economic, social or cultural.

The **NHRC** observed the continued efforts of the state aiming to provide dignified living for all citizens who are subject to the

Qatari jurisdiction. The state of Qatar is serious regarding the eradication and elimination of poverty, nevertheless the **NHRC** observed that there are some practices that still constitute a challenge to the full realization of this right. However, continuous increases of the prices of some goods, commodities and services still represent one of the most important challenges ahead this right for persons with low income particularly after the success of the Qatari bid to host the world cup in 2022.

To reinforce and support the right to dignified living, the **NHRC** would like to provide the following recommendations:

Adopting further programs and policies that aim to support and assist the needy to maintain suitable means and protect them from want, bad need and poverty.

Taking all necessary arrangements to confront ant attempts to raise prices of goods and services particularly after the success of the Qatari bid to host the world cup in 2022. It is equally important to strictly control prices of goods and services to be maintained at appropriate levels that can be affordable by persons with low or average income.

To identify the poverty rate in accordance with the individual's income and to develop comprehensive database on poverty and the poor.

Applying social security system to cover cases of death, illness, work injuries, over aging, disability and unemployment.

The Right to Participation in the Cultural Life:

Culture, art and literary creation are among the most important elements in the life of the society. Culture constitutes a significant axis of overall development. The objective of cultural events is to revitalize initiatives of creativity and to develop of cultural assets, the intellectual inventory and the cultural heritage of any society. These events do deepen the cultural dialogue and openness to the cultures and civilizations of other nations round the world to enhance the values of understanding, brotherhood, tolerance and respect for the national cultural identity.

The **NHRC** observed several praiseworthy cultural events under the slogan "Arab Culture as a Homeland and Doha as its Capital". Several events were inaugurated along the previous year to celebrate Doha as the capital of Arab culture in 2010.

Cultural and art events received special attention from the part of the government as it was keen on inviting several intellectual figures, writers and Arab authors to contribute their latest production which was published by the government, these prominent figures were also invited to participate in several seminars and lectures. No doubt that this big festival does reflect the political leadership's determination and interest in enriching culture, intellect and art in the Qatari society as well as the provision of all potentials and opportunities to intellectual

figures and artists as well as the public to enjoy this unique festival.

The Rights of Women

The **NHRC** observed some policies aiming to increase job opportunities for women and to provide them with professional support. Qatar's third report of 2010 on the Millennium Development Goals indicated that the rate of women's participation in the labor force in Qatar is significantly increasing, and that there is a positive trend by women in the State of Qatar to work in the private and the mixed sector.

The previous year witnessed a quantum leap in the role of women in the Qatari society beyond the stereotyped traditional role. Qatari women are availed the opportunity to hold all positions with no restraints or barriers, particularly women's access to leadership and ministerial positions. Qatari women can practice certain professions that had been previously restricted to men (such as the judiciary). They also occupy some posts at the Ministry of Foreign Affairs, as the beginning of 2010 witnessed the appointment of the first Qatari woman as ambassador of the State of Qatar to the United Nations Permanent Commission in New York. In June 2010 an Emiri decree was issued on the appointment of the woman as a Court of First Instance judge. Three months earlier, in March 2010 another Qatari woman was appointed as assistant judge.

The previous year also witnessed some positive initiatives to support and empower women at work. The Supreme Council of Information and Communication Technology (ICT QATAR) and Qatar Telecom (Qtel) announced a pioneering initiative by signing an agreement to launch an experimental project in April 2010 entitled "Women's Work From Home", the initiative aims to support women's work from home and enable them to meet the challenges confronting their family and enhance their effective participation in the workforce. The project is expected to contribute to achieve further benefits for women and their employers.

In the framework of efforts and endeavors aiming at promoting women's rights and women empowerment in various areas, the **NHRC** and the Supreme Council for Family Affairs signed a Memorandum of Understanding to increase awareness on the political and civil rights of women as guaranteed by the Constitution and the Law. This initiative is intended to hold training sessions and workshops, as well as awareness campaigns in this area; in addition to continued efforts of various civil society institutions.

Despite the existence of the necessary political will to support women's rights, and the enactment of several legislative and institutional measures from the part of the state to remove various forms of discrimination against women, and the fact that women were appointed in important positions in the state, these efforts are still facing some challenges and obstacles ahead the full empowerment of women. The most important of these challenges is that women's participation in leadership positions

in the administrative sector is still limited despite the recently observed steady rise in the percentage of that participation. In addition, there is still a persistent need to maintain correlation between the outputs of education and the requirements of the labor market, because the lack of such correlation constitutes a challenge that would impede educated women's access to appropriate job opportunities in the light of their area of specialization.

They **NHRC** observed continued efforts to adopt practical policies to eliminate all forms of violence against women. It is important to note that the Supreme Council for Family Affairs and Qatar Foundation for the Protection of Children and Women have assumed an efficient role in this respect. In addition to the several procedural and security arrangements to eliminate violence against women as noted by the **NHRC**'s previous reports, the **NHRC** also observed that there are social and educational elements of distinctive status in the community policing strategy recently adopted by the Ministry of Interior. The said strategy seeks to integrate the police, the public, civil society institutions, families and a group of social control institutions in investigating the causes of crime and certain social and conduct phenomena to find out efficient means for protecting the integrity of families from any negative factors including violence against women.

The **NHRC** observed with interest the completion of the actions taken to address violence against women, for example Qatar Foundation for the Protection of Women and Children launched

a new telephone service known as "AMAN 919", to facilitate communication with the target groups, and protect them from any potential violence and abuse.

Despite the ongoing efforts regarding the protection and promotion of women's rights, there are some obstacles that still impede women's full enjoyment of their rights such as:

There are no women's associations and a persistent lack of technical and professional human resources in the area of human rights, in general, and women's rights in particular, it is also important to note that the existing civil society institutions are newly established and their role in the advancement of women's rights is still limited.

NHRC's Recommendations on the Rights of Women:

The **NHRC** recommends that it is important to review the provision of the article "13" of the Law on Nationality. According to the said provision it is allowable to denaturalize women who acquired citizenship by marriage, in case their husbands are subject to denaturalization, however; this provision contradicts with the provision of article (9) of the International Convention on the Elimination of All Forms of Discrimination against Woman. The said convention does not permit the denaturalization in the foregoing case. It is relevant to remind that the state of Qatar did not file any reservation concerning the said provision; furthermore denaturalization in such cases is

inconsistent with the requirements of justice since a form of punishment is ruled against persons who committed no offence that is punishable by denaturalization.

The **NHRC** also recommends that it is important to reconsider the provision of Article 13 of the Law on Nationality as it is inconsistent with the provisions of the International Convention.

It is also important to support and sustain promotion and development of women's right to empower them to participate in political life through a national plan including education and awareness programs importance of the role of women in this regard.

It is also important to provide the necessary legal safeguards to enforce the implementation of financial obligations and liability of husbands concerning custody of children, housing and family expenses.

It is also important to adopt more programs and policies to raise awareness on harmful patterns of conduct, particularly violence against women and to develop the necessary measures to provide for the protection and care to the victims of violence.

The Rights of the Child:

The **NHRC** observed significant efforts concerning care for children in general and how the state is committed to provide

unprecedented health care and prevention services to children, maintain rates of infant mortality at a minimum and to achieve rates of up to 100% for several preventive vaccines.

The **NHRC** also observed the continued efforts of the government to enforce comprehensive compulsory education up to the preparatory stage for both male and female students, and to address the problem of leakage in education and some parents who do not send their children to school out of negligence. The **NHRC** observed the decision of His Excellency the Minister of Higher Education No. (10) of 2010 to form a permanent committee to investigate the parents' noncompliance to the provision of Article (11) of Law No. 25 of 2001 on compulsory education in order to identify the extent of the problem, and the number of children affected by their parents' negligence of their duty to enroll their children in schools. The said committee shall submit its suggestions and proposals to eliminate this phenomenon.

However, the **NHRC** also observed that some challenges still exist relating to the rights of the child such as having no specified age of the child in national legislations, and the need to provide protection for child custody, and further care for the rights of children with disabilities.

Recommendations on the Rights of the Child:

The **NHRC** recommends that it is important to change the age of a juvenile by legislation to eighteen years in line with the provisions of Article (I) of the Convention on the Rights of the

Child and to maintain uniform provisions of all legislations in this regard.

The **NHRC** recommends that it is important to provide all necessary legal protection to prevent any party from withholding the child or refusing to give him to those who have the right to custody by a court ruling to do so.

The **NHRC** recommends that it is important to adopt more programs and policies to give special care to the rights of disabled children to ensure that they fully enjoy all rights on equal basis with others.

The **NHRC** recommends that it is important to develop an integrated education strategy for human rights education including the use of innovated means of training and education that are appropriate and interesting to integrate the human rights principles in curricula of different educational stages.

The Rights of the Aged:

The **NHRC** observed an increase of the number of aged as a result of the rise of average age to 76 years according to the United Nations Human Development Report, 2010. This has important and positive implications indicating the level of health and social care provided by the State. The **NHRC** also observed

the growing number of therapeutic-based social care organizations for the elderly.

Rumaila Hospital still plays the essential role of caring for the elderly as THE **NHRC** observed the prominent role played by the hospital to provide health, psychological and social care for the aged, including treatment and ongoing medical care and. The **NHRC** has also observed that Qatar Foundation for Elderly People Care continued to perform its central and prominent role in the provision of all possible care for the elderly whose families are unable to sustain care for them.

The foundation works to provide health care services as well as social and psychological assistance to them, and provide care for the elderly in their homes while living among their families in addition to raising the awareness of families to embrace the elderly and direct them to the best methods of their care. It also conducts rehabilitation of the elderly to cope with the problems of old age, in an effort to integrate the aged in the society, each according to his/ her abilities.

Although the **NHRC** observed growing interest in the rights of this category, there are still some challenges for which the **NHRC** recommends the following:

Recommendations on the Rights of the Aged:

The **NHRC** recommends that it is important to provide more support to the Qatari Foundation for the care of the elderly to

promote and develop their capacities in the performance of the services to this category.

It is important to promote the media programs related to awareness and education about the family's role in the care of the elderly.

It is equally important to adopt more programs and policies for the integration of aged persons in the society and to provide adequate employment opportunities for those who are still able and willing to invest their expertise and competencies in this regard.

Recommendations on the Rights of People with Disabilities:

The **NHRC** would like to recall what was recommended by its previous reports regarding the need to reconsider the provisions of Law No. 2 of 2004 on the persons with special needs and the importance of including the provisions and standards set forth by the International Convention for the Rights of Persons with Disabilities in the light of Qatar's ratification of the said convention.

It is equally important to pay more attention to raising public awareness on the rights of people with disabilities and to deepen community awareness of the rights of these groups.

It is equally important to empower all persons with disabilities to realize their right to education in the different stages of education including university education.

Rehabilitation of the physical environment, facilities, constructions, transportation, information and communication, to create and empower people with disabilities to access and use them on an equal basis with others.

Developing a national mechanism to promote and protect the rights of people with disabilities and monitor the implementation of the provisions of the Convention on the Rights of Persons with Disabilities in accordance with the provisions of Article 33 of the Convention.

Preparing and adopting more programs and policies needed to work on the integration of persons with disabilities and support their full participation in the society in various areas of life and provide the necessary services for their rehabilitation.

Intensifying programs for the training of professionals in the different sectors of the community about the rights of persons with disabilities in a manner that ensures dealing with them in the context of the positive development of the various segments of the society.

The **NHRC** would like to note at the end of this report that it is highly important to adopt a national plan for the promotion and protection of all human rights in Qatar, as drafted in accordance to the **NHRC**'s views in this regard, as mentioned in detail earlier in this report, because the said plan will provide tremendous support, enrich and strengthen the overall human rights status in the State of Qatar. The said plan will become a national reference and source of guidance for all endeavors, efforts and action taken related to human rights on the legislative and executive levels, this will undoubtedly be reflected on the civilized image of the State of Qatar on the international level.

May Allah, the Benefactor, grant us success.