



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

Distr.: General
13 September 2011
English
Original: Arabic

Committee on the Elimination of Racial Discrimination

**Reports submitted by States parties under article
9 of the Convention**

**Thirteenth to sixteenth periodic reports of States parties due
in 2007**

Qatar*, **

[18 May 2011]

* This document contains the thirteenth to sixteenth periodic reports of Qatar due in 2003, 2005, 2007 and for the ninth to twelfth periodic reports and the summary records of the meetings at which the Committee considered this report, see documents CERD/C/360/Add.1, CERD/C/SR.1503, 1504, 1518.

** In accordance with the information transmitted to the States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

Contents

| | <i>Paragraphs</i> | <i>Page</i> |
|--|-------------------|-------------|
| Introduction | 1–4 | 3 |
| I. Basic information about Qatar | 5–48 | 3 |
| A. Geographical location and topography | 5–6 | 3 |
| B. Population | 7–8 | 4 |
| C. Historical overview | 9–12 | 5 |
| D. Socio-economic indicators | 13–14 | 6 |
| E. Constitutional, political and legal structure of the State | 15–28 | 7 |
| F. General framework for the promotion and protection of human rights | 29–48 | 9 |
| II. Comments on the substantive articles of the Convention: measures taken by the State to implement the Convention | 49–111 | 16 |
| Article 2 | 55–57 | 17 |
| Article 3 | 58–59 | 17 |
| Article 4 | 60–63 | 17 |
| Article 5 | 64–102 | 18 |
| Article 6 | 103–107 | 28 |
| Article 7 | 108–111 | 28 |
| III. Follow-up on the observations and recommendations of the Committee against Torture | 112–124 | 29 |

Introduction

1. The State of Qatar has the honour to submit the present report to the Committee on the Elimination of Racial Discrimination in accordance with article 9, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination of 1965 and with the Committee's guidelines and general recommendations. Qatar became a party to the Convention on 22 July 1976 and supports the principles and purposes set forth therein in keeping with the precepts of noble Islam, the State religion, which recognizes that all persons are free and equal without distinction as to race, colour, sex or religion. The present report details the steps taken by Qatar to implement the Convention.

2. The report consists of three parts. Part I contains basic information about Qatar, specifically about the land, the people, general political structures and the legal framework for the protection of human rights. Part II provides information on measures taken to implement articles 2–7 of the Convention in Qatar and related developments. In part III, information is provided on the follow-up to the Committee's observations and recommendations regarding the State's previous report.

3. This is a joint national report, in that it was drawn up by an inter-agency governmental committee established pursuant to a decision that the Council of Ministers adopted at its twenty-fourth regular meeting on 2007. In accordance with treaty body reporting guidelines and recommendations, the report was forwarded to the National Human Rights Committee for comments and feedback. In submitting the present document, containing its combined thirteenth to sixteenth periodic reports, the State confirms its willingness to cooperate fully with the Committee by responding to any requests for clarification about the implementation of the Convention. The State furthermore wishes the Committee continuing success in its endeavours to eliminate all forms of racial discrimination.

4. This report was drawn up shortly after the State had prepared its national report on the human rights situation in Qatar and submitted it in accordance with paragraph 5 (e) of United Nations General Assembly resolution 60/251, establishing the Human Rights Council, and in conformity with the guidelines set out in Human Rights Council resolution 5/1 on the Council's institutional machinery. In that report, the State attempted to provide a comprehensive and transparent account of the human rights situation in Qatar and details of: the steps taken to promote human rights on the ground; the difficulties and challenges encountered by the State in seeking to ensure the effective realization of human rights; and the future steps that the State intends to take, including plans to ratify certain instruments to which Qatar is not yet a party.

I. Basic information about Qatar

A. Geographical location and topography

5. Qatar is a peninsula midway along the western shoreline of the Arabian Gulf between latitudes 24° 27' and 26° 10' north and longitudes 50° 45' and 51° 40' east. The peninsula extends northwards, covering a total surface area of 11,521 km². The territory includes several islands and rocky hills and the shallow waters along the shores of the country's best-known islands: Halul, Shira`ouh, Al-Ashat, Al-Bashiriya, Al-Aliyah and Al-Safiliyah. The peninsula is 185 km long and 85 km wide. It is almost completely surrounded by the waters of the Arabian Gulf and its land border with the Kingdom of Saudi Arabia is approximately 60 km long. The United Arab Emirates lies to the east of

Qatar. Qatari territorial waters extend around 95 miles eastwards and 51 miles northwards into the Arabian Gulf and occupy a surface area of around 10,500 km².

6. The terrain is rocky and flat with some low-rising outcrops in the Dukhan area in the west and the Jabal Fiwairit area in the north. It features numerous inlets, coves, depressions and surface rainwater-draining basins, known as *rawdāt*, which are found mainly in the north and centre of the peninsula. These areas have the most fertile soil and rich vegetation.

B. Population

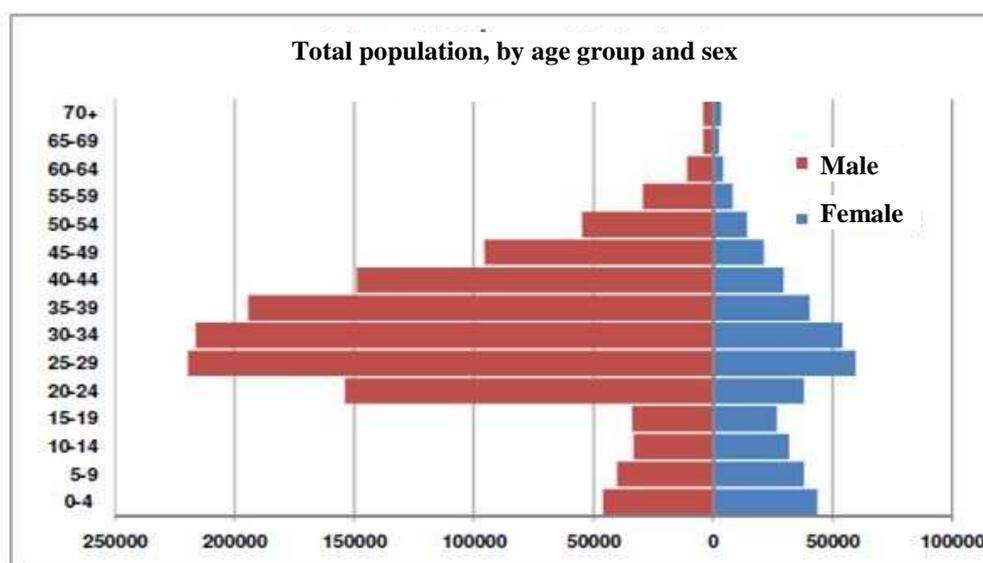
7. According to the 2010 census, Qatar has a population of 1,699,435: 1,284,739 males (75.6 per cent of the total) and 411,696 females (24.4 per cent). The fact that males account for such a high proportion of the population can be explained by the fact that most of the inhabitants of Qatar are migrant workers, most of whom are mostly males. Table 1 provides figures, disaggregated by sex, on the size of the population of Qatar between 1986 and 2010. Figure 1 shows the population pyramid for Qatar.

Table 1
Population of Qatar, by sex

| <i>Year</i> | <i>Males</i> | <i>Females</i> | <i>Total</i> |
|-------------|--------------|----------------|--------------|
| 1986 | 250 095 | 122 336 | 372 431 |
| 1997 | 342 459 | 179 564 | 522 023 |
| 2004 | 496 382 | 247 647 | 744 029 |
| 2010 | 1 284 739 | 414 696 | 1 699 435 |

Source: Qatar Statistics Authority, 2010 census.

Figure 1
Population pyramid, 2010



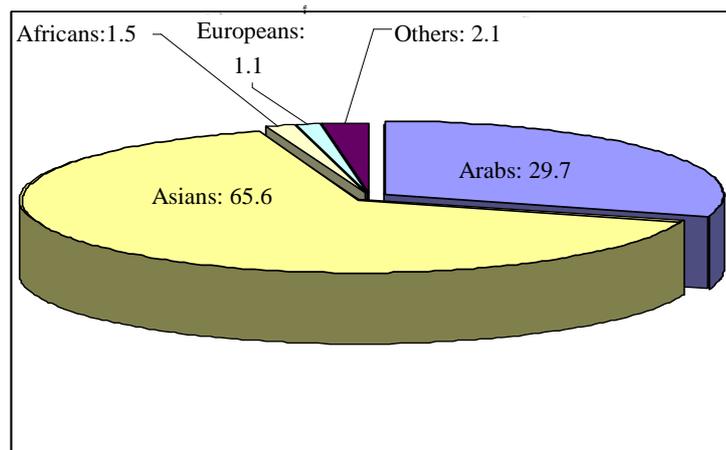
Source: Qatar Statistics Authority, 2010 census.

8. Qataris are Muslims, predominantly Sunni Muslims. There are other faith groups as well, since Qatar receives large numbers of workers every year and employs them to carry

out its ambitious development plans at various levels and in various areas. Indeed, migrant workers account for more than four fifths of the population of Qatar. These workers come from various parts of the world and live side by side with people from other faiths and cultures who lead different lifestyles. The experience of Qatar has shown that the presence of a large number of migrant workers and of a highly diverse range of nationalities, faith groups and cultures is no impediment to positive coexistence among different people in a society. Indeed, Qatari society has become a model for coexistence between people of different faiths and cultures.

Figure 2

Diversity of groups present in Qatar in 2009



Source: State of Qatar, 2010: State plan for the Alliance of Civilizations, Qatari Committee for the Alliance of Civilizations, 2010.

C. Historical overview

9. The Al-Thani family has ruled Qatar ever since the beginning of the eighteenth century. Sheikh Jasim bin Mohammed Al-Thani, who ruled the country from 1878 to 1913, founded the modern State of Qatar. Every year on 18 December, the date on which Sheikh Jasim acceded to power, Qatar celebrates its national day. In 1916, following the outbreak of the First World War, the State signed a treaty with Great Britain providing for the protection of Qatari territory and nationals. British influence over Qatar was however limited to administrative oversight in certain areas and the situation ended when Qatar gained independence in 1971.

10. Since 1995, when His Highness Sheikh Hamad bin Khalifa Al-Thani took up the reins of power, Qatar has experienced comprehensive development in all sectors. The beloved Amir of Qatar is committed to completing the work of constructing a modern State based on wide consultation, democratic governance and the involvement of citizens in deciding their own affairs and formulating national policies. By Amiral Decree No. 11 of 1999, a committee was established to prepare the draft of the Permanent Constitution, which was finalized in 2002. In April 2003, Qatari men and women took part in a referendum on the Constitution, which was approved by 96.64 per cent of Qatari citizens with the right to vote.

11. His Highness Sheikh Hamad bin Khalifa Al-Thani, the beloved Amir of Qatar, issued Decree No. 44 of 2008, endorsing the objectives set out in the "Qatar National Vision 2030" document. The document offers a comprehensive vision of development which focuses on turning Qatar into an advanced State that is capable of achieving

sustainable development. The national vision takes account of the principles enunciated in the Constitution and the directives of the political leadership on the development of a society founded on justice, benevolence, equality, the protection of general freedoms, and moral and religious values and traditions, the realization of equality of opportunity and the consolidation of security and stability.

12. The national vision focuses on four key areas: human development to enable the inhabitants of Qatar to build a prosperous society; social development directed towards the creation of a just and safe society that upholds high moral values, provides social welfare and is capable of interacting with other societies; economic development aimed at the creation of a diversified and competitive national economy that is able to meet the needs of Qatari citizens; and environmental development that balances socio-economic development with the exigencies of environmental protection. The vision, which establishes the framework for future action, includes implementation strategies and plans.

D. Socio-economic indicators

13. The latest statistics show that Qatar is going through a remarkable phase in its history, as it is making rapid progress towards the achievement of full and comprehensive development. Indeed, Qatar has achieved unparalleled rates of economic growth and prosperity: Gross Domestic Product (GDP) increased by between 7.6 per cent and 26.8 per cent per annum in the period from 2004 to 2009 (at constant 2004 prices). In addition, general Government spending has increased: the State budget grew from around US\$ 95 billion in 2009–2010 to US\$ 127.5 billion in 2010–2011. Qatar is one of those countries that have achieved a very high level of human development. In the Human Development Report 2009 issued by the United Nations Development Programme (UNDP), Qatar was ranked thirty-third in the world when measured against the human development index. This new ranking reflects the considerable and sustained progress that Qatar has achieved in the human development domain. The report shows that the ranking for Qatar in the human development index has improved sharply, rising from 0.875 to 0.910 as a result of advances made in education, health and GDP growth. The report also indicates that the illiteracy rate in Qatar fell to 6.9 per cent, while the school enrolment ratio rose to 80.4 per cent from 77.7 per cent the previous year (and from 75.5 per cent in 2005 to 77.8 per cent in 2007). Per capita income also rose sharply in Qatar: reaching US\$ 74,882 in 2009.

14. Qatar is committed to assessing the progress made on the realization of the Millennium Development Goals. It has issued three reports, the most recent one in August 2010, showing that it has achieved most of the Goals and has made tangible progress on those that have yet to be achieved. The following are the main findings of the third report.

Absence of cases of poverty (population with an income of less than US\$ 1 per day)

- In 2009, the workforce accounted for 76 per cent of the population, by contrast with a figure of not more than 60 per cent in 2004
- Between 2005 and 2009 the net enrolment ratio in primary education ranged from between 88 per cent and 92 per cent for boys and between 93 per cent and 95 per cent for girls
- In 2009, 98 per cent of males and females between the ages of 15 and 24 knew how to read and write
- Qatari women accounted for 82 per cent of the total number of students enrolled in Qatar University in the 2008/09 academic year

- In 2009, the ratio of females to males in the 15-to-24 age group who knew how to read and write was 100 per cent
- The workforce participation rate for females rose from 30.3 per cent in 2004 to 36.4 per cent in 2009
- The infant mortality rate fell from 5.50 per 1,000 live births in 1990 to 4.8 in 2009
- The under-five mortality rate dropped from 10.4 per 1,000 live births in 2008 to 8.8 in 2009
- One hundred per cent of children aged 1 year and over were vaccinated against measles in 2009
- One hundred per cent of births now take place under medical supervision
- The total fertility ratio for Qatari women fell from 3.9 children per woman in 2008 to 3.8 in 2009
- The number of births among Qatari women aged between 15 and 19 years was 12 per 1,000 in 2009, as compared with 43 per 1,000 in 1986, 21 per 1,000 in 1997 and 13 per 1,000 in 2004
- No cases of HIV/AIDS were recorded among persons between 15 and 24 years of age in 2009
- The incidence of malaria fell from 18.98 per 100,000 population in 2007 to 14.91 in 2009
- One hundred per cent of the population has access to safe drinking water
- One hundred per cent of the population has access to safe sanitation facilities
- There are no deprived districts or marginalized populated areas
- Over the period 2005–2009 approximately US\$ 2.01 billion was provided in development assistance, accounting for 0.49 per cent of total GDP on average during the same period

E. Constitutional, political and legal structure of the State

Permanent Constitution of Qatar

15. In order to complete the framework for the development of democratic governance, to strengthen the foundations of Qatari society and to enhance popular participation in decision-making, in 2004 His Highness Sheikh Hamad bin Khalifa Al-Thani promulgated the Permanent Constitution of Qatar following the holding of a popular referendum. The Constitution, which comprises 150 articles, sets out the precepts that guide State policy and the key principles that underpin the exercise of power, including those of: the separation of powers; the primacy of the rule of law; the independence of the judiciary; and the safeguarding of fundamental rights and freedoms.

16. Part I of the Constitution, entitled “The State and the basis of government”, affirms that the State religion is Islam and that the sharia is the main source of law.

17. Part II of the Constitution, entitled “The guiding principles of society”, states that Qatari society is founded on justice, benevolence, freedom, equality and high moral values. The Constitution establishes that the State has responsibility for upholding these principles and ensuring security, stability, equal opportunities, solidarity and cohesion among citizens. The Constitution states that the family, sustained by religion, morality and patriotism, is the foundation of society. It defines the State’s responsibilities towards the family and its duty

to look after young persons, protect them from corruption, exploitation and the evils of physical, mental and spiritual neglect and provide the right conditions for the realization of their potential.

18. Part III of the Constitution is devoted to the subject of fundamental rights and freedoms. It affirms that citizens have equal general rights and duties under the law and that there can be no discrimination between them on grounds of sex, origin, language or religion.

19. The Constitution states that the foreign policy of Qatar is directed towards ensuring: the promotion of international peace and security; the observance of human rights; the rejection of violence and the use of force; the promotion of the peaceful settlement of international disputes; and strengthened cooperation with peace-loving nations.

Organization of powers

20. The main principle behind the organization of State powers in Qatar is that the people are the source of power, which they exercise in accordance with the Constitution. The system of government is founded on the separation of the State powers, which cooperate fully with one another. The Shura (Advisory) Council is responsible for lawmaking, while the Amir exercises executive power in conjunction with the Council of Ministers and judicial power is exercised by the courts.

21. Part IV of the Constitution is devoted to the subject of the organization of powers. A summary of the main articles found in part IV is provided hereunder.

The Amir

22. The Amir of Qatar is the Head of State. His person is inviolable and he is owed all respect. He is the Commander-in-Chief of the Armed Forces and represents the State at home and abroad and in all areas of international relations. He also endorses treaties and conventions by decree and transmits them to the Advisory Council. These instruments acquire the force of law after being ratified and published in the Official Gazette. The Amir draws up the general policy of the State with assistance from the Council of Ministers and ratifies and promulgates laws. He approves the establishment and organization of ministries and other Government bodies and the delineation of their duties. He also endorses the establishment and organization of consultative bodies to assist him in guiding State policies, overseeing their work, and helps to define their scope. He carries out other functions that are regulated under the Constitution or the law.

The legislature

23. The Constitution vests lawmaking authority in the legislature, which approves the general budget and scrutinizes the decisions of the executive. The idea of having two chambers, one with elected members and the other with appointees, was not taken up in article 77 of the Permanent Constitution. Instead, the choice was made of setting up a single chamber including both elected members and appointees, but with a clear majority of elected members. Article 77 of the Constitution states that the Advisory Council consists of 45 members, two thirds of whom are elected by direct, secret, universal suffrage. The other third are appointed by the Amir.

The executive

24. The Council of Ministers assists the Amir in exercising his powers in accordance with the Constitution and the law. In its capacity as a supreme executive body, the Council of Ministers manages all internal and external affairs for which it has constitutional and legal responsibility. It proposes laws and decrees that are submitted to the Advisory

Council for its consideration. If these instruments are approved, they are transmitted to the Amir for ratification and promulgation in accordance with the Constitution. The Council of Ministers adopts regulations and decisions drawn up by ministries, oversees the enforcement of laws, scrutinizes the management of Government financial and administrative affairs and performs various other functions.

The judiciary

25. The Constitution recognizes the primacy of the rule of law. Article 129 states: “The rule of law is the foundation of government in the State. The honour, impartiality and fairness of judges serve as a guarantee of rights and freedoms.” Article 130 provides: “The judiciary is independent. Judicial power is exercised by courts of various kinds at different levels.” Article 131 states: “Judges are independent and are subject to no authority other than the law. No party has the right to interfere in legal cases or in the administration of justice.” Article 137 states: “The judiciary shall have a higher council to oversee the work of the courts and the bodies that assist them. The composition, functions and powers of the council shall be determined by law.”

26. As stated in Act No. 10 of 2003, concerning the judiciary, the national courts consist of the Court of Cassation, the Court of Appeal and the Court of First Instance. The Supreme Judicial Council was established under article 22 of the Act to safeguard the independence of the judiciary. As stated in article 23 of the Act, the Council’s functions are to: comment on matters affecting the judiciary; study and propose legislation on the development of the judicial system; offer its views on judicial appointments, promotions, transfers, secondments and retirements; and hear complaints about judicial matters. The Council’s decisions on these issues are final.

27. The Qatari Constitution defines the task of verifying the constitutionality of laws as a centralized function. Most modern constitutions also take this approach, as it is one that helps to achieve a broad balance between the different branches of government. Thus, the Constitutional Court, acting on its own motion or in response to a request from a party at law, adjudicates in disputes over the constitutionality of laws and regulations. Its judgements and decisions are final, are not subject to appeal and are binding on all parties and authorities in the State. The independence of the judiciary was strengthened and enhanced with the enactment of Act No. 7 of 2007, on the adjudication of administrative disputes, which recognizes abuse of power as grounds for revoking an administrative decision or seeking reparation in respect thereof.

28. The Office of the Public Prosecutor is an independent judicial body with responsibility for bringing prosecutions on behalf of society. It oversees criminal investigations and the enforcement of the law. It initiates criminal investigations and institutes all related procedures. It has investigative powers and the authority to charge accused persons.

F. General framework for the promotion and protection of human rights

Constitutional protection of human rights

29. Since His Highness Sheikh Hamad bin Khalifa Al-Thani came to power and embarked on a comprehensive policy of reform, he has striven to ensure that human rights are placed at the centre of constitutional, political, economic, social and cultural reforms. This is reflected in the measures taken to develop and strengthen the country’s legislative and institutional human rights machinery. Part III of the Constitution (arts. 34–58) is devoted to fundamental rights and freedoms. The Constitution recognizes that these rights are integrated, interrelated, interdependent and indivisible and thus it affords economic,

social, cultural, civil and political rights on an equal basis. The fundamental rights and freedoms enshrined in the Constitution include but are not limited to: the right to equality before the law; the prohibition of discrimination; personal freedom; criminalization of torture; press freedom and freedom of expression; the right to freedom of association; freedom of worship; the right to work; and the right to education. The Constitution states that these rights must not be regulated or modified in such a way as to limit or diminish them. Article 146 affirms that the provisions on public rights and freedoms may only be amended for the purpose of affording additional safeguards to citizens.

Legal safeguards for human rights

30. The fundamental human rights and freedoms recognized in the Constitution have been further strengthened through the enactment of a number of State laws, including the following:

- Act No. 1 of 1994 on youth.
- Act No. 38 of 1995 on social security.
- Act No. 7 of 1996, regulating medical treatment and health services in Qatar.
- Act No. 25 of 2001 on compulsory education.
- Act No. 24 of 2002 on retirement and pensions.
- Act No. 10 of 2003, promulgating the Judicial Authority Act.
- Act No. 2 of 2004 on persons with special needs.
- Act No. 12 of 2004 on associations and private institutions.
- Act No. 14 of 2004, promulgating the Labour Code.
- Act No. 18 of 2004 on public meetings and rallies.
- Act No. 22 of 2004, promulgating the Civil Code.
- Act No. 23 of 2004, promulgating the Code of Criminal Procedure.
- Act No. 40 on administration of minors' assets: the Act contains a series of provisions on the protection of children's assets and scrutiny of transactions by guardians.
- Minister for Civil Service Affairs and Housing Decision No. 15 of 2005 on work in which minors may not be employed.
- Act No. 22 of 2005, prohibiting the recruitment, employment, training and participation of children in camel racing.
- Act No. 38 of 2005 on Qatari nationality.
- Act No. 21 of 2006 on private associations that serve the public good.
- Act No. 22 of 2006, promulgating the Family Code.
- Act No. 2 of 2007 on housing.
- Act No. 17 of 2007 on priorities and regulations for gaining access to housing.
- Act No. 18 of 2007 on priorities and regulations for gaining access to housing for persons with disabilities (free housing).
- Act No. 12 of 2008, establishing the Supreme Constitutional Court.

- Act No. 19 of 2008, defining the amount of blood money (*diyah*) due in cases of accidental killing.
- Act No. 3 of 2009, regulating penitentiaries and correctional institutions.
- Act No. 4 of 2009, regulating the entry, exit, stay and sponsorship of migrant workers.
- Act No. 8 of 2009, promulgating the Human Resources Administration Act.
- Act No. 8 of 2010, amending certain provisions of the Criminal Code (Act No. 11 of 2004), particularly those on the criminalization of torture and the application of higher penalties for the offence of torture. The State adopted the definition in the Convention against Torture, to which Qatar acceded by Decree No. 27 of 2001.

Accession to international human rights treaties

31. With a view to strengthening the legislative framework for the realization of human rights, Qatar has acceded to and ratified numerous international and regional human rights treaties and conventions, as detailed below.

- The International Convention on the Elimination of All Forms of Racial Discrimination (1976)
- The International Labour Organization (ILO) Discrimination (Employment and Occupation) Convention, 1958 (No. 111) (1976)
- The Convention on the Rights of the Child (1995)
- The ILO Forced Labour Convention, 1930 (No. 29) (1998)
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2001)
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2001)
- The ILO Worst Forms of Child Labour Convention, 1999 (No. 182) (2000)
- The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (2002)
- The ILO Minimum Age Convention, 1973 (No. 138) (2005)
- The ILO Abolition of Forced Labour Convention, 1957 (No. 105) (2007)
- The Convention on the Rights of Persons with Disabilities (2008)
- The United Nations Convention against Transnational Organized Crime (2008)
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Rio Protocol) (2009)
- The Convention on the Elimination of All Forms of Discrimination against Women (2009)
- The State looks forward to acceding to the two international covenants (the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights)
- At the regional level, Qatar has ratified the Arab Charter on Human Rights (2009)

Institutional framework for the promotion and protection of human rights

32. Article 68 of the Constitution provides that the Amir endorses treaties and conventions by decree and transmits them to the Advisory Council together with an appropriate statement. The treaty or convention will have the force of law once it has been ratified and published in the Official Gazette. The human rights treaties to which the State has acceded have all been published in the Official Gazette.

33. The Government has shown that it has the political will to accede to international treaties as it is convinced of the importance of protecting and promoting human rights. However, a shortage of qualified technical personnel prevents the State from acceding to more international treaties at the present state. The steps taken by the State to accede to a large number of international treaties in a short space of time has put a heavy strain on Qatari legislative institutions, as the State does not have a sufficient number of qualified technical staff.

34. The level of attention that Qatar pays to the issue of human rights can be judged from the number of governmental and non-governmental institutions that have been established to promote and protect human rights as an integrated, interdependent and indivisible whole. At the governmental level, the Supreme Council for Family Affairs and a number of ministerial human rights departments have been created. These include, inter alia, the Human Rights Office at the Ministry of Foreign Affairs and the Human Rights Department at the Ministry of the Interior. In addition, private institutions that serve the public good have been established: the Qatar Foundation to Combat Human Trafficking and the Qatar Foundation for the Protection of Women and Children. At the non-governmental level, the National Human Rights Committee and a considerable number of civil society organizations deal with human-rights and development issues. Furthermore, in the light of the current economic boom and the development processes unfolding in Qatar, the Ministry of Labour has been given a larger role in the protection of migrant workers. Pursuant to Amiral Decree No. 35 of 2009 on the organizational structure of the Ministry of Labour the following three labour departments were established:

- The Department of Employment, which issues, renews and cancels labour permits in accordance with the conditions set down by law and is responsible for establishing a database on migrant workers in coordination with the relevant departments.
- The Labour Relations Department, which was set up to receive and review complaints and cases involving labour disputes and to resolve them amicably or, failing that, to refer them to the courts. The department is also responsible for raising awareness among workers of the contents of the Labour Code and for providing related advice.
- The Labour Inspection Department, which conducts workplace inspections in order to verify compliance with the Labour Code and implementing decisions and to make sure that employers pay wages and salaries regularly. The department also monitors health and safety conditions to ensure that workers are protected from workplace hazards.

Supreme Council for Family Affairs

35. The establishment of the Supreme Council for Family Affairs by Amiral Decree No. 53 of 1998 is an indication of the commitment shown by the Government from an early stage to the creation of a high-level national body to deal with the problems, needs and aspirations of families. Amiral Decree No. 15 of 2009, regulating the Supreme Council for Family Affairs, takes this process a step further, in keeping with the overall vision of development articulated in the "Qatar National Vision 2030". The Decree places the Council under the direct authority of His Highness the Amir and states that the Council

must consist of a President, a Vice-President and between five and seven members appointed by Amiral Decree.

36. As the supreme authority on all matters that have to do with the family, the Council is tasked with improving conditions for families, supporting their role in society, providing for the advancement of families and family members and creating conditions to allow families to remain strong and cohesive units that care for children and uphold moral and religious values and ideals. The Council disposes of all the necessary powers and authority to develop strategies, policies and programmes to improve the quality of life of families and their members, to provide them with security and stability and to work for the realization of the goals set out in international instruments on issues affecting the family. Moreover, the Council follows up on the implementation of the international treaties on families and the rights of children, women and persons with disabilities to which Qatar is a party and provides input on draft conventions on the protection of the family and its members. It endeavours to: empower women; enable women to participate in economic and political life, particularly in decision-making; increase employment opportunities for Qatari women; and support women's career development. It also proposes draft legislation on related family issues and develops cooperation with international and regional bodies and organizations that deal with issues affecting families and their members. The Council represents Qatar at regional and international conferences and on committees concerned with issues affecting families, children, women and persons with disabilities. Moreover, it organizes conferences, seminars and panel discussions and conducts research on relevant topics.

37. The Council attaches considerable importance to ensuring coordination and cooperation with all Government agencies and to supporting and encouraging the participation of civil society organizations. It recognizes the particular value of volunteer work and promotes participation by the private sector and the active involvement of target groups, namely, families, children, women, young persons, persons with disabilities and older persons.

38. Alongside the legislation that it has helped to implement in fulfilment of the State's obligations under international human rights treaties, the Council has instituted various executive measures. It founded a number of institutions that deal with families, children, women, persons with disabilities and older persons, namely, the Shafallah Centre for Children with Special Needs (founded in 2001); the Cultural Centre for Childhood and Motherhood (founded in 2003); the Family Counselling Centre (founded in 2003); the Qatar Foundation for the Protection of Children and Women (founded in 2003); the Qatar Foundation for the Welfare of Orphans (founded in 2003); the National Office to Combat Human Trafficking, established by Supreme Council for Family Affairs Decision No. 8 of 2005; and the Social Rehabilitation Centre, which was established by the Supreme Council for Family Affairs in 2007.

Qatar Foundation to Combat Human Trafficking

39. The Qatar Foundation (formerly the National Office) to Combat Human Trafficking was set up in 2005 to make policy proposals, develop national action plans and promote laws to combat human trafficking, in addition to overseeing the Qatar Shelter for Humanitarian Support, which was established in 2003 by a decision of the Council of Ministers to provide victims of trafficking with protection and assistance with their social rehabilitation and reintegration. The Foundation has run information campaigns targeting all sectors of society to alert the general public to the different aspects of human trafficking. It has also produced numerous publications and organized meetings and discussions. As regards capacity-building, the Foundation, in conjunction with other institutions, has organized training courses and workshops, chiefly for law enforcement officers, on

trafficking and how to identify the victims. In cooperation and coordination with the Department of Labour, it has launched awareness campaigns focused on migrant workers in Qatar. It has also published a multilingual handbook for migrant workers.

Qatar Foundation for the Protection of Women and Children

40. The Qatar Foundation for the Protection of Women and Children was established as a private institution pursuant to Act No. 8 of 1998 on private associations and institutions. It was subsequently turned into a private institution that serves the public good pursuant to Supreme Council for Family Affairs Decision No. 4 of 2007. The overall goal of the Foundation is to protect target groups from violence in the home and in society. In particular, the Foundation's objectives are to:

- Assist in providing shelter and comprehensive care to target groups
- Protect target groups from deviant practices in the home setting and in society
- Raise awareness among target groups, families and communities of the social and legal aspects of human rights
- Provide legal assistance to those in target groups with limited means
- Provide victims of violence in target groups with assistance and social rehabilitation and reintegration support

41. The Foundation provides social services such as guidance and counselling, in addition to a full range of reintegration and rehabilitation services and programmes for victims of abuse and violence. It also provides legal assistance and mental health services, including testing and behavioural, reinforcement and cognitive group psychotherapy for victims and, if necessary, for the other parties involved in cases.

42. The Foundation has established a number of facilities such as the Dar al-Aman Shelter, which offers women and child victims of abuse and violence a place to stay until their situation is resolved. It also offers psychosocial rehabilitation assistance. From October 2007 to April 2009, the Foundation received 105 persons, 54 children and 51 women, at the shelter. The Foundation opened an office in the accident and emergency department at Hamad General Hospital to provide support, care and protection to women and child victims of abuse and violence. In 2008, the office dealt with 17 cases involving children and 180 involving women.

43. With regard to training, the Foundation has held a number of seminars, workshops and courses for those working in the education, health and security sectors. It has also organized and conducted awareness and education campaigns to promote a culture of protection in society and publicize the Foundation's hotlines. It produces numerous booklets and pamphlets and publications such as the *Aman* magazine.

National Human Rights Committee

44. The National Human Rights Committee was established by Amiral Decree No. 38 of 2002 as an independent national body for the promotion and protection of human rights. The objectives of the Committee are to:

- Promote and protect human rights and fundamental freedoms
- Enrich and spread a culture of human rights inspired by the Islamic sharia and all international human rights treaties
- Work for the promotion and realization of all the rights and freedoms set forth in the Permanent Constitution of Qatar

- Protect persons under the jurisdiction of Qatar from all potential rights violations
- Develop relations and cooperation with a comprehensive range of international, regional and local organizations, whether governmental or non-governmental

45. Under Act No. 38 of 2002 the Committee was accorded many of the functions referred to in the principles relating to national human rights institutions (the Paris Principles). Given that the development of human rights infrastructure and civil society was a new phenomenon for Qatar at the time, article 3 of the Act provided that the Committee should be composed of seven members from Government bodies and five from civil society. Act No. 38 of 2002 was subsequently amended by Decree-Law No. 25 of 2006 to reflect the contents of the Paris Principles. Further to the amendment, the composition of the Committee was changed. The Committee now includes no fewer than seven members of civil society and five representatives of Government bodies who do not have voting rights. For the purposes of ensuring transparency and raising awareness of human rights, the Committee publishes its annual reports on its website (www.nhrc-qa.org). The Government takes due account of the Committee's recommendations and takes measures to act on them. The Committee's terms of reference were amended by Decree No. 17 of 2010 on the organization of the National Human Rights Committee.

Doha International Centre for Interfaith Dialogue

46. The Doha International Centre for Interfaith Dialogue was established on the recommendation of the Fifth Doha Interfaith Dialogue Conference, which was held in May 2007, and was inaugurated in May 2008 during the holding of the Sixth Interfaith Dialogue Conference. The goal of the Centre is to promote and spread a culture that favours dialogue and peaceful coexistence.

Arab Democracy Foundation

47. In May 2007, Qatar hosted the Second Forum on Democracy and Political Reform in the Arab World, which led to the establishment of the Doha-based Arab Democracy Foundation. The Foundation is the first of its kind in the Arab world and its goal is to promote a democratic culture in the region. Qatar has donated US\$ 10 million to support the work of the Foundation, which issued its first report in 2008 on democracy in the Arab world. The report was based on information provided in 17 national reports.

Doha Centre for Media Freedom

48. The media play a vital role in State plans, since freedom of opinion and expression, which is recognized under the Constitution, is one of the fundamental pillars of a modern democratic society. In addition, the media play a key role in promoting dialogue, fostering mutual understanding, encouraging tolerance and coexistence and creating an environment that does not encourage terrorism and incitement of hatred. In this connection, His Highness the Amir issued a decree in December 2007 endorsing the establishment of the Doha Centre for Media Freedom as a private institution that serves the public good. Freedom, credibility, independence, accountability and transparency are the strategic principles that underpin the goals of the Centre. The objectives of the Centre are to protect the public information system in accordance with international standards, conduct media research and build a database that will be useful to the media. In addition, the Centre plans to erect a kind of international memorial to honour the leading figures in the fight for freedom of information and the victims of repression. It provides assistance to journalists whose rights are violated while they are carrying out their work, particularly during crises. The Centre signed a cooperation agreement with the organization "Reporters without Borders" in January 2008.

II. Comments on substantive articles of the Convention: measures taken by the State to implement the Convention

49. This section describes the legislative, judicial, administrative and other measures that the State has taken to implement the Convention since the previous report was submitted in 1999 and considered by the Committee on the Elimination of Racial Discrimination in 2002.

50. The section begins with an analysis of the general legal framework in which racial discrimination, as defined in article 1, paragraph 1, of the Convention, is prohibited. The remainder of the section provides specific information on articles 2–7 of the Convention. The information is arranged by article and by the provisions set out therein.

Definition of discrimination

51. State law, meaning the Constitution and domestic laws, defines discrimination in line with the definition provided in article 1, paragraph 1, of the Convention. The legal framework for State action includes the general rules underpinning the provisions of the Convention, in which the principles of equality and non-discrimination are essential elements.

52. As stated above, the Permanent Constitution was approved by a popular referendum held in April 2003 and was ratified by His Highness the Amir in 2004. It entered into force in June 2005. The legal framework in which the principles of equality and protection from discrimination are enshrined is in part II, articles 18 and 19, of the Constitution, concerning the fundamental components of society. Article 18 provides: “The pillars of Qatari society are justice, benevolence, freedom, high moral values and equality”. Hence, in article 18, equality is recognized as being one of the pillars of Qatari society. Support for the principles enunciated in article 18 is provided in article 19 of the Constitution, which affirms: “The State shall preserve the pillars of society and afford security, stability and equal opportunities to citizens”. It follows that all State policies must take account of and safeguard the principles that constitute the mainstays of society, as articulated in article 18 of the Constitution, including the principle of equality. Equality should be viewed as a noble principle that enjoys constitutional protection in Qatar; no law or statute may be enacted that undermines this principle. The establishment of the Supreme Constitutional Court by Act No. 12 of 2008 (promulgated on 18 June 2008) further boosted the protection provided for this principle under the Constitution, as the Constitutional Court adjudicates in disputes over the constitutionality of laws and regulations.

53. The scope of the general principle of equality enunciated in article 18 of the Constitution is spelled out in detail in articles 34 and 35, part III, of the Constitution, concerning general rights and duties. Article 34 provides: “Citizens have equal rights and obligations”. Article 35 affirms the right to equality before the law and to protection from discrimination. It provides: “All persons are equal before the law. There shall be no discrimination between them on grounds of sex, origin, language or religion”. As already stated, articles 34–58 of part III of the Constitution afford fundamental rights and freedoms based on the principle that rights are integrated, interrelated, interdependent and indivisible. Thus, the Constitution accords economic, social, cultural, civil and political rights on an equal basis, as will be explained in greater depth in the section on article 5 of the Convention. Part III of the Constitution also provides recognition of human rights. It enshrines general rights and freedoms as legal provisions at the very heart of the Constitution, thus giving them primacy over ordinary laws and making them binding.

54. Support for the constitutional right to equality and protection from discrimination is provided in a series of laws that will be reviewed and analysed in the section on articles 2–7 of the Convention.

Article 2

55. Constitutional support for the right to equality and protection from discrimination was boosted by the State's accession to the International Convention on the Elimination of All Forms of Racial Discrimination in 1976. In accordance with article 68 of the Permanent Constitution, which explicitly states that treaties and conventions acquire the force of law once they have been ratified and published in the Official Gazette, the Convention is enforceable in Qatar and has the force of law. There is nothing to stop the courts from applying its provisions. In addition, article 6 of the Permanent Constitution provides: "The State shall observe international treaties and covenants and shall take steps to implement all the international treaties to which it is a party".

56. All citizens and foreign residents in Qatar are accorded the rights and freedoms set out in part III of the Permanent Constitution without any discrimination on grounds of sex, origin, language or religion. Article 52 of the Constitution explicitly provides: "All persons who are legally resident in the State are entitled to protection of their property and person by law". The constitutional and legal framework in which equal rights and protection from discrimination are ensured has been strengthened through measures to promote the right of legal recourse, as explained later on in this section.

57. All State institutions and organizations are required to abide by the principle of equality and non-discrimination articulated in articles 18, 34 and 35 of the Permanent Constitution and to refrain from engaging in any act or practice that involves, encourages or fosters discrimination. This rule applies, regardless of the party which is the source of the act or practice. The Constitution and laws require all State institutions to uphold the principles of equality, justice and non-discrimination.

Article 3

58. The State's efforts to make an effective contribution to the promotion and protection of human rights in the national, regional and international domains and to prohibit all forms of racial discrimination and racism are informed by the principles embodied in the Permanent Constitution. The Constitution states that the objective of Qatari foreign policy is to promote international peace and security and the observance of human rights, to repudiate violence and the use of force and to encourage the peaceful resolution of international disputes and cooperation between peace-loving nations.

59. Qatar is an active participant in all international and regional forums and meetings on the elimination of all forms of racial discrimination.

Article 4

60. In keeping with the purposes of the Permanent Constitution of Qatar, legislation has been enacted to deal with loopholes that could be used to fuel racism or discriminatory practices. Article 47 of the Printing and Publishing Act (Act No. 8 of 1979) prohibits the publication of material that is likely to stir up discord in society at large or to provoke confessional, racial or religious strife. Article 47 states that the penalties for breaching the Act are those set out in the Criminal Code, namely, a term of up to 6 months' imprisonment or a fine of up to 3,000 Qatari riyals. Article 2 (11) of the decision issued by the Minister of

Information and Culture in 1992 on censorship criteria and rules states that censorship bodies of the Ministry of Information and Culture that scrutinize written or audio-visual material may not authorize the circulation, broadcast, display or publicization of material portraying a racial or ethnic grouping in a manner that is designed to be derogatory, unless the intention is to create a positive impression for a noble aim (e.g. to combat racism).

61. Article 256 of the Qatari Criminal Code of 2004 makes it an offence to denigrate the revealed religions, to insult a deity or a prophet and to damage, vandalize or desecrate buildings used for the celebration of religious rites. The article provides: “A term of up to 7 years’ imprisonment shall be imposed on any person who commits any of the following acts:

- Denigrating a revealed religion that is protected under the Islamic sharia
- Insulting a prophet verbally, in writing, in an image or a message or by any other means
- Damaging, vandalizing, destroying or desecrating a building or any object found therein that is used to perform the religious rites of one of the revealed religions protected under the sharia”

62. In addition, article 263 provides: “A term of up to 1 year’s imprisonment and/or a fine of up to 1,000 riyals shall be imposed on any person who produces, makes, sells, offers for sale, circulates, acquires or possesses products, goods, printed matter or cassettes containing images, slogans, words, symbols, signs or any other content that denigrates Islam or the revealed religions protected under the Islamic sharia. The same penalty shall be applied to anyone who distributes computer discs, programs or tapes containing material that defames Islam or the divinely revealed religions protected under the Islamic sharia”.

63. The Qatari legislature does not discriminate between Islam and the other religions that are protected under the sharia, namely, Christianity and Judaism. It makes it an offence to: defame Islam, Christianity and Judaism; insult a prophet; subject a place of Christian or Jewish worship to any kind of attack; or to defame Christianity or Judaism. It makes no distinction between Islam and the other revealed religions that are afforded protection in Islam.

Article 5

64. The laws in effect in Qatar on the subject of justice and non-discrimination against any group on the grounds of sex, colour, ethnic origin or any other factor apply both to individuals and to State institutions. The State, through its institutions and agencies, guards against discrimination of all kinds. According to the Constitution and the law, the State has a duty to refrain from engaging in any act or practice that entails racial discrimination. State institutions in Qatar are not above the law; they are legally accountable for their actions. Means of recourse are available to all citizens and foreign residents, regardless of which party is alleged to have infringed their constitutional rights, including the right to equal treatment before the courts, the judiciary and other tribunals and the right of all to a fair, legal and impartial hearing. The Constitution grants citizens and foreign nationals the right of legal recourse on an equal footing.

65. The Qatari Constitution recognizes the principle that one rule applies to all i.e. that all persons are equal. This is the underpinning of justice, the essence of freedom and a prerequisite for social peace. The list in article 35 of the Qatari Constitution of various forms of discrimination that are prohibited, namely, discrimination based on sex, origin, language or religion, is only provided by way of an example and should not be taken to mean that it is exhaustive and that other possible forms of discrimination are not included.

Qatari laws on a range of different subjects prohibit all forms of discrimination and recognize the right of all to equal treatment before the courts and other institutions that administer justice. Article 135 of the Constitution states: “The right of legal recourse is assured and afforded to all”. In other words, the Constitution recognizes that everyone has the right to seek a legal remedy and there is no discrimination with regard to the procedures and rules attached to the exercise of this right in all courts and judicial institutions.

66. It follows that none of the laws that regulate this right contain any discriminatory provisions; indeed, they all affirm the principle of equality. Some examples of these laws are listed below:

- (a) The Code of Civil and Commercial Procedure promulgated by Act No. 13 of 1990;
- (b) The Judicial Authority Act promulgated by Act No. 10 of 2003;
- (c) The Criminal Code promulgated by Act No. 11 of 2004;
- (d) The Code of Criminal Procedure promulgated by Act No. 23 of 2004;
- (e) Act No. 7 of 2007 on the settlement of administrative disputes;
- (f) Act No. 12 of 2008 on the Supreme Constitutional Court;
- (g) Act No. 19 of 2008 on the payment of blood money in cases of accidental killing. The Act establishes that all persons, both males and females, have equal rights in regard to payment of blood money.

67. It is clear from the foregoing that there is no discrimination between individuals with regard to: the right of legal recourse; the substantive or procedural rules applicable to parties at law; the effective defence rights and guarantees afforded under the Constitution; the standards by which cases are judged; and the procedures for mounting appeals. All rights are accorded based on standardized rules that apply to plaintiffs and defendants and to those who bring appeals and challenges against court judgements.

68. As for the State’s role in ensuring the right of every person to seek legal remedies against any act of discrimination and to seek reparation for any damage suffered in that regard, all the laws of Qatar must be consistent with the principles and provisions set out in the Permanent Constitution. Laws have been enacted to take account of the economic, social and political advances that have been made in Qatar and to protect and support this process of renaissance, which is founded on equality for all in the framework of the rule of law and compliance by the public administration with the law. Hence, Act No. 7 of 2007, concerning the settlement of administrative disputes in which the Government is one of the parties, recognizes abuse of authority as grounds for revoking an administrative decision and for granting the right to seek reparation for any damage caused. Perhaps one of the most important manifestations of abuse of power is differentiated treatment of persons in similar situations. This occurs, for example, in cases where the State administration discriminates between two employees or individuals in similar circumstances without having any compelling reason for doing so or public interest to defend.

69. As for measures taken by the State to ensure the right to security of person and protection against any violence or bodily harm, article 52 of the Permanent Constitution of Qatar states: “All persons with legal residence status in Qatar are entitled to protection of their person and property by law”. Moreover, article 31 of the Code of Criminal Procedure states that all law enforcement institutions must accept complaints and crime reports that are submitted to them. Articles 32–60 of the Code of Criminal Procedure, concerning the procedures for conducting inquiries, gathering evidence and carrying out preliminary investigations to help the Office of the Public Prosecutor and the courts to uncover offences and prosecute and convict criminals, make no distinction between different citizens or

between citizens and foreign residents. All these persons have the same rights. Moreover, crime victims have the legal right to sue for damages in criminal proceedings pursuant to article 19 of the Code of Criminal Procedure.

Political rights

70. As stated above, part III of the Constitution (arts. 34–58) focuses on fundamental rights and freedoms which are accorded based on the principle that rights are integrated, interrelated, interdependent and indivisible. Hence, the Constitution accords economic, social, cultural, civil and political rights on an equal basis. With regard to political rights, article 42 of the Constitution grants the right to vote and to stand for election. In keeping with article 35 of the Constitution, these rights are afforded without discrimination on grounds of sex, origin, language or religion. The Constitution also recognizes the right to political participation and to access to public employment. These political rights should be read in the light of article 34 of the Constitution, which provides: “Citizens have equal rights and duties”. Moreover, article 146 of the Constitution provides that these rights may not be regulated or modified in such a way as to limit or impair them.

71. A series of laws and decrees support the political rights provided under the Constitution. For example, in Decree No. 38 of 2003 citizens were called upon to participate in a referendum on the draft Constitution. Article 1 of the Decree states: “Qatari men and women are invited to participate in the adoption of a constitution for the nation by expressing their views on the draft Constitution in a referendum to be held on Tuesday, 26 April 2003”. As this provision shows, the decree made no distinction between the men and women that it invited to participate in the adoption of the Constitution. Indeed, it invited women to take part without any discrimination. Likewise, Act No. 12 of 1998, regulating the Municipal Council, granted Qatari women the right to stand for election and to vote for the first central municipal council to be elected in Qatar. This was a turning point in terms of granting Qatari women their right to take an active part as key players in the development of Qatari society and was a major step forward in terms of strengthening public participation in the work of the executive. Six women stood as candidates in the first round of elections for the Municipal Council (1999), although none were successful.

72. In the second round of elections (2003) one woman stood as a candidate and won a seat in the 29-member Council. In the third round of elections (2007), three women stood and one was successful. The number of women returned to the Council in 2011 is expected to rise as a result of awareness-raising campaigns to sensitize Qatari women to the importance of participation in political life and in public decision-making. Large numbers of Qatari women participated in the voting for the central Municipal Council, accounting for 42 per cent of all voters in 1999. In 2003, that figure fell slightly (38 per cent), before rising to 50 per cent in 2007 – a record for women’s participation in voting. Act No. 8 of 1998, concerning private associations and foundations, and Act No. 21 of 2006, concerning private associations that serve the public good, make no distinction between men and women who apply for permission to establish associations and foundations and to take up positions therein. In practice, several foundations, associations and centres are presided over by women. Women are presidents of the board of approximately 43 per cent of these foundations and make up 30 per cent of board members. In addition, articles 94–121 of the Commercial Companies Act promulgated in Act No. 5 of 2002, which establish the procedures for electing board members of joint-stock companies, the eligibility criteria for membership of a governing board and the procedures for voting, make no distinction between men and women; the same conditions apply to both sexes without any discrimination.

73. Recently, there has been a marked change in the number of women joining the boards of joint-stock companies. Indeed, some women have become presidents of the

board. In that connection, Act No. 11 of 1990 on the establishment of the Qatar Chamber of Commerce and Industry, as amended by Act No. 11 of 1996, sets out the procedure by which the general assembly elects members of the board. The process is one of election by direct ballot and is open to men and women without discrimination. The elections have boosted participation by women in the board of the Chamber; for the first time in the Chamber's history, the candidate list included four businesswomen. The laws on public employment also make no distinction between women and men. They recognize the right to equal pay and the right of women heads of household to receive the full family allowance. The specific circumstances of women as wives and mothers are taken into account in the allocation of leave (the Human Resources Management Act promulgated in Act No. 8 of 2009; the Military Service Act No. 31 of 2006; and the Labour Act No. 14 of 2004).

74. Qatari women participate in the formulation and implementation of Government policy. These women have taken up senior positions in the State, although there are no women currently in the Cabinet. The first woman to take up a ministerial post in a Gulf State was Her Excellency Sheikha Al-Mahmoud, who served as Minister of Education from 1996 to 2009. Moreover, Her Excellency Sheikha Ghaliya Al-Thani served as Minister of Health from 2008 to 2009 and chaired the National Health Authority from 2005 until 2008, when she was transferred to the Ministry.

75. Qatari women currently in senior positions include: the chairpersons of the Qatar Foundation for Education, Science and Community Development, the Supreme Council for Family Affairs and the board of trustees of the Qatar Museums Authority; the deputy chairpersons of the Supreme Health Council and the Supreme Council for Education; the President of Qatar University; the Secretary-General of the Supreme Council for Communication and Information; and the Secretary-General of the Supreme Council for Family Affairs. Moreover, several women are members of the board of higher councils and governmental institutions and bodies. There are also women members of standing committees responsible for policymaking and strategy development, such as the Standing Committee on Population and the temporary committees set up to draft laws.

Civil rights

76. The Qatari Constitution accords a number of civil rights that are recognized under international human rights law. These include the right to freedom of movement, the right to leave and to return to the country, the right to a nationality, the right to inherit, and the right to freedom of thought, conscience and religion.

Freedom of movement

77. Article 36 of the Constitution recognizes the right to freedom of movement. It states that no person may be required to live in a given place or have his or her freedom of residence or movement curtailed, except in accordance with the law.

Right to leave and to return to the country

78. Article 38 of the Constitution provides: "No citizen may be expelled from the country or prevented from returning thereto".

Right to a nationality

79. Article 21 of the Constitution lends constitutional authority to the Nationality Act No. 38 of 2005, article 1, of which states: "A Qatari national is any person born to a father who has Qatari nationality". Article 4 of the Act provides: "Qatari nationality shall be granted to the children of naturalized citizens who are living with these citizens in Qatar at the time that they are naturalized and to children born to these persons thereafter. It shall be

granted to minors living abroad who are the children of naturalized citizens five years from the date on which the children first take up residence in Qatar, provided that they have not already reached their majority when they submit their application". The Act gives priority for the purposes of naturalization to the children of Qatari women: under article 25 of the Act, both men and women have the same right to transmit their nationality to their children. The Act furthermore provides that children of unknown parentage who are found in Qatar will be given Qatari nationality. This measure is intended to prevent statelessness and to give effect to the provisions of the Convention on the Rights of the Child which establish that every child is entitled at birth to an identity and to other forms of recognition.

Right to inherit

80. Article 51 of the Qatari Constitution recognizes the right to inherit. It states: "The right to inherit is safeguarded and regulated under the Islamic sharia". The Qatari legislature deals with the subject of inheritance in articles 241–301 of the Family Code and protects the right of men and women to inherit. These persons are entitled to their share of an estate in accordance with the sharia. Indeed, the Code goes so far as to provide, in article 294, that a larger share of an estate must be set aside for a foetus in the mother's womb pending discovery of the child's sex. Women, as wives, sisters, daughters, granddaughters and grandmothers, are also entitled to inherit the share assigned to them under the sharia.

81. The question of inheritance under sharia rules is one of the most frequently misunderstood subjects, owing to a superficial interpretation of the sharia. The sharia is interpreted as discriminating against women by giving them only half the share that is given to men. The fact is that Islam only grants women half the inheritance that men receive in particular circumstances. However, in other cases women receive the same as men. For example, in cases of inheritance by two parents, each parent receives one sixth of the estate and no difference is made between the father and the mother. In other circumstances, a woman may receive more than a man. For example, a person dies leaving a daughter and two parents. Here, the daughter will receive half the estate, which is more than her grandfather will receive (one sixth). In other cases, daughters of the deceased (two or more) will receive two thirds of the estate while male agnates of the deceased will receive the remaining third. What this means is that women sometimes inherit less than men in certain circumstances for reasons that have nothing to do with discrimination but rather with how inheritance is distributed according to social justice principles, the degree of consanguinity and the number of heirs. Islam grants women the right to inherit, even if they are rich.

Right to freedom of thought, conscience and religion

82. Article 50 of the Constitution recognizes the right to freedom of thought, conscience and religion in the following terms: "Freedom of worship is guaranteed to all by law, subject to the need to protect public order and public morals". This constitutional protection has been boosted by the growing and explicit attention accorded to this issue by the Qatari political leadership, namely, His Highness Sheikh Hamad bin Khalifa Al-Thani, the Amir of Qatar, His Highness the Crown Prince, and the wife of the beloved Amir — May god preserve him! — who have all been involved in efforts to promote religious freedom and tolerance in Qatar. With a view to according religious freedoms to non-Muslims, an Indian Christian church representing various Christian denominations was opened in March 2009. Other churches for members of the Evangelical, Eastern Orthodox and Coptic faiths are being constructed. Moreover, the Doha International Centre for Interfaith Dialogue was established to promote and spread a culture of dialogue and peaceful coexistence.

Economic, social and cultural rights

83. The Constitution and laws of Qatar guarantee internationally recognized economical, social and cultural rights, including the right to work, the right to an education and the right to health.

Right to work

84. The Qatari Labour Code (Act No. 14 of 2004) recognizes the principle of equality and protection from discrimination as applying to all the rights and duties of both migrant workers and Qatari workers. This is reflected in the terms of labour contracts, which specify that the working day is eight hours long and grant workers the right to extra pay for overtime work and to one day off each week, together with paid annual leave and official holidays. Migrant workers, unlike Qatari nationals, are entitled to have their tickets for travel to and from Qatar paid for by their employer. They also have the right to annual leave, health care and medical treatment paid for by the employer. They have the same right as Qataris to compensation for work-related injuries and occupational illnesses and to a termination of employment indemnity. The Labour Code provides special legal protection for working women. It contains an entire section which prohibits the employment of women in hazardous or heavy work, work that could expose them to health or moral risks, and other types of work defined in a decision of the Minister of Labour. In addition, the Act grants working women the right to 50 days' maternity leave on full pay and one hour per day for breastfeeding for a period of up to one year; women can choose the time best suited for this purpose. A working woman cannot be dismissed because she has married or because she takes maternity leave. The Labour Code also provides legal protection for young persons. It sets the age for admission to employment at 16 and states that a young person may not work without permission from his or her guardian. If the young person is still at school, consent for his or her employment must be obtained from the Minister of Education. The Code states that young persons may not be employed in work that could expose them to health, safety or moral risks.

85. Qatar has made considerable endeavours to develop legislation and institutions to promote and protect the rights of migrant workers. In addition to the protection of workers' rights afforded under the Permanent Constitution, the Labour Code promulgated in Act No. 14 of 2004 grants a series of workers' rights and benefits and provides protection from hazardous work, together with the right to compensation for work-related injuries and the right to end a work contract of one's own accord and to receive an indemnity upon termination of service. These are minimum labour rights, and any measure that diminishes or detracts from the rights established under the Labour Code will be deemed null and void. The Ministry of Labour has issued a series of decisions on the implementation of the Code which help to provide additional protection for workers' rights. The main decisions are listed below:

- Decision No. 5 of 2005, regulating the work of the reconciliation and arbitration committees in collective labour disputes
- Decision No. 6 of 2005 on model labour regulations
- Decision No. 13 of 2005 on labour inspections and related procedures
- Decision No. 15 on work in which young persons may not be employed
- Decision No. 16 of 2005 on medical care for workers in enterprises
- Decision No. 17, defining the criteria and specifications for suitable housing for workers

- Decision No. 18 on statistics on work-injuries and occupational diseases and reporting procedures
- Decision No. 19 on periodic medical check-ups for workers at risk of contracting occupational diseases
- Decision No. 20 on precautions and conditions in work areas and work places to protect workers, employees and visitors from workplace hazards
- Decision No. 16, limiting the number of hours that can be worked in the open air during summer time

86. The legislative machinery has been strengthened and enhanced by the State's ratification of several ILO conventions, namely: the Labour Inspection Convention, 1947 (No. 81); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Forced Labour Convention, 1930 (No. 29); the Worst Forms of Child Labour Convention, 1999 (No. 182); the Minimum Age Convention, 1973 (No. 138); and the Abolition of Forced Labour Convention, 1957 (No. 105). In an effort to improve employment conditions and afford workers additional rights and guarantees against exploitation, Qatar has concluded a number of bilateral agreements with sending countries to regulate employment and recruitment and define the rights and obligations of both employers and employees. Qatar has taken numerous steps to provide migrant domestic workers with legal protection. These include monitoring of recruitment processes and the drafting of a domestic workers' bill, which is going through the process of enactment. The Qatar Foundation to Combat Human Trafficking has conducted awareness campaigns for employers on radio and television and in the press. Moreover, the Qatari Shelter for Humanitarian Support offers protection and welfare services for domestic workers. With a view to developing the legislative machinery, the relevant State authorities are now examining a bill on combating human trafficking. The Qatar Foundation to Combat Human Trafficking is also preparing a study on domestic workers in Qatar (conditions, problems, impacts and solutions).

87. Alongside the measures to develop legislation to promote the rights of migrant workers, action has been taken to develop institutions. The labour inspectorate at the Ministry of Labour was turned into a separate department. The department plays a vital role in dealing with discrimination against migrant workers. Qualified labour inspectors are selected with care and persons with expertise in different areas may be called upon if necessary to provide assistance. Inspectors have been given the same powers as investigation officers further to a joint decision of the Prosecutor-General and the Minister of Labour. The Labour Inspection Department drafts annual reports on inspection activities, numbers of visits made, contraventions investigated and sanctions imposed.

88. The Labour Relations Department was established by Amiral Decree No. 35 of 2009 to deal with labour disputes in an expeditious manner. It receives complaints about labour issues and deals with them promptly (within one week at most). It may also refer complaints that have been investigated to a competent court within a week of receiving them. The Labour Relations Department, in coordination with relevant embassies in Qatar, prepares and distributes informational materials to workers and provides advice and guidance.

89. To strengthen the institutional infrastructure for the protection and promotion of workers' rights, the Supreme Judicial Council has designated two special courts to hear cases brought by workers and resolve them promptly. Two chambers have thus been created in the district court and the full court to dispose of such cases. Court fees are waived in these kinds of cases.

90. Act No. 4 of 2009 on the entry, exit, residence and sponsorship of migrant workers states that sponsorship of a migrant worker may be transferred in certain circumstances, including in cases of abuse. Thus, additional protection is provided for migrant workers' rights. Article 22 of the Act states that the competent department at the Ministry of the Interior may change the sponsorship arrangement for a migrant worker subject to a written agreement being signed by the new employer and the former employer and, in the case of workers whose contracts are regulated by the Labour Code, subject to the approval of the competent Ministry of Labour department. Under article 12, sponsorship of a migrant worker may be transferred without the sponsor's consent, if this is necessary in order to protect the worker's rights. The Minister of the Interior or his or her representative may transfer sponsorship of a migrant worker whose contract is not regulated by the Labour Code, if the sponsor has been found to have abused the worker or if there is a public interest issue at stake. On the same grounds, sponsorship of a worker who is subject to the Labour Code may be transferred, at the worker's request, provided that authorization is given by the Minister of the Interior or his or her representative and by the Ministry of Labour. Article 52 of the Code prescribes a penalty of 10,000 Qatari riyals (QR) for breaching article 9 of the Code, which states that an employer may not withhold the travel documents of an employee and must return them to the employee after the procedures for obtaining a residence card have been completed.

Right to education

91. Article 25 of the Constitution of Qatar provides: "Education is one of the fundamental pillars of social progress and the State shall provide, foster and endeavour to disseminate it." Article 49 furthermore provides: "All citizens have the right to education. The State shall endeavour to make education compulsory in accordance with the regulations and laws in effect in the State."

92. In addition, Act No. 25 of 2001 stipulates that education is compulsory and must be provided free of charge to all children from the start of the primary stage to the end of the secondary stage or up until the age of 18 years, whichever comes first. The Act was amended by Act No. 25 of 2009, which introduced higher fines for parents and guardians who fail to enrol a child in compulsory education for no good reason. Moreover, as a member of the United Nations Educational, Scientific and Cultural Organization (UNESCO), Qatar is committed to abiding by all UNESCO decisions and recommendations, including its decisions on the Education for All initiative and its six goals. Accordingly, the State developed the National Plan for Education for All in 2003 and in 2007 conducted an assessment of the progress made. Qatar is keen to promote universal (comprehensive) education to include all pupils without discrimination on the basis of sex, race, religion or other factors. Since the 1950s, Qatar has taken action to modernize its education system and expand coverage to meet the educational needs of Qatari citizens and foreign residents, both males and females alike. This explains the expansion in the educational map in Qatar since that time: in the past, there were only a few traditional schools, but now there are more than 500 public and private schools throughout the country. They operate in different stages of education and are open to all.

93. The most significant result of that expansion process has been the increase in the number of students and the rise in enrolment rates for both sexes (see table below).

Trends in universal primary education in Qatar, 1990–2007

| | | <i>Rate</i> | | | <i>Growth rate</i> | |
|--|---------|-------------|-------------|-------------|--------------------|------------------|
| | | <i>1990</i> | <i>2000</i> | <i>2007</i> | <i>1990–2000</i> | <i>2000–2007</i> |
| Net enrolment ratio in primary education | Males | 92.3 | 96.4 | 97.9 | 0.43 | 0.22 |
| | Females | 90.8 | 97.3 | 97.3 | 0.69 | 0.00 |
| | Total | 91.6 | 96.9 | 97.6 | 0.56 | 0.77 |
| Percentage of pupils starting grade 1 and reaching last grade of primary | | - | 88 | 99.7 | - | 1.39 |
| Literacy rate among females and males aged between 15 and 24 years | | 96.5 | 98.0 | 99.1 | 0.15 | 0.16 |

94. The steady rise in enrolment rates in recent decades is the result of sustained Government investment in education and the State's efforts in recent years to make education a priority. Primary school enrolment rates in Qatar are among the highest in the world; the levels achieved recently make Qatar a world leader in terms of access to basic education opportunities for all boys and girls from all parts of society without any discrimination or exceptions. One indicator of the success and effectiveness of the education system is the primary school dropout rate.

95. The Supreme Council for Education was established in 2002 to formulate the educational policy of Qatar. Amiral Decree No. 14 of 2009 provided for the reorganization of the Council in the framework of measures to realize the Qatar National Vision 2030. The Council is a high-level institution tasked with developing education and raising educational standards to provide Qatar with the qualified personnel that it needs in various areas. The Council is carrying out an initiative on the development of general education ("Education for a new stage") that focuses essentially on the establishment of independent, Government-funded schools based on four criteria: independence, accountability, diversity and choice.

96. The volume of spending on education as a proportion of total Government spending increased from 19.6 per cent in 2005 to 21 per cent in 2008 (3.3 per cent of GDP). Qatar adopted a pioneering policy on scientific research, earmarking 2.8 per cent of GDP for research and the establishment of the Qatari Scientific Research Fund in 2006. In order to ensure continuity of educational expenditure and to meet related requirements, an endowment fund for educational expenditure was set up using some investment money from the State's oil revenue.

Right to health

97. Qatari laws establish the right to have access to medical services without any discrimination founded on race, religion, place of origin, belief, language, age or disability status. A charter of the rights and responsibilities of patients and their families was drawn up by the Hamad Medical Foundation, establishing the principles for ensuring the right to health, including the right of access to medical services without discrimination, the right to appropriate medical care, protection of privacy and the confidentiality of information.

98. The health-care sector is a priority in the context of socio-economic development. Qatar continues to provide basic health services to different sectors of the population, in particular those most vulnerable to disease, such as children. To this end, it has expanded construction of child welfare centres, conducted vaccination campaigns against contagious and infectious diseases, organized public awareness campaigns and implemented school health programmes in cooperation with the Supreme Health Council and the Supreme Council for Education.

99. The health-care system in Qatar has scored numerous gains, providing services that have helped to improve public health, particularly by reducing the under-five mortality rate, which is a key measure of the effectiveness and coverage of the health system. The under-five mortality rate has declined significantly falling from 16 per 1,000 live births in 1990 to 9.1 per 1,000 in 2007. This is close to the rates achieved in high-income countries, where the average is 7 per 1,000 live births.

100. The infant mortality rate (0–1 year) has experienced a similar decline in recent decades, falling from 13 per 1,000 live births in 1990 to 7.46 per 1,000 in 2007. Qatar has thus achieved one of the greatest reductions on this indicator among countries with extensive health coverage. These reductions in infant and under-five mortality rates can be attributed in general to the expansion of maternal and neonatal health coverage, in particular to the development and implementation of mass vaccination campaigns for all newborns against infectious and communicable diseases (see table below).

Reduction in child mortality rates in Qatar during the period 1990–2007

| | Rate per thousand live births | | | Growth rate | |
|-----------------------------------|-------------------------------|-------|------|-------------|-----------|
| | 1990 | 2000 | 2007 | 1990–2000 | 2000–2007 |
| Under-five mortality rate | 16.6 | 13.1 | 9.1 | -2.4 | -5.2 |
| Infant mortality rate (0–1 years) | 13.0 | 11.73 | 7.46 | -1 | -6.5 |

101. Government agencies have sought to improve the quality of life and well-being of mothers in the pre-, peri- and post-natal stages. As a result of the political determination shown by the State, a range of successes have been scored in regard to women's health. Maternal mortality rates during these three stages have fallen sharply (see table below). This can be attributed to the comprehensive prenatal and post-natal care provided to women, the availability of different forms of care for women, including examinations and vaccinations, and, in particular, the fact that most deliveries are attended by qualified professionals in specialized medical institutions; all births in Qatar take place under the supervision of qualified and experienced medical professionals (see table below).

Improving in maternal health indicators in Qatar, 1990–2007

| | Rate | | | Growth rate | |
|--|-------|-------|-------|-------------|-----------|
| | 1990 | 2000 | 2007 | 1990–2000 | 2000–2007 |
| Births attended by skilled health specialists (per cent) | 99.84 | 99.96 | 100.0 | 0.01 | 0.01 |
| Rate of contraceptive use | | | 20 | | 76.8 |
| Adolescent birth rate | 31.4 | 22.1 | 21.0 | -3.51 | 0.73 |
| Access to health care after childbirth (minimum 1 visit) | | | 100 | | 42.8 |

102. The take-up rate for reproductive health services such as contraceptives for family planning purposes remains relatively low in Qatari society, even though the 1998 family health survey showed that married women were largely in favour of such services. Family planning in a country like Qatar, where nationals are a minority and citizens are therefore encouraged to have children, does not mean birth control but rather planning of births to protect the health of mother and child. The decline in the number of teenagers in Qatar having children is mainly due to changing social attitudes. The number of women who

marry early is declining, as Qatari girls remain for longer at school and increasing numbers of Qatari women are entering work. Even so, the unemployment rate among women remains relatively high.

Article 6

103. As for the legal remedies open to any individual who claims to have suffered discrimination, the Constitution and laws in force state that all persons may bring proceedings before courts of different kinds. Article 135 of the Constitution states: “The right of legal recourse is assured and afforded to all. The law shall determine the procedures and conditions for the exercise of this right”.

104. Act No. 23 of 2004, promulgating the Code of Criminal Procedure, defines the procedures and conditions for filing cases and offers full legal safeguards for defendants. Moreover, means of redress are provided in accordance with the Code of Civil Procedure and administrative laws.

105. There are several bodies with which complaints may be filed. These include the Ministry of the Interior Human Rights Department, which was established by Minister of the Interior Decision No. 26 of 2005. The functions of the department include receiving, studying and investigating complaints submitted by individuals or through the National Human Rights Committee; looking into the background issues; and making relevant recommendations to the Minister. Other functions include: working, in conjunction with relevant ministerial bodies, to achieve the goals set out in international human rights treaties that have a bearing on the work of the Ministry of the Interior; conducting visits to penal institutions, deportation centres and security departments to verify compliance with the laws and regulations in force in Qatar and to make sure that no rights are being infringed; submitting periodic reports to the Minister; producing publications and circulars, and organizing seminars and talks to raise awareness among Ministry departments that deal with human rights; and representing the Ministry at international, regional and local conferences and seminars on human rights.

106. In 2008, the Human Rights Department received 609 complaints, of which 97 are being processed, 329 were put on file and 183 were resolved.

107. As stated above, article 2 (3) of Decree-Law No. 38 of 2002, concerning the establishment of the National Human Rights Committee, states that the Committee has authority to investigate human rights violations and suggest ways of dealing with them and preventing them from happening.

Article 7

108. The State attaches considerable importance to human rights training and education. Various governmental and non-governmental organizations have run training courses on the promotion and protection of human rights, including the elimination of racial discrimination. To take just some examples, courses are organized by the Centre for Legal and Judicial Studies, the Police Training Academy of the Ministry of the Interior, the Ministry’s Human Rights Department and the National Human Rights Committee. Moreover, the State takes considerable care to ensure that human rights are included in academic curricula and to provide for the teaching of human rights concepts in numerous ways, whether they are presented as separate subjects, as concepts, as part of classroom or extracurricular activities or in images. Curricula and textbooks include references to many different rights such as political, civil and economic rights, children’s and women’s rights, social and cultural rights, the rights of older persons and persons with disabilities and rights

relating to the elimination of all forms of racial discrimination. In this connection, the curriculum on education in values has helped to promote cooperation, compassion, equality, love, peace and tolerance and social and civil values such as obedience to the law, good citizenship, participation in community life, honesty, integrity and trustworthiness. The curriculum also promotes respect for the cultural and historical heritage of Qatar and for the protection of the historical heritage and the environment. The educational initiatives launched by the Supreme Council for Family Affairs, in conjunction with the Ministry of Education and Higher Education, to disseminate the Convention on the Rights of the Child and raise awareness of the Convention among students include a programme to disseminate a children's rights culture in schools.

109. A higher committee was established to oversee the programme. Its members are drawn from different State institutions, namely, the Ministry of Education and Higher Education and the Supreme Council for Family Affairs, and from UNESCO. The committee established a national plan of action, in cooperation with UNESCO, involving the design of teaching manuals to provide easy-to-understand information on the rights and principles set out in the Convention on the Rights of the Child. These manuals include teaching aids that illustrate children's rights and violations, together with true stories, coloured pictures and other illustrations. The programme also involves training workshops for members of school boards on the use of these manuals in the classroom and in extra-curricular activities.

110. In 2008–2009, in cooperation with the Qatari Armed Forces and UNICEF, the Supreme Council for Family Affairs began to incorporate the rights of the child as a topic into the curricula of the Military College, the Qatar Armed Forces Training Institute and the Police Training College and into all training courses for police officers and men. Similarly, the Legal and Judicial Studies Centre at the Ministry of Justice has included the subject of human rights in compulsory training curricula for the courses that it runs for new legal officers employed in State ministries, organizations and institutions and for assistant judges and assistant public prosecutors.

111. As for disseminating the principles and provisions of the Convention, Al Jazeera Satellite Channel plays an important role in promoting, protecting and disseminating human rights through the programmes that it broadcasts on human rights culture. In 2008, the Channel set up a special department on general freedoms and human rights which is responsible inter alia for suggesting rights-related topics to be taken up for discussion in its programmes. It is also tasked with throwing light on international human rights standards and human rights situations, in addition to building the capacities of those who work on human rights issues at the Channel.

III. Follow-up on the observations and recommendations of the Committee on the Elimination of Racial Discrimination

112. After the previous report of Qatar (the combined ninth to twelfth reports) was considered, the Committee on the Elimination of Racial Discrimination adopted a set of concluding observations and recommendations (March 2002). The Committee expressed appreciation for many positive aspects of the work that the State had done in the legislative domain at the time to implement the Convention. It also raised some important issues and made recommendations on action to be taken. This part of the present report explains how the State has followed up on those observations and recommendations.

113. Follow-up action has been taken in line with most of the Committee's observations and recommendations of March 2002. Since that date, there have been major developments in regard to the strengthening of the State's human rights machinery, including with respect

to the elimination of racial discrimination. In various parts of the report, mention is made of the many positive developments that have taken place in the areas of legislative, institutional and procedural development and awareness-raising to promote and protect human rights. This is regarded as a strategic choice in the overall reform policy on which the State embarked when His Highness Sheikh Hamad Bin Khalifa Al-Thani came to power. It is reflected in the Qatar National Vision 2030, in which core human rights issues in the areas of education, the environment, migrant workers' rights, women's empowerment and children's rights are addressed thematically. In this part of the report, information will be provided on the actions taken by the State to follow up on the recommendations of the Committee as a whole.

Institution of measures to implement articles 2, 3 and 4 of the Convention

114. As stated above, State law, meaning the Constitution and domestic laws, defines discrimination in line with the definition provided in article 1, paragraph 1, of the Convention. The legal framework for State action takes account of the general rules underpinning the provisions of the Convention, in which the principles of equality and protection from discrimination are essential features.

115. The principles of equality and protection from discrimination are enshrined in part II, articles 18 and 19, of the Constitution, concerning the fundamental components of the society. Article 18 provides: "Qatari society is founded on justice, benevolence, freedom, high moral values and equality". Article 19 builds on the principles enunciated in article 18 of the Constitution. It provides: "The State shall preserve the pillars of society and shall ensure security, stability and equal opportunities for citizens".

116. The general principle of equality cited in article 18 of the Constitution is spelled out in detail in articles 34 and 35, part III, of the Constitution, concerning general rights and duties. Article 34 provides: "Citizens have equal rights and obligations". Article 35 affirms the right to equality before the law and to protection from discrimination. It provides: "All persons are equal before the law. There shall be no discrimination between them on grounds of sex, origin, language or religion." As already stated, articles 34–58 of part III of the Constitution afford fundamental rights and freedoms based on the principle that all rights are integrated, interrelated, interdependent and indivisible. Hence, the Constitution affords economic, social, cultural, civil and political rights.

117. Support for the right to equality and protection from discrimination is provided in the Constitution and through a series of other laws. To take just some examples, the Qatari Criminal Code criminalizes incitement of racial hatred (even if the Code does not refer to it in those terms) in part VII, entitled "Religious offences". Article 256 of the Code makes it an offence to denigrate the revealed religions that are protected under the sharia, to insult a deity or a prophet by means of the spoken or written work or in an image or by any other means, and to damage, vandalize or desecrate buildings or objects therein that are used for the celebration of the religious rites of a revealed religion that is protected under the sharia. The Printing and Publishing Act furthermore prohibits the publication of material that is likely to stir up social discord or cause confessional, racial or religious strife.

Equality before the law and the right of legal recourse

118. As already stated, the principles of equal rights and duties and equality before the law without discrimination on grounds of sex, origin, language or religion are enshrined in articles 34 and 35 of the Constitution, and the right of legal recourse is recognized in article 135 of the Constitution. The protection for the principle of equality before the law that is provided under the Constitution is boosted in a set of laws that regulate this right without any discrimination. In this connection, mention may be made of the following laws:

- (a) The Code of Civil and Commercial Procedure promulgated by Act No. 13 of 1990;
- (b) The Judicial Authority Act promulgated by Act No. 10 of 2003;
- (c) The Criminal Code promulgated by Act No. 11 of 2004;
- (d) The Code of Criminal Procedure promulgated by Act No. 23 of 2004;
- (e) Act No. 7 of 2007 on the settlement of administrative disputes;
- (f) Act No. 12 of 2008 on the Supreme Constitutional Court;
- (g) Act No. 19 of 2008 on the payment of blood money in cases of accidental killing. The Act establishes that all persons, both males and females, have equal rights in regard to entitlement to payments of blood money.

119. The Constitution recognizes the independence of the judiciary. Article 130 states: "The judiciary is independent; judicial power shall be exercised by courts of various kinds at different levels." Article 131 stipulates: "Judges are independent and are subject to no authority other than the law. No party may interfere in legal cases or in the administration of justice." The independence of the judiciary is also recognized in Act No. 10 of 2003, article 2 of which provides: "Judges are independent and shall not be removed from their posts except in accordance with the provisions of this Act. The independence of the judiciary shall not be compromised, nor shall there be any interference in the administration of justice." The process of selecting and appointing judges is under the responsibility of the Supreme Judicial Council and is carried out in accordance with internationally recognized norms and with the approval of the Amir. In keeping with the State's goals on women's empowerment, the first woman was appointed as a member of the Qatari judiciary in April 2010. The appointments process does not affect the independence of the judiciary; indeed, judicial independence is a principle enshrined in the Constitution, which prohibits any party from interfering in judicial cases or in the course of justice. Article 2 of the Judicial Authority Act furthermore provides that there can be no interference in the work of the judiciary or in matters of justice.

120. The independence of the judiciary was strengthened and enhanced by the promulgation of Act No. 7 of 2007 on the adjudication of administrative disputes. Under the Act, abuse of power constitutes grounds for the revocation of an administrative decision or for seeking reparation in respect thereof. Under Act No. 12 of 2008 the Supreme Constitutional Court was established as an independent body whose members are independent and irremovable. The court, acting on its own motion or at the request of parties at law, hears disputes over the constitutionality of laws and regulations. Its judgements are final, not subject to appeal and binding on all State authorities and individuals.

Promotion and protection of the rights of migrant workers

121. Qatar has made considerable endeavours to develop legislation and institutions to promote and protect the rights of migrant workers. In addition to the protection afforded to workers' rights under the Permanent Constitution, the Labour Code promulgated in Act No. 14 of 2004 grants a series of workers' rights and benefits and offers protection from hazardous work. It also recognizes the right to claim compensation for work-related injuries, to terminate a work contract of one's own accord and to receive an indemnity upon termination of service. These are minimum labour rights, and any measure that diminishes or detracts from the rights established under the Labour Code will be deemed null and void. The Ministry of Labour has issued a series of decisions on the implementation of the Code which help to provide additional protection for workers' rights. These were described in detail in the section on article 5 of the Convention (part II of this report). The legislative

machinery has been strengthened by the State's ratification of several ILO conventions, including: the Labour Inspection Convention, 1947 (No. 81); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Forced Labour Convention, 1930 (No. 29); the Worst Forms of Child Labour Convention, 1999 (No. 182); the Minimum Age Convention, 1973 (No. 138); and the Abolition of Forced Labour Convention, 1957 (No. 105). In an effort to improve employment conditions and afford workers additional rights and guarantees against exploitation, Qatar has concluded a number of bilateral agreements with sending countries to regulate employment and recruitment processes and define the rights and obligations of both employers and employees. Qatar has adopted numerous measures to provide migrant domestic workers with legal protection. These measures include monitoring of recruitment procedures and the drafting of a domestic workers' bill, which is going through the process of enactment.

122. Alongside measures to develop legislation to promote the rights of migrant workers, action has been taken to develop institutions. The labour inspectorate at the Ministry of Labour was turned into a separate department. The Labour Relations Department was established by Amiral Decree No. 35 of 2009 to decide on labour disputes in an expeditious manner. To strengthen the institutional infrastructure for the protection and promotion of workers' rights, the Supreme Judicial Council has designated two special courts to hear workers' cases and settle them promptly. Two chambers have thus been created in the district court and the full court to dispose of such cases. Court fees are waived in such cases.

Right of foreign nationals to own property

123. Act No. 17 of 2004, regulating ownership of real property and housing by non-Qatari nationals, states that these persons may own and use real property and housing in 18 districts of Qatar, subject to the conditions and regulations set out in Council of Ministers Decision No. 6 of 2006. The Act provides numerous benefits that allow users to own property for the period that they use it. It also offers foreign investors, owners and users of real property and housing in Qatar the right to reside in the State in a home that they own or in a State-owned property that they use.

Ensuring that the activities of the National Human Rights Committee are consistent with the principles relating to national human rights institutions (the Paris Principles), including the principle of independence

124. The National Human Rights Committee was established pursuant to Act No. 38 of 2002, by which it was assigned a number of the functions defined in the Paris Principles. Given the newness of the human rights machinery and of civil society at the time, the Committee was formed, under article 3 of the Act, with seven members drawn from governmental bodies and five from civil society. It should be noted that Act No. 38 of 2002 was amended by Decree-Law No. 25 of 2006 to bring it into line with the requirements of the Paris Principles; the Committee now includes no less than seven members of civil society and five representatives from governmental bodies, who do not have voting rights. The National Human Rights Committee was given accreditation status "A" by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC). The Act establishing the Committee was amended by Decree-Law No. 17 of 2010. Under that amendment, the National Human Rights Committee was given legal personality and a separate budget. The Committee enjoys full independence in the conduct of its human rights work.