



International Covenant on Civil and Political Rights

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Human Rights Committee

Concluding observations on the initial report of Qatar*

1. The Committee considered the initial report of Qatar¹ at its 3837th and 3838th meetings,² held on 28 February and 1 March 2022. At its 3866th meeting, held on 21 March 2022, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the initial report of Qatar and the information presented therein. It expresses appreciation for the opportunity to engage in a constructive dialogue with the State party's high-level delegation on the measures taken by the State party to implement the provisions of the Covenant. The Committee is grateful to the State party for its written replies³ to the list of issues,⁴ which were supplemented by the oral responses provided by the delegation.

B. Positive aspects

3. The Committee welcomes the adoption by the State party of the following legislative and other measures:

- (a) Decree Law No. 19 of 2020 amending provisions of Act No. 21 of 2015 on the entry, exit and residency of foreigners;
- (b) Decree Law No. 18 of 2020 amending provisions of the Labour Code (Act No. 14 of 2004), increasing the penalties for violations of the wage protection system;
- (c) Act No. 17 of 2020 on the minimum wage;
- (d) Ministerial Decree No. 95 of 2019 under which several categories of workers, including domestic workers, can leave the country without an exit permit;
- (e) Act No. 11 of September 2018 on political asylum.

C. Principal matters of concern and recommendations

Domestic implementation of the Covenant

4. The Committee notes the information provided by the State party that the Covenant is an integral part of the domestic legal system, occupying the same place in the hierarchy of national laws after the Constitution, and the information that there had been one case in which

* Adopted by the Committee at its 134th session (28 February–25 March 2022).

¹ [CCPR/C/QAT/1](#).

² See [CCPR/C/SR.3837](#) and [CCPR/C/SR.3838](#).

³ [CCPR/C/QAT/RQ/1](#).

⁴ [CCPR/C/QAT/Q/1](#).



the Covenant had been directly invoked before the national courts. Nevertheless, the Committee is concerned about the precedence of sharia law over international instruments, including the Covenant, and about how potential conflicts between sharia law, domestic statutes and Covenant guarantees would be resolved. The Committee regrets the absence of specific information on how individuals may invoke the provisions of the Covenant before domestic courts and in administrative proceedings, and of examples of the application of the provisions of the Covenant by domestic courts (art. 2).

5. The State party should give full effect to the Covenant in its domestic legal order and ensure that domestic laws, including those based on sharia law, are interpreted and applied in conformity with its obligations under the Covenant. Additionally, the State party should make efforts to raise awareness of the Covenant and its domestic applicability among judges, prosecutors and lawyers to ensure that its provisions are taken into account by the courts. It should also consider acceding to the Optional Protocol to the Covenant, which establishes an individual complaint mechanism.

Reservations and statements

6. The Committee is concerned that the State party maintains its reservations to articles 3 and 23 (4) and its statements on articles 7, 18 (2), 22, 23 (2) and 27 of the Covenant. While taking note of the information provided by the State party that it reviews its reservations periodically, the Committee is concerned about the lack of clarity about when such reviews and changes may take place and whether all reservations and statements will be withdrawn. In particular, the Committee notes with concern the State party's reservation to article 23 (4) which according to the State party contravenes the Islamic sharia, and its statements on articles 7, 18 (2) and 23 (2), under which these articles are to be interpreted and implemented in accordance with the Islamic sharia (art. 2).

7. The State party should take concrete steps with the aim of withdrawing its reservations to and statements on articles of the Covenant, with a view to ensuring the full and effective application of the Covenant.

National human rights institution

8. The Committee welcomes the "A" status reaccreditation, in 2021, of the National Human Rights Committee, by the Global Alliance of National Human Rights Institutions. However, it also notes with concern reports, including by the Global Alliance of National Human Rights Institutions, that the nomination, appointment and dismissal of its members are subject to approval by the Emir, and about the lack of adequate legal provisions regarding the process and criteria for appointing and dismissing its members, despite the measures adopted by the State party, such as Act No. 12 of 2015 to safeguard the independence and functional immunity of its members (art. 2).

9. The State party should continue its efforts to ensure that the National Human Rights Committee fully complies with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and is able to carry out its mandate fully, effectively and independently, including by promoting the pluralism and diversity of its members and staff.

Counter-terrorism measures

10. The Committee is concerned about the State party's counter-terrorism legislation, in particular article 23 of the Act on Combating Terrorism (Act No. 3 of 2004 amended by Act No. 27 of 2019), article 7 of the Act on the Establishment of the State Security Apparatus (Act No. 5 of 2003 amended by Act No. 10 of 2008) and article 2 of the Act on the Protection of Society (Act No. 17 of 2002), which allow for long periods of pretrial detention without adequate judicial review. While noting the information provided by the State party on the number of individuals arrested under the Act on the Protection of Society, the Committee regrets the lack of information on the number of persons arrested on suspicion of violating the Act on Combating Terrorism and the Act on the Establishment of the State Security Apparatus. It also regrets the absence of information on the average length of pretrial detention under these three Acts (arts. 2, 9 and 14).

11. **The State party should bring its counter-terrorism legislation into full compliance with the Covenant and the principles of legal certainty, predictability and proportionality, in particular the provisions that allow for long periods of pretrial detention without adequate judicial review. The State party should also ensure that persons suspected of, or charged with, terrorist acts or related crimes are provided, in law and practice, with all appropriate legal safeguards, in accordance with the Covenant.**

Non-discrimination framework

12. While noting that the State party's Constitution proclaims the principle of equality in article 18 and of no discrimination on the grounds of sex, race, language or religion in article 35, the Committee is concerned that the existing national legal framework does not afford comprehensive protection against discrimination on all the grounds covered by the Covenant, including on the grounds of sexual orientation and gender identity. The Committee is also concerned that, by law, naturalized Qataris do not enjoy certain rights on an equal basis with Qatari nationals, including certain political rights (arts. 2 and 26).

13. **The State party should take all measures necessary to ensure that its national legal framework contains a comprehensive list of prohibited grounds of discrimination in line with the Covenant, including sexual orientation and gender identity. The State party should also guarantee all rights to naturalized Qataris on an equal basis with Qatari nationals.**

Gender equality

14. While welcoming the measures taken to promote gender equality, the Committee is concerned about the persistence of patriarchal stereotypes concerning the role of women and men in the family and in society. It is concerned that, notwithstanding the information provided by the State party, women are underrepresented in the formal labour market, in the private and public sectors, including in executive and legislative bodies, and particularly in decision-making positions. It is also concerned that, under the Nationality Act (Act No. 38 of 2005), Qatari women cannot confer their nationality upon their children and foreign spouses on an equal footing with Qatari men (arts. 2, 3, 25 and 26).

15. **The State party should:**

(a) **Strengthen measures to ensure gender equality and develop strategies to combat patriarchal attitudes and stereotypes about the roles and responsibilities of women and men in the family and in society at large;**

(b) **Step up its efforts to achieve the equitable representation of women in the formal labour market, and in the public and political spheres, including the Shura Council and executive bodies, particularly in decision-making positions, if necessary through appropriate temporary special measures, to give effect to the provisions of the Covenant;**

(c) **Consider amending the Nationality Act to ensure that Qatari women and men have equal rights in transmitting their nationality to their children and their foreign spouses.**

Violence against women

16. While taking note of the measures taken to address violence against women, such as the provision of legal aid and free psychiatric rehabilitation services to women who have been the victims of domestic violence, the Committee is concerned about the absence of legislation specifically criminalizing domestic violence, including marital rape. It regrets not having received information on the number of investigations, prosecutions and convictions for cases of violence against women (arts. 2, 3, 7, 24 and 26).

17. **The State party should:**

(a) **Criminalize acts of domestic violence, including marital rape;**

(b) **Ensure that data on violence against women is collected and that all cases of violence against women, including domestic violence, are thoroughly investigated, and that perpetrators are prosecuted and, if convicted, punished with appropriate sanctions;**

(c) **Establish an effective mechanism to encourage the reporting of cases of violence against women, intensify efforts to address the social stigmatization of victims and ensure that they have access to full reparation and means of protection;**

(d) **Conduct awareness-raising campaigns for the general public regarding violence against women, including domestic violence, and ensure that police officers, prosecutors and judges receive appropriate training to deal with such cases effectively.**

Voluntary termination of pregnancy and sexual and reproductive rights

18. The Committee notes that abortion is criminalized (arts. 316 and 317 of the Criminal Code), except to preserve the life of pregnant women, and in some cases if the pregnancy would cause serious harm to the mother's health or in some instances of fetal impairment (art. 17 of Act No. 2 of 1983 concerning the practice of medicine, surgery and dentistry). The Committee is concerned that no other exceptions are allowed and that the existing exemptions do not apply to unmarried women, which results in unsafe abortions, putting the lives and health of women at risk. It regrets not having received information on the requirements that abortions must be performed in a public hospital by a decision of a medical committee (arts. 3, 6, 7, 17 and 26).

19. **Bearing in mind paragraph 8 of the Committee's general comment No. 36 (2018), the State party should:**

(a) **Amend its legislation to guarantee safe, legal and effective access to abortion where the health of a pregnant woman or girl is at risk, and when carrying a pregnancy to term would cause the pregnant woman or girl substantial pain or suffering, most notably when the pregnancy is the result of rape or incest or when it is not viable;**

(b) **Ensure that women and girls who have recourse to abortion and the doctors who attend to them are not subject to criminal penalties, and lift barriers, such as those related to medical authorizations, since the existence of such penalties and barriers compel women and girls to resort to unsafe abortions;**

(c) **Implement educational policies to raise awareness about sexual and reproductive health among women, men and adolescents, and to prevent the stigmatization of women and girls who have recourse to abortion, and ensure access to appropriate and affordable contraception and reproductive health services.**

Death penalty

20. The Committee is concerned about reports that the State party recently carried out an execution, in May 2020, ending the de facto moratorium on executions maintained since 2000. It is further concerned that domestic legislation maintains the death penalty for offences that do not meet the threshold of the "most serious crimes" within the meaning of the Covenant (art. 6).

21. **The State party should establish a moratorium and consider abolishing the death penalty and acceding to the Second Optional Protocol to the Covenant. If the death penalty is maintained, the State party should, as a matter of priority, take all measures necessary to ensure that it is imposed only for the most serious crimes, involving intentional killing, bearing in mind the Committee's general comment No. 36 (2018). It should also carry out appropriate awareness-raising measures to mobilize public opinion in support of abolition of the death penalty.**

Deaths among migrant workers

22. The Committee acknowledges the measures adopted by the State party to protect the safety and health of workers, including migrant workers, such as Ministerial Declaration No. 17 of 2021 of the Ministry of Administrative Development, Labour and Social Affairs on

measures to protect workers from heat stress. The Committee also takes note of the information provided by the delegation that any work-related incident leading to the death of the worker causes the automatic filing of a complaint against the employer and that the family of the deceased has the right to request reparations. Nevertheless, the Committee is concerned about reports of deaths among migrant workers on construction sites in Qatar, including those in preparation for the 2022 football World Cup, the absence of clear information regarding the number of migrant workers deceased, the investigations conducted and the reparations provided for the families (arts. 2 and 6).

23. The State party should continue and intensify its efforts to prevent the death of migrant workers, including on construction sites, in particular by effectively enforcing the measures adopted to protect the safety and health of workers as well as the legal framework concerning investigations into workplace incidents and reparations for the families.

Discrimination against and exploitation and abuse of migrant workers

24. The Committee welcomes the legislative measures adopted by the State party to abolish the sponsorship (*kafala*) system and to protect migrant workers, including migrant domestic workers. Nevertheless, the Committee is concerned about the challenges in enforcing the legislation effectively, and that, despite the State party's efforts to protect migrant workers, employers continue to violate the prohibition on confiscating passports and to withhold salaries of employees, which worsened during the coronavirus disease (COVID-19) pandemic. It is also concerned about allegations that migrant domestic workers are subjected to abuse and exploitation, including excessive working hours, the denial of weekly rest days, and verbal, physical and sexual abuse. The Committee is further concerned about information indicating that the reported cases of abuse against migrant workers, in particular domestic workers, are underrepresented owing to fear of reprisal from the employer and the risk of being accused of leaving the workplace without permission ("absconding") and then of being detained or deported (arts. 2, 7, 8, 12 and 26).

25. The State party should: (a) continue and intensify its efforts to ensure the strict enforcement of legislation protecting migrant workers, including domestic workers, from abuse, and increase the conducting of regular labour inspections; (b) investigate allegations of abuse, prosecute and sanction abusive employers and recruitment companies, and provide reparation to victims; and (c) provide access to effective legal remedies for protection of the rights of migrant workers, including domestic workers, without fear of reprisal, detention or deportation.

Trafficking in persons

26. The Committee welcomes the information provided by the State party on the work of the National Committee for Combating Human Trafficking and on the National Plan for Combating Human Trafficking 2017–2022. It is concerned, however, about the limited information on trafficking in persons, in particular about investigations, prosecutions and convictions, and reparations for the victims of trafficking (arts. 2, 8 and 26).

27. The State party should intensify its efforts to prevent and combat trafficking in persons. In particular, it should improve its system for collecting data on trafficking cases in order to evaluate the scope of the phenomenon and to assess the efficiency of the measures adopted to combat trafficking. It should also ensure that cases of human trafficking are thoroughly investigated, that perpetrators are brought to justice and sentenced appropriately if found guilty, and that victims receive full reparation and full means of protection.

Torture and other cruel, inhuman or degrading treatment or punishment

28. The Committee regrets not having received information on the measures adopted by the State party to ensure that its national legislation enshrines the absolute prohibition of torture and its non-derogable nature. The Committee is concerned about the uncertainty regarding the minimum sentences for acts of torture and about the lack of clarity on the kind of conduct covered under article 161 of the Criminal Code, which is punishable by a penalty

of up to three years of prison, and the difference from other acts of torture covered by articles 159 and 159bis of the Criminal Code. The Committee is further concerned about the information provided by the State party on the lack of complaints alleging torture, which might be indicative of a problem with reporting and with the availability and effectiveness of remedies and the State party's mechanisms of accountability (arts. 2 and 7).

29. **The State party should:**

(a) **Ensure that its legislation explicitly provides that the prohibition of torture is absolute and non-derogable;**

(b) **Provide for sanctions for all acts of torture, which are commensurate with the gravity of such crimes;**

(c) **Set up an accessible, independent and effective mechanism to receive complaints and investigate alleged cases of torture or ill-treatment and ensure that victims have access to full reparation.**

Liberty and security of person

30. The Committee is concerned about: (a) the criminalization of various non-violent acts, including adultery, intimate relations outside wedlock, same-sex relations, begging, consumption of alcohol and substance abuse; (b) certain provisions of the Code of Criminal Procedure, in particular article 117 which allows for the possibility of prolonged pretrial detention, and allegations that many prisoners are being held in pretrial detention for lengthy periods; and (c) reports of individuals being detained due to the inability to repay a debt, in particular foreign nationals (arts. 9 and 11).

31. **The State party should bring its legislation and practices into compliance with article 9 of the Covenant, taking into account the Committee's general comment No. 35 (2014) on liberty and security of person, and with article 11 of the Covenant. It should, inter alia:**

(a) **Decriminalize non-violent acts such as adultery, intimate relations outside wedlock, same-sex relations, begging, consumption of alcohol and substance abuse;**

(b) **Increase the use of non-custodial measures instead of pretrial detention in practice and ensure that pretrial detention is an exceptional, reasonable and necessary measure based on individual circumstances, that is as short as possible and that it is judicially reviewed on a regular basis;**

(c) **Review the current legislation and practices to ensure that individuals are not imprisoned due to inability to repay a debt, and implement alternative measures of recovery.**

Asylum seekers and refugees

32. The Committee welcomes the adoption of the Political Asylum Act (Act No. 11 of 2018) – the first asylum legislation in the Gulf region. Nevertheless, the Committee regrets not having received sufficient information on the implementation of the Act. The Committee is also concerned that the Act (art. 10) restricts the right to liberty of movement and residence, as it requires refugees to seek approval if they want to move from their government-assigned place of residence. It is also concerned about the provision (art. 11) banning asylum seekers and refugees from engaging in political activity while residing in Qatar, subject to deportation, which impinges also on the right to freedom of expression, the right of peaceful assembly and the right to freedom of association (arts. 2, 12, 13, 19, 21, 22 and 26).

33. **The State party should amend the provisions of the Political Asylum Act (Act No. 11 of 2018) restricting the right of asylum seekers and refugees to liberty of movement and residence and prohibiting them from engaging in political activity, and bring this legislation into compliance with the Covenant.**

Independence of the judiciary and fair trial

34. The Committee welcomes the adoption of the Code of Judicial Conduct by the Supreme Judiciary Council to promote the integrity of judges. Nevertheless, it regrets not having received information on the competence of the Emir to dismiss judges for the purposes of the public interest. The Committee takes note of the procedural safeguards set out in the Constitution, the Code of Criminal Procedure and other laws, but it is concerned about the information provided by the State party that a person has access to a lawyer only from the beginning of the investigation by the Public Prosecution Service and not from the time he or she became subject to police custody (arts. 2 and 14).

35. The State party should take all measures necessary to safeguard, in law and in practice, the full independence and impartiality of the judiciary, including by ensuring that the procedures for the removal of judges comply with the Covenant and with relevant international standards, such as the Basic Principles on the Independence of the Judiciary. The State party should also strengthen measures to ensure that detained persons have an effective right of access to legal counsel from the time they become subject to police custody.

Freedom of conscience and religious belief

36. The Committee notes the information provided by the delegation that the authorities had permitted the construction of non-Muslim places of worship outside the Mesaimeer Religious Complex and that Muslims were not prevented from entering the complex. Nevertheless, the Committee regrets not having received information on the criminalization of apostasy, blasphemy and proselytizing, and on the measures adopted to combat the discrimination and social pressure suffered by Muslims who convert to another faith as well as by Muslim women who marry a non-Muslim (arts. 2, 18 and 26).

37. The State party should take further steps to ensure respect for freedom of thought, conscience and religion for all, and ensure that its legislation and practices are in full conformity with the provisions of the Covenant. It should take measures to ensure that Muslims who have converted to another faith and Muslim women marrying a non-Muslim are not subjected to discrimination and social pressure.

Freedom of expression

38. The Committee is concerned that domestic provisions may unduly restrict freedom of expression in the State party, including the Printing and Publishing Act of 1997, the Media Law of 2012 and the Cybercrime Prevention Act of 2014. The Committee is also concerned about broad and vague provisions contained in Act No. 2 of 2020 amending the Criminal Code, under which punishment of up to five years of prison can be imposed for the dissemination of rumours or false news. The Committee is further concerned that defamation is criminalized under article 36 of the Criminal Code (art. 19).

39. The State party should:

(a) **Revise and amend national legislation that may unduly restrict the right to freedom of expression, including the laws mentioned above, with a view to bringing them into conformity with its obligations under the Covenant;**

(b) **Ensure that any restrictions on the exercise of freedom of expression, including online, comply with the strict requirements of article 19 (3) of the Covenant;**

(c) **Consider decriminalizing defamation and, in any case, resort to criminal law only for the most serious cases, bearing in mind that imprisonment is never an appropriate penalty for defamation, as set out in the Committee's general comment No. 34 (2011).**

Right of peaceful assembly and right to freedom of association

40. The Committee is concerned that Act No. 18 of 2004 regulating public meetings and demonstrations requires prior authorization from the Ministry of Interior to hold public gatherings. The Committee notes the information provided by the State party's delegation

that the new legislation on private associations and institutions (Decree Law No. 21 of 2020) does not impose particular restrictions on the establishment of non-governmental organizations. Nevertheless, the Committee is concerned about reports that these associations and organizations need to comply with vague conditions for their establishment and to obtain a licence from the Ministry of Administrative Development, Labour and Social Affairs. The Committee regrets the lack of information regarding the right of household workers, government workers and migrant workers to form and join trade unions (arts. 21 and 22).

41. **The State party should:**

(a) **Bring its legislation governing peaceful assembly into full compliance with the Covenant, bearing in mind the Committee's general comment No. 37 (2020), and ensure that any restrictions imposed are in compliance with the strict requirements contained therein;**

(b) **Bring its legislation governing the establishment of associations and non-governmental organizations into full compliance with the Covenant, and adopt measures to ensure that those associations, including non-governmental organizations, are able to operate freely and independently;**

(c) **Guarantee the exercise of the right to form and join trade unions without discrimination and ensure that any restrictions imposed are in conformity with article 22 of the Covenant.**

Rights of the child

42. The Committee is concerned that the current minimum age of criminal responsibility is set at 7 years, while taking note that the new Children's Code will bring the age of criminal responsibility into conformity with international standards. The Committee is also concerned about the lack of legislation to explicitly and clearly prohibit corporal punishment of children in all settings (arts. 7 and 24).

43. **The State party should accelerate the adoption of the Children's Code and raise the minimum age of criminal responsibility in accordance with internationally accepted standards. The State party should also enact legislation that explicitly and clearly prohibits corporal punishment of children in all settings.**

Participation in public affairs

44. The Committee welcomes the holding of the first elections for the Shura Council on October 2021. Nevertheless, the Committee is concerned that the electoral laws adopted in July 2021, in particular Law No. 6 of 2021, granted the right to vote in these elections only to Qatari nationals and those whose grandfather is Qatari and born in Qatar, excluding all naturalized Qatari citizens (arts. 2, 25 and 26).

45. **The State party should bring its electoral legal framework into full compliance with the Covenant, in particular by eliminating the restrictions on the right to vote of naturalized Qatari citizens, and guarantee the equal enjoyment by all citizens of the rights recognized in article 25 of the Covenant.**

D. Dissemination and follow-up

46. **The State party should widely disseminate the Covenant, its initial report, the written replies to the Committee's list of issues and the present concluding observations with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country, and the general public.**

47. **In accordance with rule 75, paragraph 1, of the Committee's rules of procedure, the State party is requested to provide, by 25 March 2025, information on the implementation of the recommendations made by the Committee in paragraphs 21 (death penalty), 23 (deaths among migrant workers) and 45 (participation in public affairs) above.**

48. In line with the Committee's predictable review cycle, the State party will receive in 2028 the Committee's list of issues prior to the submission of the report and will be expected to submit within one year its replies to the list of issues, which will constitute its second periodic report. The Committee also requests the State party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. The next constructive dialogue with the State party will take place in 2030 in Geneva.
