

Qatar Pre-session Statement – UPR August 2024

Gulf Centre for Human Rights

On behalf of the Gulf Centre for Human Rights, please accept our thanks for this opportunity to raise issues of concern at this stage of Qatar's UPR process. This presentation is based on a [Joint Submission](#) by CIVICUS, Access Now, Article 19, and GCHR.

The Gulf Centre for Human Rights (GCHR) is an independent NGO that works to provide support and protection to human rights defenders (HRDs) in the Gulf region and neighbouring countries by promoting freedom of expression, association, and peaceful assembly.

This presentation will cover four topics: Freedoms of Association, Expression, and Peaceful Assembly along with the silencing of civil society including human rights defenders. On each associated slide, you will see a general recommendation along with specific ones that support the general recommendation. The full recommendations are in our submission.

Regarding the Legal Framework (Slide)

Qatar's Constitution provides protection for important rights only "... in accordance with provisions of law..." and many of these laws provide no protection or worse facilitate abuses by the state. In 2022, the United Nations Human Rights Committee expressed concerns over restrictions on Assembly, Expression, and Association.

Qatar has adhered to the International Covenant on Civil and Political Rights (ICCPR) in 2018, but has put neither its laws nor its practice in conformity with these obligations.

Regarding Freedom of Association (Slide)

The Qatari Constitution guarantees the right to the freedom of association but qualifies this "...in accordance with the conditions and circumstances set forth in the law". The ICCPR, to which Qatar is a state party since 2018, also guarantees the right to freedom of association. However, despite these commitments, the government has demonstrated a lack of willingness to respect the right to freedom of association.

A stark example is the crackdown on the National Campaign for Travel-Banned Citizens, a civil society organisation established on 12 July 2022 to campaign against arbitrary travel bans. Ten days later GCHR reported that the three founding members of the campaign had been subject to enforced disappearance.

90% of Qatari residents are non-citizens, and 71% are low-wage workers whose livelihoods depend on their continued employment in the country. These workers face serious human rights abuses. GCHR released a report following a mission to Qatar, which documented the gross violations of the civil and human rights of foreign workers, beginning from their departure from their countries of origin, and continuing upon their arrival and during their work.

We suggest recommendations to have Qatar:

(1) Bring its legislation governing the establishment of associations and non-governmental organisations into full compliance with the ICCPR, and adopt measures to ensure that all associations, including NGOs, are able to operate freely and independently.

(2) Develop and implement legislation to abolish the kafalah system, and allow the formation of unions.

Regarding harassment, intimidation and attacks against human rights defenders, civil society activists and journalists **(Slide)**

Despite accepting recommendations to protect HRDs, journalists, and civil society representatives, all of which were accepted, the government has failed to implement these recommendations effectively as human rights defenders continue to be targeted. Law No. (5) of 2003, gives the State Security apparatus, who report directly to the Emir, powers to detain any citizen without judicial oversight. This law has been used to silence and punish HRDs for their peaceful work.

Our general suggested recommendation is to provide Civil Society a safe and secure environment. Specifically to , (1) Repeal or amend laws that unwarrantedly restrict the legitimate work of HRDs, (2) Bring the work of the State Security Apparatus under judicial supervision and amend Law No. (5) of 2003 accordingly, (3) Abolish the death penalty, (4) Ensure the full independence and impartiality of the judiciary (5) Ensure that detained

persons have an effective right of access to legal counsel from the time they enter police custody. (6) Bring counter-terrorism legislation into full compliance with the ICCPR and the principles of legal certainty, predictability, and proportionality. (7) Immediately and unconditionally release, and lift travel bans on, all HRDs, including journalists and bloggers detained for exercising their fundamental rights to the freedoms of association, peaceful assembly and expression. (8) Refrain from acts of intimidation and reprisals against those who have cooperated with the United Nations.

Regarding Freedom of Expression **(Slide)**

In the previous cycle Qatar accepted general recommendations to allow freedom of expression, although not specific ones. Qatar has taken no action to strengthen freedom of expression, but rather has given out sentences of 15 years up to life, *in absentia*, to Qataris abroad who commented on protests in 2021.

Our general suggested recommendation is to ensure the freedom of expression and media freedom by all bringing national legislation into line with international standards.

Specifically (1) Review the Printing and Publishing Act of 1997, the Media Law of 2012 and the Cybercrime Prevention Act of 2014, and Act No. 2 of 2020 amending the Criminal Code law in order to bring these laws into line with international human rights standards on freedom of expression and opinion, along with a series of other detailed recommendations in our submission.

Regarding Freedom of Association/Peaceful Assembly **(Slide)**

Again, despite recommendations to, and commitments by Qatar, the government has not brought its legislation in line with international standards, and protests and demonstrations are effectively banned. Protests in 2021 resulted in at least ten arrests, and later at least two life sentences for participation.

Our general suggested recommendation is to adopt best practices as put forward in 2012 by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Specifically to (1) remove the requirement for prior authorization from the Ministry of Interior to hold public gatherings. (2) release protesters and others detained for exercising their

right to peaceful assembly (3) judicial review and effective remedy, including compensation, in cases of unlawful denial of the right to the freedom of peaceful assembly by state authorities.

While our focus on the issues addressed above, we have included concerns over gender inequality based on the discriminatory male guardianship system that denies women the right to make many key decisions about their lives, as well as laws that allow Qatari men, but not Qatari women, to confer their nationality to their children.

In conclusion we would also recommend that Qatar extends a standing invitation to UN special mandate holders, and that it engages with civil society as it prepares laws and policy. The full recommendations are available in our joint submission.