

# Bahá'í International Community

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## **Qatar: Universal Periodic Review Contribution concerning human rights violations against the Bahá'ís (April 2024)**

*The Universal Periodic Review (UPR) was established with the understanding that Member States would use its recommendations for the betterment of their countries. This report documents the “facts on the ground” as they relate to recommendations that have been accepted by the State of Qatar under the Universal Periodic Review.*

*Bahá'ís have been living in Qatar since the 1940s, representing over 30 different nationalities, including Qataris. As elsewhere, these Bahá'ís are well-wishers of their society. Bahá'ís in Qatar have partnered with others in a range of ways to contribute to Qatari society. Their fields of contribution span various sectors, including but not limited to: medical and health, banking, engineering, sports, media, entrepreneurship, public policy, oil and gas, the crafts and trades, legal, health and safety and the arts. However, members of the Bahá'í community in Qatar have gradually been deprived of certain rights and freedoms. Qatar's actions indicate a gradual effort to eradicate the Bahá'í community, with specific human rights violations targeting them.*

*Each section below identifies relevant issues that correspond with the accepted recommendations by Qatar in its last review in May 2019 (see A/HRC/42/15). The analysis presented below leads us to the unfortunate conclusion that the state of Qatar has not made substantive changes to their domestic policy and their treatment of the Bahá'í community. This undermines the very system established to promote human rights for all without discrimination.*

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## **1. Denial of the Right to Work**

*Rec #134.1. Ratify the International Convention on the Protection of the Rights of the All Migrant Workers and Members of their Families (Mexico) (Senegal);<sup>1</sup>*

*Rec #134.12. Ratify the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness (Haiti);*

*Rec #134. 66. Implement fully the Second National Development Strategy, with particular focus on education, health, environment, the rights of migrant workers, women's empowerment and children's rights (Democratic People's Republic of Korea);*

*Rec #134.73. Redouble efforts in the legislative sphere to combat multiple and intersectional discrimination based on gender, age, disability and immigration status and apply stricter sanctions for perpetrators of crimes (Honduras);*

*Rec #134.238. Continue the path of reforms to the conditions and rights of migrant and foreign workers already adopted in the framework of cooperation with ILO, with specific regard to abolishing exit visas for domestic workers (Italy);*

*Rec #134.243. Enforce measures to reform the sponsorship system and exit permits for migrant workers (Myanmar);*

1. The recommendations from Mexico, Senegal, Haiti, Democratic People's Republic of Korea; Honduras, Italy, and Myanmar call for the following actions: (1) Protecting and implementing the rights of all migrant workers; (2) addressing intersectional discrimination based on immigration status; (3) enforcing measures to reform the sponsorship system and exit permits for migrant workers. Qatar has accepted the above recommendations for implementation.
2. Many Bahá'ís in Qatar have faced dismissals from their employment positions solely due to their religion.<sup>2</sup> This discrimination spans various professions, including the public sector, particularly in more outward-facing governmental sectors, and continues to be an ongoing issue. Bahá'í residents in Qatar have been denied the right to work through various means, such as sudden terminations of work and contracts, refusal to issue 'certificates of good conduct,' and exclusion and restrictions in the 'sensitive' education sector.
3. The most pivotal institutional discriminatory means of denying Bahá'í residents in Qatar from securing a job has been through denying them a '**certificate of good conduct**'. This has been an ongoing challenge for many Bahá'ís, time and again, since the 1980s until now, despite the absence of any criminal history or misconduct. Once offered a position, post

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<sup>1</sup> The recommendations in this document have been extracted from the United Nations Human Rights Council website, accessible via the following link: <https://www.ohchr.org/en/hr-bodies/upr/qa-index>

<sup>2</sup> The majority of the contents in this document has been extracted from the CESCR document submitted in August 2023.

holders need to obtain a ‘hosn alsyra wa solook’ or ‘certificate of good conduct’ clearance before the offer is confirmed. This clearance is obtained from internal and state security. The ‘certificate of good conduct’ is a required document for job applicants in Qatar, and the State has misused this tool to impose multi-dimensional discrimination against the Bahá’ís in the country.

4. Increasing numbers of Bahá’ís in Qatar are being denied these certificates, despite having no criminal record or misdemeanours. The clearance process lacks transparency, with no right of appeal, making the determination final. Qualified, highly educated and skilled Bahá’ís in fields like medicine<sup>3</sup> are offered positions in the government and private sectors, only to be refused the necessary ‘certificate of good conduct’ for confirmation of a post. Others, specifically recruited for their expertise<sup>4</sup>, find themselves in precarious situations, leaving secure positions to take up better ones, only to end up unemployed after the clearance is denied.<sup>5</sup>
5. As a consequence of this discrimination against Bahá’ís, residency itself is jeopardised. As employment is a key requirement for residency, generations of Bahá’í families have lost their sponsorship, leading to the loss of residency,<sup>6</sup> and ultimately forcing them to leave the country, with consequences for them and their families and the community at large. In short, the opaque denial of the certificate of good conduct offers **a means to expel Bahá’ís** who are not Qatari citizens without any accountability or right of redress. Over more than three generations, hundreds of Bahá’ís have been removed from Qatar in this manner. Had they been allowed to remain, the population of Bahá’ís in Qatar would now have numbered well into the thousands instead of the low hundreds.
6. In 2023, a Bahá’í woman, whose family has been living in Qatar for three generations, was similarly affected by this discriminatory approach of the Qatari government. She was previously employed by a Law Firm in Qatar. The company's London headquarters shut down their branch in Qatar in July 2023, subsequently she was laid off in October 2023. As a requirement for her employment and residency, she needed a simple transfer of sponsorship from her previous employer to the new one. Her new employer submitted the sponsorship transfer application to the Ministry of Interior's portal in September 2023. After an unusually long five-week delay, she received a message stating that the transfer request had been rejected, without providing any reason whatsoever. The current situation limits her options to either leaving Qatar or finding a job in the UAE and commuting. This risks forcing her to leave behind the only country she has ever known, her entire family, including grandparents, parents, and siblings.
7. In 2023, there were two additional cases of employment termination. One of them, a British citizen and geneticist was terminated very abruptly after more than 25 years of specialist service. Another case involves a German citizen and dental surgeon who has not been

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<sup>3</sup> A pertinent example of this is the case of Dr Farid Shafiei Sarvestani.

<sup>4</sup> William Milne Lawson’s case was one such instance.

<sup>5</sup> One instance of this was the case of Mr Baher Seioshansian.

<sup>6</sup> One example was the case of Mr Rohit Goel, whose family of five were forced to leave Qatar. In another case, Mr Omid Seioshansian was simply told that his residency was cancelled as his file suggested he had allegedly committed a criminal act. They did not care to share with him what his ‘crime’ was.

granted permission to work in Qatar.

8. These problems, long characterised as ‘incidental’ by the authorities, can only be recognised as evidence of a clear pattern of intended discrimination against the Bahá’ís. As far back as 2017, several senior Qatari friends of the Bahá’ís confided and confirmed that the government was seeking to “clear” the Bahá’ís from the country.
9. This explains why, despite a measure of social harmony in wider society including interfaith dialogues and the granting of legal status to a number of other non-Muslim faiths, the Bahá’ís have never been granted such status, but rather continue to face increasing discrimination and repression.

## 2. Denial of the Right to Preserve Family Ties

*134.12. Ratify the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness (Haiti);*

*134.73. Redouble efforts in the legislative sphere to combat multiple and intersectional discrimination based on gender, age, disability and immigration status and apply stricter sanctions for perpetrators of crimes (Honduras);*

10. The recommendations from Haiti and Honduras called for the following actions: (1) reducing statelessness; and (2) addressing intersectional discrimination based on immigration status. It is worth noting that Qatar has accepted the above recommendations for implementation.
11. The Bahá’í community in Qatar has never received any level of recognition, neither de facto nor de jure registration, or understanding of how it should operate its day-to-day community activities. This lack of recognition has significantly affected the family bonds of Bahá’ís in Qatar. The discrimination they face includes the non-recognition of Bahá’í marriage and personal status laws, as well as the refusal to grant residency permits for Bahá’ís, as addressed above. Moreover, Qatar’s approach towards Bahá’ís in this regard contradicts its own constitution.
12. As in the case with any religious community anywhere, the Bahá’í families in Qatar need to register births, marriages, divorces and deaths and conduct burial ceremonies. However, the **non-recognition of Bahá’í marriage and personal status laws**, both de facto and de jure, has led to numerous consequences and violations over the past 75 years, worsening in the 2000s. This lack of recognition makes **family reunification significantly more challenging for Bahá’ís**, even when their salary conditions and status already qualify them to bring their spouses into the country. For example, consideration of the situation of just eight such Bahá’í families highlights that they have endured more than 60 years of family separation. Many of these Bahá’ís were eventually forced to leave the country after generations of residency in Qatar.

13. The second discrimination by the State of Qatar that affects the family ties of Bahá'í residents is the refusal **to grant or renew residency permits**, and in some cases, **sudden acts of deportation**. The Qatari authorities have been deporting Bahá'ís who are not Qatari citizens, preventing them from returning. Instead of respecting the religious rights and freedoms of the Bahá'í community, the authorities have consistently terminated or denied residency permits for Bahá'ís, blacklisting<sup>7</sup> them. This policy seems to be directed from high national authorities. In recent years, individuals and families from various nationalities, including American, British, Dominican, Egyptian, Indian, Iranian, Jordanian, Malaysian, and Tunisian, have faced deportation due to their adherence to the Bahá'í Faith. These sudden deportations have caused social, emotional, and economic hardship for Bahá'í families in Qatar, leading to unjust and painful separations for years.
14. This continued discrimination has affected various families, leading hundreds of Bahá'ís of Qatar to be effectively **forced to leave the country over decades and generations**. This situation has significantly impacted family bonds and relations. By reviewing three examples that vary in terms of situation and periods, it becomes clear that one of the main consequences of discrimination for Bahá'ís of Qatar is its direct effect on the right to family life.
15. One of the first examples dates back to the 1970s when a Bahá'í was killed in a car accident by a Qatari driver. The Qatari traditional justice mechanism of compensation (called 'blood money') was refused due to him being considered 'kafir' or 'infidel'. Due to lack of support, the man's young widow and three young children were eventually forced to leave the country.
16. In the early 1980s, a second-generation Bahá'í resident of Qatar brought her new husband to join her under an employment visa. Because of the **non-recognition of the Bahá'í** community and its rites, there was no means by which their **marriage** could be recognized. The husband was imprisoned and later deported in handcuffs. As a result, the whole family, and later the extended family, had to leave the country.
17. A more recent example relates to the **cancellation of the residency** of a high ranking Bahá'í —Mr Omid Seioshansian—who was born in Qatar, and **whose family had been living there for generations**.

### 3. Denial of the Right to Take Part in Cultural and Religious Activities

*134. 22. Lift reservations to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and bring national legislation fully into line with both Covenants, especially in relation to the rights to freedom from torture and other cruel, inhuman or degrading treatment or*

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<sup>7</sup> One instance of this was the case of Mr Faroukh Abdul-Salam Ahmad Hasan Amer and his family of four.

*punishment, freedom of association and freedom from discrimination (Germany);*

*134.101. Take measures to remove existing restrictions on the free exercise of freedom of religion and belief of its citizens (Norway);*

*134.102. Further promote dialogue between civilizations and the coexistence of different religions and cultures (Oman);*

18. The recommendations from Germany, Norway, Oman, Denmark, and Serbia call for the following actions: (1) providing freedom of association and freedom from discrimination; (2) guaranteeing freedom of religion and belief of Qatari citizens; (3) promoting coexistence of different religions and cultures. The state of Qatar has accepted the above recommendations for implementation.
19. As with any religious community worldwide, the Bahá'í community of Qatar engages in various religious activities, including holding prayer and other meetings, accessing religious literature, and attending important religious events such as births, deaths, and marriage. Additionally, communication with co-believers from different regions fosters a sense of unity. Bahá'í communities, rather than having a clergy or religious leadership class, elect councils of nine persons called "Assemblies" at the local and national levels to manage their community affairs. Furthermore, a number of members of the community are periodically appointed to provide guidance and assistance in particular aspects of community development and positive engagement in broader society.
20. In 1989, the elected members of the **community's leadership** group were taken for interrogation, and their passports were confiscated for a period. Additionally, all community administration files, which included records of marriages, births, deaths, and internal documents related to the management of community life, spanning nearly 50 years of community history, were seized and never returned.
21. Recent decades have shown a significant increase in the targeting of Bahá'ís in 'leadership' positions, both elected and appointed, for monitoring and exclusion from the country. Since 2010, there have been numerous documented instances of blatant targeting of Bahá'ís serving their community in an administrative capacity. False and unjustified accusations of criminal activity resulted in the termination of the residency of a high ranking Bahá'í who was born in Qatar, and whose family has been living there for generations, as discussed above.
22. In addition to the intimidation of its leadership, there are **general restrictions on holding any medium-scale Bahá'í religious events** in public spaces and on Bahá'ís interacting with fellow believers from other countries. There are also **severe restrictions on the importation of any religious publications and materials, as they cannot be published in the country.**
23. One case relates to a Qatari national, the former Director General of the Chamber of Commerce of Qatar and the Chair of the National Assembly of the Bahá'ís of Qatar. On 29 April 2021, this person was presented with a court ruling sentencing him to a period of imprisonment and a fine due to violation of Law No. 15 of 2014 Regulating Charitable Activities.

24. His trial was held in absentia without notification or any hearing or representation by him. The law that has been used against this person is in place to prevent funding for terrorist groups; this is despite the utterly transparent and benign financial practices and principles of the Bahá'í community of Qatar being very well known to the Qatari authorities. The Appeal Court handed down its decision without hearing the substantive arguments of his lawyer, although the sentence was reduced on appeal.
25. The decision by Qatar's Court of Cassation to jail and fine the individual for administering the affairs of the Bahá'í community, was confirmed in May 2022.
26. The refusal to hear substantive evidence confirms the view that such actions against Bahá'ís are politically and religiously motivated. It is illustrative of a clear escalation of targeted and discriminatory treatment against the Bahá'ís of Qatar in violation of international obligations and norms.