



STATEMENT

UPR Pre-session on Qatar

Geneva, 2 April 2019

Delivered by: The Institute on Statelessness and Inclusion

1. The Institute on Statelessness and Inclusion, Rights Realization Centre, and Global Campaign for Equal Nationality Rights welcome the opportunity to make this statement at the UPR pre-session on Qatar, in relation to discrimination in nationality laws, statelessness and arbitrary deprivation of nationality.
2. We note with regret, that neither the government of Qatar nor the National Human Rights Commission consulted with national or international human rights organisations or with stateless-rights activists in the country.
3. This statement reiterates the three issues addressed in our joint submission: Discrimination against women in nationality legislation, the protracted statelessness experienced by certain groups in the country, and the arbitrary deprivation of nationality of Qatari citizens.

Gender discrimination

4. Qatar does not allow women to confer nationality to their children or spouses under any circumstances, while Qatari men automatically confer nationality to their children. This absolute denial of the right to confer nationality places Qatar among the worst offenders of the twenty-five countries that still deny women the right to confer nationality on their children on an equal basis with men. Qatar also has in force, a reservation to CEDAW Article 9, which protects women's equal nationality rights. During its second cycle, Qatar received recommendations from five Member States to amend its nationality law to remove gender-based discrimination. It only accepted Argentina's recommendation to "*Strengthen measures to ensure gender equality, particularly in the transmission of nationality to the children of women married to non-citizens,*"¹ and rejected the other four.²
5. This discrimination undermines women's equality and freedom to choose a spouse, and results in a range of other human rights violations. This impacts children, women and their foreign spouses, including obstacles to accessing public education, healthcare, formal employment and social services. It also leads to inhibited freedom of movement; and impeded family unity.³
6. We therefore urge reviewing States to recommend Qatar to:
 1. **Amend the Citizenship Law to enable Qatari women to transfer nationality to their children and spouses, on an equal basis to men, in accordance with international**

¹ Paragraph 122.36, Report of the Working Group on the Universal Periodic Review - Qatar, A/HRC/27/15, 27 June 2014.

² See: Report of the Working Group on the Universal Periodic Review - State of Qatar: Addendum - Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under Review, A/HRC/27/15/Add.1, 15 August 2015. The recommendations were, specifically: 124.35 Continue to strengthen protective measures and legal rights for women, and give full citizenship rights to the children of Qatari mothers and non-Qatari fathers (Norway); 124.36 Consider granting Qatari nationality to the children of Qatari women married to foreign nationals (Greece); 124.37 Achieve real progress with regard to women's rights by reforming the Nationality Act, to ensure gender equality and to give Qatari women the right to transmit their nationality to their children, and by withdrawing reservations to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto (France) and 124.38 Amend the legislation to eliminate discrimination against women with respect to the transmission of nationality to their children and the registration of civil acts (Mexico).

³ Equality Now, Campaign to End Sex Discrimination in Nationality and Citizenship Laws, 2013 (updated May 2014, Feb. 2015), available at http://www.equalitynow.org/sites/default/files/NationalityReport_EN.pdf

standards and the principles of equality and non-discrimination on the basis of sex enshrined in the Constitution of Qatar.

II. Withdraw its reservation to and take action to implement CEDAW Article 9.

Situations of statelessness

7. I now move on to the statelessness of the Bidoon and Al-Ghufran communities in Qatar.
8. The Bidoon are mostly descendants of nomadic groups in the Arabian Peninsula, who are stateless as they were not registered as citizens at the time of Qatar's state-formation, and children born to the community have systematically been denied the right to a nationality. Qatar has made no attempts to resolve their statelessness, or ensure that their access to rights in the country are protected. The Bidoon remain discriminated, excluded and denied basic human rights.
9. On 1 October 2004, Qatar's Ministry of Interior deprived 927 male "heads of households" of citizenship, asserting that they hid a second nationality, which is prohibited. All of those involved were from the al-Ghufran clan. Later, government officials demanded or induced thousands to leave Qatar.
10. On 5 August 2008, the head of Qatar's Human Rights Commission claimed that 95% of the clan had their citizenship restored. In practice members of the tribe still face obstacles in regaining their nationality. An indeterminate number have regained rights in Qatar, but many others may continue to be stateless.
11. We urge reviewing States to recommend Qatar to:
 - I. **Facilitate independent research of, and then initiate clear procedures to identify and determine the number and profiles of all stateless individuals in Qatar, particularly the Bidoon and al-Ghufran communities.**
 - II. **Take all necessary steps to protect the human rights, including the right to nationality for all stateless people in Qatar.**

Arbitrary Deprivation of Nationality

12. This brings me to my third and final point.
13. The State of Qatar continues to arbitrarily deprive Qatari nationality of citizens. Often, this is due to the prohibition of dual nationality, but also, as a mechanism through which to target political opponents or human rights defenders. For instance, in September 2017 following the diplomatic crisis between the GCC states, Qatar withdrew citizenship from individuals who were deemed sympathetic to Saudi Arabia, members of the Al Murra tribe. This included, among others, a tribal leader and a well-known poet.
14. We therefore urge reviewing States to recommend Qatar to:
 - I. **Amend the 2005 Citizenship Law to prevent arbitrary deprivation of nationality and to ensure redress and the right of appeal for all persons who have been deprived of their**

nationality, and in particular, prohibit the deprivation of nationality that results in statelessness.

Thank you for your attention.