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Qatar

Joint Submission to the UN Universal Periodic Review

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1. Introduction

- 1.1. The Gulf Centre for Human Rights (GCHR) is an independent, non-profit CSO founded in April 2011. GCHR provides support and protection to human rights defenders (HRDs) in the MENA region to promote human rights, including the rights to freedom of association, peaceful assembly and expression.
- 1.2. Access Now is an international organisation that works to defend and extend the digital rights of individuals and communities at risk around the world. Access Now provides thought leadership and policy recommendations to the public and private sectors to ensure the continued openness of the internet and the protection of fundamental rights. By combining direct technical support, comprehensive policy engagement, global advocacy, grassroots grant making, legal interventions and convenings such as RightsCon, we fight for human rights in the digital age.
- 1.3. CIVICUS is a global alliance of civil society organisations (CSOs) and activists dedicated to strengthening citizen action and civil society worldwide. Founded in 1993, CIVICUS has members in more than 180 countries around the world.
- 1.4. ARTICLE 19 is an NGO that works for a world where all people everywhere can freely express themselves and actively engage in public life without fear of discrimination. ARTICLE 19 works on five interacting areas: civic space, digital, media, protection and transparency all of which are underpinned by a focus on equality and a local to global theory of change.
- 1.5. In this submission, the organisations examine the Government of Qatar's compliance with its international human rights obligations to create and maintain a safe and enabling environment for civil society. We analyse Qatar's fulfilment of the rights to freedom of expression, freedom of association, peaceful assembly as well as the authorities' unwarranted restrictions on HRDs since its previous UPR examination in 2019. In addition, we highlight ongoing issues related to gender equality, migrants' rights, women's rights, and corruption. To this end, we assess Qatar's implementation of recommendations received during the last UPR cycle relating to these issues and provide a number of follow-up recommendations.
- 1.6. During the 3rd UPR cycle, the Government of Qatar received 19 recommendations relating to civic space. Of these recommendations, 9 were supported and 10 were noted.¹ An evaluation of a range of sources and human rights documentation addressed in subsequent sections of this submission

¹ See Annex: Assessment of implementation of civic space recommendations under the 3rd cycle

demonstrates that the Government of Qatar has not fully implemented these recommendations. Acute implementation gaps were found with regard to the right to freedom of association, freedom of expression, freedom of peaceful assembly and issues relating to the right to a fair trial and due legal procedures. As a result of these gaps, civic space in Qatar is rated as repressed by the CIVICUS Monitor², indicating particularly severe restrictions of the fundamental rights of civil society and high levels of risks for activists, at home and abroad. Onerous conditions and repressive measures, in addition to grave human rights violations and abuses against citizens, limit the space for human rights advocacy by civil society.³

- 1.7. We are deeply concerned by the ongoing travel bans imposed on numerous HRDs. We are further alarmed by convictions and sentencing of HRDs *in absentia* and in trials that do not meet minimum international standards.
- 1.8. Section 2 concerns freedom of association.
- 1.9. Section 3 concerns the protection of HRDs, civil society activists and journalists.
- 1.10. Section 4 concerns the right to freedom of expression and media freedom, including on the internet.
- 1.11. Section 5 concerns freedom of peaceful assembly.
- 1.12. Section 6 addresses gender equality
- 1.13. Section 7 addresses migrants rights.
- 1.14. Section 8 contains recommendations to address the concerns raised.
- 1.15. Section 9 is an annex on the implementation of 3rd cycle UPR recommendations related to civic space.

2. Freedom of association

2.1 During Qatar's examination under the 3rd UPR cycle, the government received seven recommendations on the right to the freedom of association and creating an enabling environment for CSOs. Among other recommendations, the government committed to ensuring that it would "[r]emove all obstacles to freedom of expression and association, including for human rights defenders, and ensure the

² CIVICUS Monitor: Qatar: <https://monitor.civicus.org/country/qatar/>

³As expressed in Gulf Centre for Human Rights, (GCHR) 2019 UPR joint submission.

safety of journalists through the protection of media freedoms (Australia);” and it would “[a]dopt necessary measures to bring its domestic legislation on freedom of expression, opinion and association into line with international standards and to investigate and sanction harassment and acts of violence against human rights defenders and journalists (Argentina)”, (both recommendations were supported).

2.2 Of the recommendations received, the government accepted three and noted four. However, as evidenced below, the government has failed to take adequate measures to realise these recommendations.

2.3 Article 45 of the Qatari Constitution guarantees the right to the freedom of association but states “in accordance with the conditions and circumstances set forth in the law”.⁴ Moreover, article 22 of the International Covenant on Civil and Political Rights (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.

2.4 Qatar was reviewed by the UN Human Rights Committee (HRC) in 2022. The HRC expressed concern about reports that associations and NGOs need to comply with “vague conditions for their establishment and to obtain a licence from the Ministry of Administrative Development, Labour and Social Affairs.” This concern was expressed notwithstanding information provided by Qatar that new legislation on private associations and institutions (Decree Law No. 21 of 2020) does not impose particular restrictions on the establishment of NGOs.”⁵

2.5 The submitting organisations, and others, have documented numerous examples of the repression of civil society since Qatar’s last UPR, as identified in each section of this document.

2.5.1 In relation 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 imposed on HRDs and others. This campaign aimed to assist citizens who have been arbitrarily prevented from travelling for many years, due mainly to their criticism of the government.

2.5.2 On 22 July 2022, GCHR reported that the three founding members of the campaign had been subject to enforced disappearance. GCHR stated that: “On 21

⁴ <https://www.gco.gov.qa/wp-content/uploads/2016/09/GCO-Constitution-English.pdf>

⁵ UN Human Rights Committee, Concluding Observations to Qatar, 22 April 2022, CCPR/C/QAT/CO/1, para 41

July 2022, communications were completely cut off with Abdullah bin Ahmed Bu Matar Al-Mohannadi, Saud bin Khalifa bin Ahmed Al-Thani, and Issa Mardi Juhaim Al-Shammari.”⁶ On 9 September 2022, GCHR reported that the State Security Apparatus released all three while subjecting them to a travel ban.⁷ GCHR further reported, “Reliable local sources confirmed that the State Security Apparatus placed them in solitary confinement throughout their detention period, preventing them from contacting their families or lawyers, isolating them from the outside world.”⁸

3. Harassment, intimidation and attacks against human rights defenders (HRDs), civil society activists and journalists

3.1 Under Qatar’s previous UPR review, the government received four recommendations on the protection of HRDs, journalists and civil society representatives, all of which were accepted. The government committed to several relevant recommendations including “Encourage freedom of expression by protecting the rights of human rights defenders (Afghanistan);” and both recommendations noted in section 2 above, which address human rights defenders. However, as examined in this section, the government has failed to implement these recommendations effectively as human rights defenders continue to be targeted.

3.2 Article 36 of the Qatari Constitution states, “Personal freedom is guaranteed. No person may be arrested, imprisoned, searched, or restricted in his freedom of residence or movement except in accordance with the provisions of the law.”⁹ Article 12 of the UN Declaration on Human Rights Defenders mandates States to take the necessary measures to ensure the protection of HRDs. The ICCPR further guarantees the freedoms of association, peaceful assembly and expression. However, in spite of these protections, Qatar has arrested, convicted and imposed arbitrary restrictions on HRDs since its last UPR.

3.3 The Law No. (5) of 2003, which regulates the work of the State Security Apparatus, gives it broad powers and an exceptional level of discretion to deny rights or detain any citizen without due process. This law has been used to silence and punish HRDs for their peaceful work. Article 1 of the law stipulates that state security reports directly to the Emir of Qatar and has unfettered powers to conduct investigations without judicial supervision. Article 7, amended in 2008, authorises the head of the

⁶ Gulf Centre of Human Rights, Website News Story, 24 July 2022 based on “reliable local sources”: <https://www.gc4hr.org/three-of-the-founding-members-of-the-national-campaign-for-travel-banned-citizens-were-subjected-to-enforced-disappearance/>

⁷ Gulf Centre of Human Rights, Website News Story, 9 December 2022 <https://www.gc4hr.org/human-rights-violations-continue-as-fifa-world-cup-draws-to-a-close/>

⁸ Gulf Centre of Human Rights, Website News Story, 24 September 2022 <https://www.gc4hr.org/online-activist-released-but-two-colleagues-kept-in-arbitrary-detention/>

⁹ <https://www.gco.gov.qa/wp-content/uploads/2016/09/GCO-Constitution-English.pdf>

state security body to prevent a person accused of crimes that fall within the apparatus's jurisdiction from leaving the country for a maximum of 30 days before being taken before Public Prosecution officials. The ban may be extended by order of the attorney general for a renewable period of six months. The article does not require informing the person affected by a travel ban, or providing the reasons for it, or the underlying evidence, and prescribes no means to legally challenge the decision.¹⁰

3.4 The UN Human Rights Committee has recommended that Qatar consider abolishing the death penalty;¹¹ safeguard, in law and in practice, the full independence and impartiality of the judiciary; and 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.¹²

3.5 Following an official visit to Qatar, the UN Working Group on Arbitrary Detention stated in its 2020 report to the Human Rights Council that it was not permitted to visit the state security detention facility, and that the State Security Apparatus Law “does not provide for any judicial oversight over such detention, and the Working Group was informed that in practice, such detention leads to very long periods of deprivation of liberty, in violation of international human rights norms.”¹³ Human Rights Watch said, “Arbitrary state security actions diminish any confidence that Qatari authorities respect due process.”¹⁴

3.6 The Human Rights Committee expressed further concern about Qatar'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.¹⁵

¹⁰ Human Rights Watch, Qatar: Arbitrary Travel Bans, 7 February 2022
<https://www.hrw.org/news/2022/02/07/qatar-arbitrary-travel-bans>

¹¹ UN Human Rights Committee, Concluding Observations to Qatar, 22 April 2022, CCPR/C/QAT/CO/1, para 21

¹² UN Human Rights Committee, Concluding Observations to Qatar, 22 April 2022, CCPR/C/QAT/CO/1, para 35

¹³ The UN Working Group on Arbitrary Detention published its report on 30 July 2020
<https://documents.un.org/doc/undoc/gen/g20/194/50/pdf/g2019450.pdf?token=bmmnB0WKS334vRfVWe&fe=true>

¹⁴ Gulf Centre of Human Rights, Website News Story, 7 February 2022 <https://www.gc4hr.org/arbitrary-travel-bans-security-authorities-appear-to-defy-courts/>

¹⁵ UN Human Rights Committee, Concluding Observations to Qatar, 22 April 2022, CCPR/C/QAT/CO/1, para 11

3.7 GCHR has documented numerous cases of HRDs being targeted for their peaceful work, including the targeting of Qatari nationals working outside of Qatar. This includes targeting by the state security apparatus, arrest, incommunicado detention, removal of identity documents, travel bans, disproportionate sentencing following unfair trials, and other arbitrary measures. Examples include:

3.7.1 Human rights defender **Abdullah Al-Maliki** has been subject to a long-term campaign of harassment and unfair judicial proceedings. Currently resident in Germany, Al-Maliki was again denied the renewal of his official Qatari documents, including his passport and ID card, on 6 December 2023. He has been seeking their renewal since 2021. This means he cannot access his bank account, which has been frozen since 18 August 2023. Al-Maliki was convicted *in absentia* without an independent legal representative for allegedly “publicly challenging the emir’s exercise of his powers and dishonouring himself;” “inciting the overthrow of the ruling regime” and “attempting to overthrow the regime.” This was an unfair trial that did not meet international standards. A life sentence was pronounced against him in May 2022. In October 2022, the State Prosecutor sought to appeal this sentence and change it to the death penalty.¹⁶

3.7.2 Regarding the life sentences of **Dr. Hazzaa bin Ali Abu Shraydeh Al-Marri** and his brother **Rashid bin Ali Abu Shraydeh Al-Marri**, both are human rights lawyers who participated in peaceful protests on 9 August 2021. They were convicted for, among others, “challenging by public means the Emir’s exercise of his rights and powers;” “spreading false and malicious rumours and news at home and abroad with the intent of harming national interests, inciting public opinion and prejudicing the social order of the state;” “promoting, broadcasting and disseminating, through information technology means, incorrect news with the intent of endangering the safety of the state and its public order” and “organising a public meeting without a permit” with reference to the Penal Code and its amendments (Art 133/ Art 134-1/ Art 136 bis/ Art 139-1, the Cybercrime Law Art 2-6/ Art 8, the Press and Publications Law and its amendments Art 47 a/ Art 47-i, the Public Meetings and Processions Law Art 15/ Art 17, and the Criminal Procedures Law. Art 234-2¹⁷¹⁸ GCHR considers that these convictions are unsound, and based on laws that are incompatible with Qatar’s human rights obligations as they contravene the right to freedom of assembly and expression, as well as the right to a fair trial.

¹⁶ Gulf Centre of Human Rights, Website News Story, 21 February 2024, based on interviews with Al-Maliki. <https://www.gc4hr.org/authorities-continue-to-target-qatari-human-rights-defender-abdullah-al-maliki/>

¹⁷ Gulf Centre of Human Rights, Website News Story, 11 May 2022, which references to “reliable local sources” and the Courts’ judgment. <https://www.gc4hr.org/shocking-life-sentences-issued-for-participating-in-peaceful-protests/>

¹⁸ Judgement (Arabic) <https://drive.google.com/file/d/15lpAxK-GH3TVKdlbDuhpRoblsHQaMFjx/view>

- 3.7.3 The State Security Apparatus continues to arbitrarily prevent a number of citizens from travelling.¹⁹ In February 2022, GCHR issued a joint appeal with Human Rights Watch to lift the travel ban against a number of citizens. However, numerous citizens who have been critical of the government remain subject to travel bans. The following are some examples:
- 3.7.3.1 Prominent human rights lawyer, **Dr. Najeeb Mohammed Al-Nuaimi**, served as Minister of Justice from 1995 to 1997. Al-Nuaimi learned of his travel ban in 2017 and obtained a court order in June 2017, which found that “the justification for the ban had ended” and ruling for “cancellation of the travel ban levelled against the appellant.” However, the authorities continued to bar Al-Nuaimi from leaving the country up until at least June 2023.²⁰
- 3.7.3.2 Internet activist **Mohammed Yousef Al-Sulaiti**, was banned from travelling in 2018 and detained by the Qatari authorities in October 2020. Local reports confirmed that he was sentenced to life imprisonment on 12 June 2021, after charges were brought against him due to his internet activism. The charges included espionage and planning to overthrow the regime.²¹
- 3.7.3.3 **Saud bin Khalifa bin Ahmed Al-Thani**, a former employee of the Interior Ministry, had a travel ban imposed on him by the Interior Ministry in 2016 under an administrative order without explanation. He filed a case at the Court of First Instance challenging the ban on 1 April 2019, and the Court revoked the travel ban. However, following this Court order, Al-Thani was arrested and interrogated. Following 37 days in arbitrary detention, another travel ban was imposed on unspecified “state security” grounds. An appeals court rejected an appeal by Al-Thani on 2 December 2021. He remains unable to leave the country, despite his multiple requests to do so for medical reasons.
- 3.7.3.4 Qatari citizen **Mohammed Abdulrahman Mubarak Al-Thani**, a member of the extended ruling family, has been banned from travel since March 2018, without knowing the reasons for this ban. GCHR received reports that he was arrested by the State Security Apparatus on 24 July 2022, after he was elected as the director of the National Campaign for Travel-Banned Citizens mentioned above. He was assaulted in front of his children during his arrest. He has since been released.

¹⁹Gulf Centre of Human Rights, Website News Story, 7 February 2022, <https://www.gc4hr.org/arbitrary-travel-bans-security-authorities-appear-to-defy-courts/>

²⁰ Gulf Centre of Human Rights, Website News Story, 6 June 2023, [The human rights situation in Qatar - Gulf Centre for Human Rights \(gc4hr.org\)](#)

²¹ Ibid.

4. Freedom of expression, media freedom and access to information

4.1 Under the 3rd UPR cycle, Qatar received 10 recommendations relating to freedom of expression, media freedom and access to information. Examples include the following: “Amend the laws on freedom of expression and opinion, freedom of association and freedom of the press by rescinding the provisions of Cybercrime Act and the Penal Code that are contrary to international norms (France)”; and “Review the 1979 Press and Publication Law and the Penal Code and reform defamation legislation, including the 2014 Cybercrime Act and Act No. 18 of 2004, in order to bring them into conformity with article 19 of the International Covenant on Civil and Political Rights (Austria).”²²

4.2 Of the recommendations received, four were supported and six were noted. The government supported general recommendations but did not accept specific recommendations to revise laws that restrict freedom of expression. Qatar has not taken effective measures to implement these recommendations.

4.3 Article 48 of the Constitution of Qatar protects freedom of the “press, printing and publication” but only “according to the law.”²³ Article 19 of the ICCPR guarantees the right to freedom of expression and opinion. However, a number of repressive Qatari laws restrict freedom of expression. GCHR has documented numerous incidents where Qatari authorities targeted HRDs and others for their online expression, including political speech critical of the Qatari government.

4.4 The UN Human Rights Committee expressed concern regarding a number of restrictive laws in its 2022 review of Qatar, including the Printing and Publishing Act of 1997, the Media Law of 2012 and the Cybercrime Prevention Act of 2014. It further expressed concern 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.” In addition, the HRC expressed concern that defamation is criminalised under article 36 of the Criminal Code.²⁴ The HRC recommended that Qatar should:

²² Report of 3rd Cycle of Qatar’s UPR A/HRC/42/15/Add.1

²³ <https://www.gco.gov.qa/wp-content/uploads/2016/09/GCO-Constitution-English.pdf>

²⁴ UN Human Rights Committee, Concluding Observations to Qatar, 22 April 2022, CCPR/C/QAT/CO/1, para 38

- 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;
- 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;
- Consider decriminalising 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).²⁵

4.5 The submitting organisations have further identified the following laws as problematic in relation to restricting freedom of expression, as raised in a CSO submission in the last UPR cycle.

- 2019 Law on Combating Terrorism, articles 4, 24, 25;
- 2004 Penal Code, articles 134, 136, 136(bis), 138, 326, 327, 330;
- 2003 Law on the State Security Service, article 2;
- 2002 Law on Protection of Community, article 1;
- 1997 Press and Publications Law, articles 46, 47, 82–84.

4.6 As well as the cases referred to in sections 2 and 3 which also concern the right to freedom of expression, GCHR has documented the following cases where people have been targeted for expressing views critical of government policy or promoting rights online:

4.6.1 A life sentence was issued *in absentia* for the Qatari poet, **Mohammed bin Rashid bin Al-Dheeb Al-Ajami**, who commented on the peaceful protests referred to in more detail in section 6. The protests were against new laws issued in 2021 restricting the rights of some citizens, including those of the Al-Murrah tribe. Qatari citizen **Mohammed Hamad Mohammed Al-Marri** was also sentenced to 15 years in prison *in absentia* for commenting on the protests online. Neither participated in the protests directly as they were outside the country. Their convictions include, “spreading false and malicious rumours and news at home and abroad with the intent of harming national interests, inciting public opinion and prejudicing the social order of

²⁵ UN Human Rights Committee, Concluding Observations to Qatar, 22 April 2022, CCPR/C/QAT/CO/1, para 39

the state” and “promoting, broadcasting and disseminating, through information technology means, incorrect news with the intent of endangering the safety of the state and its public order.”

5 Freedom of peaceful assembly

5.1 During its review under the 3rd UPR cycle, Qatar received two recommendations on the right to the freedom of peaceful assembly. Of the recommendations received, one was supported and one was noted. Qatar accepted the recommendation to: “Bring national legislation on freedom of peaceful assembly into line with international standards, particularly by decriminalising unlicensed public gatherings (Czechia)” and noted the recommendation to “Swiftly develop and implement legislation to abolish the kafalah system and, in the short term, include workers that are not covered by the Labour Code, thus guaranteeing the right to freedom of peaceful assembly and association for all inhabitants of Qatar, in line with Sustainable Development Goals 8 and 10 (Netherlands).”

5.2 Article 44 of the Qatari Constitution guarantees the right to the freedom of peaceful assembly, “in accordance with the provisions of the law.”²⁶ Article 21 of the ICCPR also guarantees this right. However, in practice, Qatar both maintains a restrictive law and has unfairly punished those exercising the right to freedom of assembly.

5.3 The UN Human Rights Committee in its 2022 review of Qatar expressed concern at restrictions in law on the right to freedom of assembly. It cited concern at Act No. 18 of 2004 regulating public meetings and demonstrations because it requires prior authorization from the Ministry of Interior to hold public gatherings.²⁷

5.4 GCHR has documented some deeply concerning restrictions on the right to peaceful assembly within Qatar and there are allegations that Qatari officials have deliberately interfered with the exercise of the right to freedom of assembly outside of Qatar, in particular in Germany.

5.4.1 On 13 July 2022, a number of human rights activists, including Qatari human rights defender **Abdullah Al-Maliki**, organised a peaceful gathering in Munich, Germany, to demand respect for the civil and human rights of Qatari citizens. The gathering was subjected to repeated attacks by groups of more than 15 Qatari

²⁶ <https://www.gco.gov.qa/wp-content/uploads/2016/09/GCO-Constitution-English.pdf>

²⁷ UN Human Rights Committee, Concluding Observations to Qatar, 22 April 2022, CCPR/C/QAT/CO/1, para 40

citizens who, according to reliable local sources who spoke directly with GCHR, were mobilised by the State Security Apparatus and sent to Germany to deliberately sabotage the protest.

5.4.2 In 2021, protests broke out following the promulgation of three new laws restricting voting rights of the Al-Murrah tribe who were denied the right to run for the Shura Council, and restricting voting rights. The protests were followed by arrests and the detention of at least 10 protesters.²⁸

6 Gender Equality

6.1 In their 2022 review, the UN Human Rights Committee welcomed some measures in Qatar taken to promote gender equality but expressed concern about the “persistence of patriarchal stereotypes concerning the role of women and men in the family and in society.” It expressed concern that women are underrepresented in the formal labour market and 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 (referencing ICCPR articles 2, 3, 25 and 26). The Human Rights Committee recommended that Qatar should:

- “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;
- 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; and
- 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.²⁹

6.2 A 2021 report published by Human Rights Watch on Qatar’s male guardianship rules notes that “Qatar’s discriminatory male guardianship system denies women the right to make many key decisions about their

²⁸ Gulf Centre of Human Rights, Website News Story, 13 August 2021 <https://www.gc4hr.org/authorities-must-respect-the-rights-of-citizens-to-freedom-of-expression-and-peaceful-assembly/>

²⁹ UN Human Rights Committee, Concluding Observations to Qatar, 22 April 2022, CCPR/C/QAT/CO/1, para 14 and 15. For further recommendations related to gender, such as violence against women and reproductive reports see paras 16-19 of the Concluding Observations.

lives.” The report highlights that “women in Qatar must obtain permission from their male guardians to marry, study abroad on government scholarships, work in many government jobs, travel abroad until certain ages, and receive some forms of reproductive health care. The discriminatory system also denies women the authority to act as their children’s primary guardian, even when they are divorced and have legal custody. These restrictions violate Qatar’s constitution and international law.”³⁰

6.3 GCHR has documented the mistreatment and disappearance of at least one woman human rights defender, **Noof Al-Maadeed**, who returned to Qatar in September 2021 after assurances from the Qatari authorities that her rights would not be violated. However, since then, she has experienced numerous threats to her safety. On 18 March 2023, Al-Maadeed published videos on social media networks stating that she was subjected to numerous violations of human rights at the hands of the authorities, led by the State Security Apparatus. In these recordings, she appears thin, tearful and tense, and exhibits symptoms of severe depression. She has made no further communication and GCHR is concerned for her safety.³¹

7 Migrant workers

7.1 90% of Qatari residents are non-citizens, and 71% are low-wage workers whose livelihoods depend on their continued employment in the country.³² These workers face serious human rights abuses as a result of what the Special Rapporteur on racism, racial discrimination, xenophobia and related forms of intolerance has described as a “de facto caste system based on national origin, which results in structural discrimination against non-citizens.”³³ 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.³⁴ The Qatari government continues its historical silence when it comes to protecting their civil and

³⁰ Human Rights Watch, Website News Story, 29 March 2021 <https://www.hrw.org/report/2021/03/29/everything-i-have-do-tied-man/women-and-qatars-male-guardianship-rules#:~:text=Women%20must%20obtain%20permission%20from,jobs%2C%20and%20obtain%20some%20reproductive>

³¹ Gulf Centre of Human Rights, Website News Story, 11 September 2023 <https://www.gc4hr.org/the-story-of-qatari-womens-rights-defender-noof-al-maadeed/>

³² Tendayi Achiume (Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance), Visit to Qatar: Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, para 6, U.N. Doc. A/HRC/44/57/Add.1 (Apr. 27, 2020).

³³ SRR Report of Apr. 2020 at Summary, paras 16-17

³⁴ GCHR Report on Mission to Qatar, September 2022, [GCHR mission to Qatar finds grave violations against migrant workers - Gulf Centre for Human Rights \(gc4hr.org\)](https://www.gc4hr.org/gc4hr-mission-to-qatar-finds-grave-violations-against-migrant-workers/)

human rights. The government refuses to fully respect the rights of workers and compensate them, including the workers who were abused during the construction of the 2022 FIFA World Cup stadiums in Qatar.³⁵

8. Recommendations to the Government of Qatar

At a minimum, the following conditions must be guaranteed: freedoms of association, expression and peaceful assembly, the right to a fair trial, as well as the right to act without unwarranted state interference and the state's duty to protect. The following specific recommendations are made:

Freedom of association

- Take measures to foster a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limit the freedom of association.
- 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.
- Develop and implement legislation to abolish the kafalah system, and allow the formation of unions. In the short term, include workers that are not covered by the Labour Code, thus guaranteeing the right to freedom of peaceful assembly for all citizens in line with Sustainable Development Goals 8 and 10.

Protection of human rights defenders and civil society activists

- Provide civil society members, HRDs and journalists with a safe and secure environment in which to carry out their work.
- Undertake a consolidated process of repeal or amendment of legislation and decrees that unwarrantedly restrict the legitimate work of HRDs, in line with the UN Declaration on Human Rights Defenders.
- Bring the work of the State Security Apparatus under judicial supervision and amend Law No. (5) of 2003 accordingly.
- Abolish the death penalty and safeguard, in law and in practice, the full independence and impartiality of the judiciary and strengthen measures to ensure that detained

³⁵ GCHR Report on Mission to Qatar, September 2022, [GCHR mission to Qatar finds grave violations against migrant workers - Gulf Centre for Human Rights \(gc4hr.org\)](https://www.gc4hr.org/en/reports/gchr-mission-to-qatar-finds-grave-violations-against-migrant-workers)

persons have an effective right of access to legal counsel from the time they become subject to police custody.

- Bring its counter-terrorism legislation into full compliance with the ICCPR and the principles of legal certainty, predictability and proportionality, in particular by amending 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).
- 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.
- Publicly condemn at the highest levels of government instances of harassment and intimidation of CSOs and activists.
- Adopt a specific law on the protection of HRDs in accordance with Human Rights Council resolution 27.31.
- Refrain from acts of intimidation and reprisals against individuals, groups and organs of society, including against HRDs, who seek to cooperate, are cooperating or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights.

Freedom of expression, media freedom and access to information

- 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.
- Reform defamation legislation in conformity with ICCPR article 19.
- Ensure that journalists and writers work freely and without fear of retribution for expressing critical opinions or covering topics that the government may deem sensitive.

Freedom of peaceful assembly

- Bring national legislation on freedom of peaceful assembly into line with international standards, particularly by decriminalizing unlicensed public gatherings.

- Adopt best practices on the freedom of peaceful assembly, as put forward by the 2012 report of the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, which calls for simple processes for the notification of assemblies being held rather than permission being required, and by General Comment No. 37 on the right to peaceful assembly adopted by the UN Human Rights Committee in 2020.
- Amend Act No. 18 of 2004 in order to guarantee fully the right to the freedom of peaceful assembly by removing the requirement for prior authorisation from the Ministry of Interior to hold public gatherings.
- Provide recourse to judicial review and effective remedy, including compensation, in cases of unlawful denial of the right to the freedom of peaceful assembly by state authorities.

Access to UN Special Procedures mandate holders

- Accept all outstanding visit requests of special procedures, and cooperate fully with special procedures to ensure the visits take place.
- Prioritise official visits by the: 1) Special Rapporteur on the situation of human rights defenders; 2) Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression; 3) Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of association; 4) Special Rapporteur on extrajudicial, summary or arbitrary executions; 5) Special Rapporteur on the right to privacy; 6) Special Rapporteur on human rights and counter-terrorism; 7) Special Rapporteur on freedom of religion; 8) the Special Rapporteur on migrants; 9) the Special Rapporteur on slavery.

State engagement with civil society

- Implement transparent and inclusive mechanisms of public consultations with CSOs on all issues mentioned above and enable the effective involvement of civil society in the preparation of law and policy.
- Include CSOs in the UPR process before finalising and submitting the national report.
- Systematically consult with a diverse range of civil society on the implementation of UPR recommendations.
- Incorporate the results of this UPR into its action plans for the promotion and protection of all human rights, taking into account the proposals of civil society, and

present a midterm evaluation report to the Human Rights Council on the implementation of the recommendations of this session.

9. Annex: Assessment of implementation of civic space recommendations under the 3rd cycle

Recommendation	Position	Assessment/Comments on level of implementation
<p>134.52 Undertake an inclusive process with a wide range of civil society representatives when implementing the recommendations from the universal periodic review (Norway);</p> <p>Source of position: A/HRC/42/15/Add.1 - Para. 5</p>	Supported	<p>Status: Not Implemented</p> <p>Source:</p>
<p>134.115 Adopt necessary measures to bring its domestic legislation on freedom of expression, opinion and association into line with international standards and to investigate and sanction harassment and acts of violence against human rights defenders and journalists (Argentina);</p> <p>Source of position: A/HRC/42/15/Add.1 - Para. 5</p>	Supported	<p>Status: Not implemented</p> <p>Source: S.2,3,4</p>
<p>134.112 Increase protection of freedom of expression, particularly in the media, through swift, effective implementation of the recent media law (United Kingdom of Great Britain and Northern Ireland);</p> <p>Source of position: A/HRC/42/15/Add.1 - Para. 5</p>	Supported	<p>Status: Not implemented</p> <p>Source: s.4</p>
<p>134.119 Adopt a law on freedom of information in accordance with international standards on public access to</p>	Supported	<p>Status: Not implemented, based on available sources</p> <p>Source: s.4</p>

information and individual liberties (Chile); Source of position: A/HRC/42/15/Add.1 - Para. 5		
134.120 Bring national legislation on freedom of peaceful assembly into line with international standards, particularly by decriminalizing unlicensed public gatherings (Czechia); Source of position: A/HRC/42/15/Add.1 - Para. 5	Supported	Status: Not Implemented Source: s.5
134.116 Remove all obstacles to freedom of expression and association, including for human rights defenders, and ensure the safety of journalists through the protection of media freedoms (Australia); Source of position: A/HRC/42/15/Add.1 - Para. 5	Supported	Status: Not implemented Source: S. 2,3,4 and 5
134.114 Encourage freedom of expression by protecting the rights of human rights defenders (Afghanistan); Source of position: A/HRC/42/15/Add.1 - Para. 5	Supported	Status: Not implemented Source: s.3 and 4
134.104 Respect the right to freedom of opinion and expression and refrain from imposing any undue restriction on this right, including with regard to the new draft media law (Germany); Source of position: A/HRC/42/15/Add.1 - Para. 5	Supported	Status: Not implemented Source: s.4
134.103 Guarantee freedom of association and collective bargaining (Peru); Source of position: A/HRC/42/15/Add.1 - Para. 5	Supported	Status: Not implemented Source: s.2
134.100 Amend the laws on freedom of expression and	Noted	Status: Not implemented

<p>opinion, freedom of association and freedom of the press by rescinding the provisions of Cybercrime Act and the Penal Code that are contrary to international norms (France);</p> <p>Source of position: A/HRC/42/15/Add.1</p>		<p>Source: s.4</p>
<p>134.106 Take immediate measures to ensure that the Cybercrime Act and the Penal Code do not restrict the constitutional right to freedom of expression (Sweden);</p> <p>Source of position: A/HRC/42/15/Add.1</p>	<p>Noted</p>	<p>Status: Not implemented</p> <p>Source: s.4</p>
<p>134.107 Remove provisions in the Cybercrime Act and the Penal Code criminalizing the peaceful exercise of the right to freedom of expression (Czechia);</p> <p>Source of position: A/HRC/42/15/Add.1</p>	<p>Noted</p>	<p>Status: not implemented</p> <p>Source: s.4</p>
<p>134.117 Review the 1979 Press and Publication Law and the Penal Code and reform defamation legislation, including the 2014 Cybercrime Act and Act No. 18 of 2004, in order to bring them into conformity with article 19 of the International Covenant on Civil and Political Rights (Austria);</p> <p>Source of position: A/HRC/42/15/Add.1</p>	<p>Noted</p>	<p>Status: Not implemented</p> <p>Source: s.4</p>
<p>134.108 Guarantee freedom of expression, freedom of the press and freedom of religion and belief, in particular by ensuring the independence of justice (Switzerland);</p> <p>Source of position: A/HRC/42/15/Add.1</p>	<p>Noted</p>	<p>Status: Not implemented</p> <p>Source: S.4</p>

<p>134.105 Create an environment conducive to freedom of expression and free, independent, plural and diverse media, online as well as offline (Slovakia);</p> <p>Source of position: A/HRC/42/15/Add.1</p>	<p>Noted</p>	<p>Status: Not implemented</p> <p>Source: s.3 and s.4</p>
<p>134.118 Respect freedom of expression in traditional and online media by eliminating restrictions on expressions criticizing State institutions and officials (Canada);</p> <p>Source of position: A/HRC/42/15/Add.1</p>	<p>Noted</p>	<p>Status: Not implemented</p> <p>Source: s.4</p>
<p>134.50 Swiftly develop and implement legislation to abolish the kafalah system and, in the short term, include workers that are not covered by the Labour Code, thus guaranteeing the right to freedom of peaceful assembly and association for all inhabitants of Qatar, in line with Sustainable Development Goals 8 and 10 (Netherlands);</p> <p>Source of position: A/HRC/42/15/Add.1</p>	<p>Noted</p>	<p>Status: Not implemented</p> <p>Source: s.5</p>
<p>134.262 Amend Act No. 12 of 2004 and the Labour Code to respect the right of migrant workers to freedom of association, in line with the International Covenant on Civil and Political Rights and the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) (Austria);</p> <p>Source of position: A/HRC/42/15/Add.1</p>	<p>Noted</p>	<p>Status: not implemented</p> <p>Source: s. 2 and s.7</p>

<p>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 punishment, freedom of association and freedom from discrimination (Germany);</p> <p>Source of position: A/HRC/42/15/Add.1</p>	<p>Noted</p>	<p>Status: Not fully implemented</p> <p>Source: s.5</p>
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