

# Immigration and Refugee Board of Canada

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> Responses to Information Requests

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## Responses to Information Requests

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Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment, please email the [Knowledge and Information Management Unit](#).

4 July 2016

### **QAT105574.E**

Qatar: Situation of sexual minorities, including social attitudes and treatment by authorities (2014-July 2016)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

#### **1. Legislation**

According to sources, homosexual activity is illegal in Qatar (*The Guardian* 20 Jan. 2015; PinkNews 13 Nov. 2014; Canada 3 June 2016). According to travel information for Qatar provided by the Government of Canada, "related offences include being in a same-sex marriage and promoting homosexuality" (ibid.). In their 2016 report, *State-Sponsored Homophobia*, the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) states that "as of 2004, there is no civil law criminalising consensual same-sex activity" (ILGA May 2016, 113). The same report describes Qatar as among the countries that "either have no law, or have such repressive regimes...that same-sex sexual relations are functionally severely outlawed" (ILGA May 2016, 11).

Sources state that for Muslims in Qatar, Sharia law prohibits any sexual acts outside of marriage (Freedom House 2015; AI 20 Mar. 2008, 47). A 2008 report by Amnesty International (AI) on decriminalizing homosexuality, further specifies that "*Zina* (a sexual act by a married party outside of marriage) is punishable by death," whether same-sex or heterosexual (AI 30 Mar. 2008, 47). The report further states that if the persons are not married, the punishment is flogging, and if they are non-Muslim, the penalty is "up to seven years imprisonment" (ibid.). According to the 2014 *Report of the Working Group on the Universal Periodic Review* for Qatar, "[w]ith regard to sexual freedoms and same-sex marriage, Sharia law was the main source of Qatari legislation" (UN 27 June 2014, para. 70).

An undated article on lesbian asylum claims by the National Center for Lesbian Rights (NCLR), a non-profit law firm that provides free legal assistance to LGBT people and "advocates for equitable public policies affecting the LGBT community" (NCLR n.d.a), lists Qatar among 9 other countries where it is "unclear whether the anti-sodomy statute bars sex between women or is limited to sex between two men" (NCLR n.d.b, 18). According to the US Department of State's *Country Reports on Human Rights Practices for 2015*, the law "does not explicitly prohibit same-sex relations between women" (US 13 Apr. 2016, 20).

#### **1.1 Treatment by Authorities**

Information on the treatment of sexual minorities by state authorities was scarce among the sources consulted by the Research Directorate within the time constraints of this Response. Without providing further detail, according to *Country Reports 2015*, "lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons faced discrimination under the law and in practice" (US 13 Apr. 2016, 20). Sources state that the punishment for homosexuality can include imprisonment (ibid.; Freedom House 2015; *The Guardian* 21 June 2016) or the death penalty (Canada 3 June 2016). According to the 2016 ILGA report, while the "death penalty for same-

sex sexual behaviour [is] codified under Sharia law" in Qatar, it has not been implemented (ILGA May 2016, 37). The 2008 AI report similarly states that "Amnesty International knows of no executions for convictions of sexual offences in recent years" in Qatar (AI 30 Mar. 2008, 47). According to an article on sexual minorities in Arab states, written for the UK newspaper *The Guardian* by their former Middle East editor, Brian Whitaker, "[o]ne reason for the comparatively small number of prosecutions is that...homosexuality is regarded primarily as a western phenomenon and large numbers of arrests would call that into question" and that for "the vast majority who identify as [LGBT] the attitudes of family and society are a much bigger problem" (*The Guardian* 21 June 2016). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

## 2. Social Attitudes

Information social attitudes towards sexual minorities was scarce among the sources consulted by the Research Directorate within the time constraints of this Response. According to Freedom House, "same-sex relationships must be hidden in public" (Freedom House 2015). *Country Reports 2015* similarly states that sexual minorities hid their sexual identity "in public due to an underlying pattern of discrimination toward LGBTI persons based on cultural and religious values prevalent in the society" (US 13 Apr. 2016, 21). The same source further states that due to social and religious norms, there "were no LGBTI organizations, nor were there gay pride marches or gay rights advocacy events" (ibid.). *The Guardian* article states that NGOs "working in Arab countries often face government restrictions, and those working for LGBT rights face the additional problem of social stigma" (21 June 2016). Further information on social attitudes toward sexual minorities could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

### 2.1 Incidents of Discrimination and/or Violence

Information on incidents of discrimination or violence, including specific cases, could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. According to *Country Reports 2015*, "[t]here were no public reports of violence against LGBTI persons," nor was there any information available on "official or private discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation" (US 13 Apr. 2016, 21). The same source further states that there were no efforts by the government to "address potential discrimination nor are there any antidiscrimination laws," and it would be "unlikely" for victims of such discrimination to file a complaint "because of the potential for further harassment or discrimination" (ibid.). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

## References

- Amnesty International. 30 March 2008. [Love, Hate and the Law: Decriminalizing Homosexuality](#). [Accessed 6 July 2016]
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United Nations (UN). 27 June 2014. "Qatar." [Report of the Working Group on the Universal Periodic Review. A/HRC/27/15](#). [Accessed 5 July 2016]

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### Additional Sources Consulted

**Oral Sources:** OutRight International; the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA); MantiQitna Network.

**Internet Sources, Including:** ecoinet; Factiva; glaad; GlobalGayz; Human Rights Watch; OutRight International; *The Peninsula*; United Nations-Refworld; 76 Crimes.

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