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U.S. Department of State

Qatar Country Report on Human Rights Practices for 1998

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QATAR

Qatar, an Arab state on the Persian Gulf, is a monarchy without democratically elected institutions or political parties. It is governed by the ruling Al-Thani family through its head, the Amir. The current Amir, Sheikh Hamad bin Khalifa Al-Thani, took power from his father in June 1995 with the support of leading branches of the Al-Thani family, and in consultation with other leading Qatari families. This transition of authority did not represent a change in the basic governing order. The Amir holds absolute power, the exercise of which is influenced by religious law, consultation with leading citizens, rule by consensus, and the right of any citizen to gain access to the Amir to appeal government decisions. The Amir generally legislates after consultation with leading citizens, an arrangement institutionalized in an appointed advisory council that assists the Amir in formulating policy. The judiciary is nominally independent, but most judges hold their positions at the Government's pleasure.

The country has efficient police and security services. The civilian security force, controlled by the Interior Ministry, comprises two sections: The police and the General Administration of Public Security, and the Investigatory Police (Mubahathat), which is responsible for sedition and espionage cases. The Interior Ministry has a special state security investigative unit (Mubahith) that performs internal security investigations and gathers intelligence. In addition, there is an independent civilian intelligence service (Mukhabarat).

The State owns most basic industries and services, but the retail and construction industries are in private hands. Oil is the principal natural resource, but the country's extensive natural gas resources are playing an increasingly important role. The rapid development of the 1970's and 1980's created an

economy in which foreign workers, mostly South Asian and Arab, outnumber citizens by a ratio of 4 or 5 to 1. The Government tries to reduce this ratio by offering many government jobs only to citizens.

The Government restricts citizens' rights; however, there was some progress in a few areas. Citizens do not have the right to change their government, but in February, July, and October the Amir issued decrees that paved the way for the establishment of a democratically elected council with powers over the local government throughout the country. Elections to the council are scheduled for March 1999. In a significant development, the Government issued a decree that granted the right to vote and run for office on the council to all adult citizens, both male and female. Arbitrary detention in security cases, and restrictions on the freedoms of speech, press, association, religion, and on workers' rights, continued to be problems. However, the Government continued to take unpublicized steps to ease restrictions on the practice of non-Muslim religions. Despite the decree that opened the vote to women, in practice women's rights are restricted by social customs. Noncitizen workers, who make up a majority of the residents of the country, face systematic discrimination in the workplace.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

There have been no reported instances of torture for several years. The Government administers most corporal punishment prescribed by Islamic law but does not allow amputation.

Prison conditions generally meet minimum international standards. The Government does not permit domestic human rights groups to exist, and no international human rights organization has asked to visit the country or its prisons.

d. Arbitrary Arrest, Detention, or Exile

The authorities generally charge suspects within 48 hours. In most cases involving foreigners, the police promptly notify the appropriate consular representatives. Suspects detained in security cases generally are not afforded access to counsel and may be detained indefinitely while under investigation. There are no known recent cases of incommunicado detention.

In June the Amir ordered the arrest of Ministry of Education official Abdulrahman Al-Nuaimi, who distributed to the press a letter criticizing the Amir's decision to allow women to vote and run for office in the municipal elections (see Section 3), as well as other purportedly anti-Islamic actions. He was detained for 10 days and released.

The public trial of persons arrested for involvement in the February 1996 coup attempt continued, with no significant developments during the year. Several noncitizen suspects were released and deported.

Involuntary exile has occurred but is rare. There were no reported cases this year.

e. Denial of Fair Public Trial

The judiciary is nominally independent, but most judges are foreign nationals who hold residence permits granted by the civil authorities, and thus hold their positions at the Government's pleasure. The number of citizen judges is increasing.

The judiciary deals with the bureaucracies of two ministries. Civil (or Adlea) courts are subordinate to the Ministry of Justice, and Shari'a (Islamic law) courts fall under the Ministry of Endowments and Islamic Affairs. The prosecutors fall under the Ministry of Interior.

There are three types of courts: The civil courts, which have jurisdiction in civil and commercial matters; the Shari'a Court, which has jurisdiction in family and criminal cases; and the rarely convened state security courts. There are no permanent state security courts. Security cases, which are rare, are tried by ad hoc military courts. Although state security cases may be conducted in secret, there have been no cases before these courts since the Amir assumed power. Defendants tried by all courts have the right to appeal. Occasionally in the Shari'a Court, the same judge will hear the original case and the appeal.

The legal system is biased in favor of citizens and the Government. A Muslim litigant may request the Shari'a Court to assume jurisdiction in commercial or civil cases. Non-Muslims are not allowed to bring suits as plaintiffs in the Shari'a Court. This practice prevents non-Muslim residents from obtaining full legal recourse. Trials in the civil courts are public, but in the Shari'a Court only the disputing parties, their relatives, associates, and witnesses are allowed in the courtroom. Lawyers do not play a formal role except to prepare litigants for their cases. Although non-Arabic speakers are provided with interpreters, foreigners are disadvantaged, especially in cases involving the performance of contracts.

Defendants appear before a judge for a preliminary hearing within 7 days of their arrest. Judges may extend pretrial detention for a week at a time to allow the authorities to conduct investigations. Defendants in the civil courts have the right to be represented by defense attorneys but are not always permitted to be represented by counsel in the Shari'a court.

Shari'a trials are usually brief. Shari'a family law trials are often held without counsel. After both parties have stated their cases and examined witnesses, judges are likely to deliver a verdict after a short deliberation. Criminal cases are normally tried within 2 to 3 months after suspects are detained. There is no provision for bail in criminal cases. However, foreigners charged with minor crimes may be released to a citizen sponsor. They are prohibited from departing the country until the case is resolved.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Traditional attitudes of respect for the sanctity of the home and the privacy of women provide a great deal of protection against arbitrary intrusions for most citizens and residents. A warrant must be obtained before police may search a residence or business, except in cases involving national security or emergencies. However, warrants are issued by police officials rather than by judicial authorities. There were no reports of unauthorized searches of homes during the year. The police and security forces are believed to monitor the communications of suspected criminals, of those considered to be security risks, and of selected foreigners.

With prior permission, which is usually granted, citizens may marry foreigners of any nationality and apply for residence permits or citizenship for their spouses.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Although the Government reduced restrictions on freedom of speech and of the press in 1997, and permitted a significant expansion of press freedom, some restrictions still remain. The Government formally lifted censorship of the media in 1995, and since then the press has been essentially free of government interference. However, journalists continue to practice self-censorship, due to real or perceived social and political pressures. For example, no instance of explicit criticism of any citizen, whether in public or private life, has been noted in local newspapers. Television and radio are state-owned, but the privately-owned satellite television channel Al-Jazeera operates freely.

There were no reports of instances of political censorship of foreign news media or broadcasts of foreign programs on local television over the past year. The Censorship Office in the Ministry of Information was abolished (together with the Ministry) in 1996, but censors still work at broadcast media under the overall supervision of the Ministry of Religious Endowments. Pornography and expressions deemed hostile to Islam are subject to censorship, but in practice censorship is applied irregularly.

In June the Amir ordered the arrest of an official who wrote a letter criticizing several of the Amir's decisions as anti-Islamic (see Section 1.d.).

Customs officials screen imported print media, videocassettes, and other such items for pornography, but have stopped blocking the importation of non-Muslim religious items.

A growing number of citizens and residents have access to the Internet, which is provided through the state-owned telecommunications monopoly. Internet access appears to be uncensored and unrestricted.

Citizens enjoy broad freedom of speech, but are restricted by the social and family restraints of a very traditional society. There is no apparent fear of government monitoring of private speech. However, the larger foreign population does not believe it enjoys the same freedoms and acts accordingly.

There is no legal provision for academic freedom. Most instructors at the University of Qatar exercise self-censorship.

b. Freedom of Peaceful Assembly and Association

The Government severely limits freedom of assembly. The Government does not allow political demonstrations.

The Government severely limits freedom of association. The Government does not allow political parties or membership in international professional organizations critical of the Government or of any other Arab government. Private social, sports, trade, professional, and cultural societies must be registered with the Government. Security forces monitor the activities of such groups.

c. Freedom of Religion

The state religion is Islam, as interpreted by the puritanical Wahhabi branch of the Sunni tradition. The

Government officially prohibits public worship by non-Muslims; however, it tolerates and protects private services conducted behind closed doors with prior notification to the authorities. The police provide traffic control for authorized Catholic services, which may be attended by up to 1,000 or more persons at times. The Government recently began to issue visas to Christian clergy under foreign embassy sponsorship. There are no restrictions on non-Muslims providing religious instruction to their children. However, non-Muslims may not proselytize and conversion from Islam is theoretically a capital offense. However, there is no record of an execution for such a conversion since independence.

The Government allows Shi'a Muslims to practice their faith freely; however, community leaders have agreed to refrain from certain public practices such as self-flagellation.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There are no restrictions on internal travel, except around sensitive military and oil installations. In general, women do not require permission from male guardians to travel. However, men may prevent female relatives from leaving the country by providing their names to immigration officers at ports of departure. Technically, women employed by the Government must obtain official permission to travel abroad when requesting leave, but it is not known to what extent this regulation is enforced. Citizens critical of the Government face restrictions on their right to travel abroad.

All citizens have the right to return. Foreigners are subject to immigration restrictions designed to control the size of the local labor pool. Foreign workers must have the permission of their sponsor (usually their employer) to enter and depart the country, but their dependents may leave the country without restriction. Foreign women married to citizens are granted residence permits and may apply for citizenship; however, they are expected to relinquish their foreign citizenship.

The Government has not formulated a formal policy regarding refugees, asylees, or first asylum. Those attempting to enter illegally, including persons seeking asylum from nearby countries, are refused entry. Asylum seekers who can obtain local sponsorship or employment are allowed to enter and may remain as long as they are employed. A Bahraini Air Force pilot defected to Qatar in 1996, and the Government stated that he was free to stay, calling him a refugee and offering him its full protection.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government or the political system peacefully. Qatar has no formal democratic institutions. The political institutions blend the characteristics of a traditional Bedouin tribal state and a modern bureaucracy. There are no political parties, elections, or organized opposition groups.

The Amir exercises most executive and legislative powers, including appointment of cabinet members. In July the Amir issued legislation to establish a democratically elected municipal council with representatives from the entire country. All citizens over the age of 18, both male and female, are to have the right to vote and to run as candidates for the council. Elections are scheduled for February 1999. Although the council's powers are to be limited largely to local government issues, the council is expected to debate national issues and issue independent advice to the Amir.

Under the amended Provisional Constitution, the Amir must be chosen from and by the adult males of the Al-Thani family.

Women do not have the right to vote or participate in politics. However, in July the Amir issued

legislation to give women the right to vote and to run for election to the proposed municipal council.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government does not permit local human rights organizations to exist. No international human rights organizations are known to have asked to investigate conditions in the country. However, Amnesty International and foreign embassies were invited to send observers to sessions of the public trial of those accused in the 1996 coup attempt. Foreign observers attended the sessions of the trial held during the year.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Institutional, cultural, and legal discrimination based on gender, race, religion, social status, and disability exists.

Women

Violence against women and spousal abuse occur but are not believed to be widespread. However, some foreign domestics, especially those from South Asia and the Philippines, have been mistreated by employers. In keeping with Islamic law, all forms of physical abuse are illegal. The maximum penalty for rape is death. The police actively investigate reports of violence against women. In the last few years, the Government has demonstrated an increased willingness to arrest and punish offenders, whether citizens or foreigners. Offenders who are citizens usually receive lighter punishments than foreigners. Abused domestic workers usually do not press charges for fear of losing their jobs.

The activities of women are restricted closely both by law and tradition. For example, a woman is prohibited from applying for a driver's license unless she has permission from a male guardian. This restriction does not apply to noncitizen women. The Government adheres to Shari'a law in matters of inheritance and child custody. While Muslim wives have the right to inherit from their husbands, non-Muslim wives do not, unless a special exception is arranged. In cases of divorce, Shari'a (Islamic law) prevails; younger children remain with the mother and older children with the father. Both parents retain permanent rights of visitation. However, local authorities do not allow a noncitizen parent to take the children out of the country without permission of the citizen parent. Women may attend court proceedings but are generally represented by a male relative. There has been a steady increase in the number and severity of complaints of spousal abuse by the foreign wives of local and foreign men.

Women are largely relegated to the roles of mother and homemaker, but some women are now finding jobs in education, medicine, and the news media. The number of professional women is too small to determine whether they are receiving equal pay for equal work. Increasingly, women are receiving government scholarships to pursue degrees at universities overseas. The Amir has entrusted his second wife, who is the mother of the Heir Apparent, with the high-profile task of establishing a university in Doha. In 1996, the Government appointed its first female undersecretary, in the Ministry of Education. Although women are legally able to travel abroad alone (see Section 2.d.), tradition and social pressures cause most to travel with male escorts. There also have been complaints that Qatari husbands take their foreign spouses' passports and, without prior approval, turn them in for Qatari documents. The husbands then inform their wives that the wives have lost their former citizenship. In other cases, foreign wives report being forbidden by their husbands or in-laws to visit or to contact foreign embassies.

There is no independent women's rights organization, nor has the Government permitted the

establishment of one.

Children

The Government demonstrates its commitment to children's rights through a well-funded, free public education system (elementary through university) and a complete medical protection program for Qatari children. However, children of most foreigners are denied free education and have only limited medical coverage.

There is no societal pattern of abuse of children.

People with Disabilities

The Government has not enacted legislation or otherwise mandated provision of accessibility for the disabled, who also face social discrimination. The Government maintains a hospital and schools that provide high-quality, free services to the mentally and physically disabled.

Religious Minorities

Shi'a Muslims experience discrimination in employment in sensitive areas, such as security and education.

National/Racial/Ethnic Minorities

The Government discriminates against some citizens of non-Qatari origin. In the private sector, many citizens of Iranian origin occupy some of the highest positions. However, they are rarely found in senior decisionmaking positions in government.

Section 6 Worker Rights

a. The Right of Association

The right of association is strictly limited, and all workers, including foreigners, are prohibited from forming labor unions. Despite this restriction, almost all workers have the right to strike after their case has been presented to the Labor Conciliation Board and ruled upon. Employers may close a place of work or dismiss employees once the Conciliation Board has heard the case. The right to strike does not exist for government employees, domestic workers, or members of the employer's family. No worker in a public utility or health or security service may strike if such a strike would harm the public or lead to property damage. Strikes are rare.

The Labor Law provides for the establishment of joint consultative committees composed of representatives of the employer and workers. The committees do not discuss wages but may consider issues such as organization and productivity, conditions of employment, training of workers, and safety measures and their implementation.

Since 1995, Qatar has been suspended from the U.S. Overseas Private Investment Corporation (OPIC) insurance programs because of the Government's lack of compliance with internationally recognized worker rights standards.

b. The Right to Organize and Bargain Collectively

Workers are prohibited from engaging in collective bargaining. In general, wages are set unilaterally by employers without government involvement. Local courts handle disputes between workers and employers.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor. Three-quarters of the work force are expatriate workers, who are dependent on a single employer for residency rights. This leaves them vulnerable to abuse. For instance, employers must give consent before exit permits are issued to any foreigner seeking to leave the country. Some employers temporarily withhold this consent to force foreign employees to work for longer periods than they wish. The Government prohibits forced and bonded labor by children and enforces this prohibition effectively.

d. Status of Child Labor Practices and Minimum Age for Employment

Minors between the ages of 15 and 18 may be employed with the approval of their parents or guardians and some children may work in small, family-owned businesses. However, child labor is rare. Education is compulsory through the age of 15. Very young children, usually of African or South Asian background, have been employed as riders in camel racing. Little information is available on wages and working conditions for these children. The Government prohibits forced and bonded labor by children and enforces this prohibition effectively (see Section 6.c.).

Minors may not work more than 6 hours a day or more than 36 hours a week. Employers must provide the Ministry of Labor with the names and occupations of their minor employees. The Ministry may prohibit the employment of minors in jobs that are judged dangerous to the health, safety, or morals of minors. Employers must also obtain permission from the Ministry of Education to hire a minor.

e. Acceptable Conditions of Work

There is no minimum wage, although a 1962 law gives the Amir authority to set one. The 48-hour workweek with a 24-hour rest period is prescribed by law, although most government offices follow a schedule of 36 hours a week. Employees who work more than 48 hours a week, or 36 hours a week during the Muslim month of Ramadan, are entitled to overtime. This law is adhered to in government offices and major private sector companies. It is not observed with respect to domestic and personal employees. Domestic servants frequently work 7 days a week, more than 12 hours a day, with few or no holidays, and have no effective way to redress grievances against their employers.

The Government has enacted regulations concerning worker safety and health, but enforcement, which is the responsibility of the Ministry of Energy and Industry, is lax. The Department of Public Safety oversees safety training and conditions, and the state-run petroleum company has its own set of safety standards and procedures. The Labor Law of 1964, as amended in 1984, lists partial and permanent disabilities for which compensation may be awarded, some connected with handling chemicals and petroleum products or construction injuries. The law does not specifically set rates of payment and compensation.

Foreign workers must be sponsored by a citizen or a legally recognized organization to obtain an entry visa and must have their sponsor's permission to depart the country. Any worker may seek legal relief from onerous work conditions, but domestic workers generally accept their situations in order to avoid

repatriation. The Government also penalizes Qatari employers who violate residence and sponsorship laws. Some foreign domestics have been mistreated by their employers (see Section 5).

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