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1999 Country Reports on Human Rights Practices

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QATAR

Qatar, an Arab state on the Persian Gulf, is a monarchy with no constitution or political parties. Qatar 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. In March citizens were permitted to participate in the election of a national body, the Central Municipal Council, for the first time. 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. Rapid development in 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 has embarked upon a program of "Qatarization," which is aimed at reducing the number of foreign workers. Many government jobs are offered only to citizens and

private sector businesses are encouraged to recruit citizens as well.

The Government restricts citizens' rights; however, there was substantial progress in a few areas. Citizens do not have the right to change their government; however, the Government's program of gradual democratic initiatives provided citizens with the opportunity to elect officials to the Central Municipal Council. Both male and female citizens were permitted to vote and to run for a seat on the Council. In addition a constitutional committee was convened in July to draft a permanent constitution that would provide for parliamentary elections. Arbitrary detention in security cases, and restrictions on the freedoms of speech, press, assembly, association, religion, and on workers' rights, continued to be problems. However, the Government continued to take some steps to ease restrictions on the practice of non-Muslim religions. Despite female suffrage, in practice women's rights are restricted by social customs. Noncitizen workers, who make up a majority of the residents of the country, face 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 law prohibits arbitrary arrest; however, the police have the discretion to arrest persons based on a low level of suspicion, and arbitrary detention in security cases remains a problem. The authorities generally charge suspects within 48 hours. Suspects generally are presented to the Attorney General within 24 hours of arrest. The Attorney General decides whether to hold the suspect up to a maximum of 4 days, after which time the suspect is presented before the judge, who may order the suspect released or remanded to custody to await trial. The accused is entitled to legal representation throughout this process. Suspects who are detained in security cases generally are afforded access to counsel; however, they may be detained indefinitely while under investigation. There

were no known recent cases of incommunicado detention.

In June 1998, the Amir ordered the arrest of Abdulrahman Al-Nuaimi, a Ministry of Education official who distributed a letter to the press critical the Amir's decision to allow women to vote and run for office in the Municipal Council elections. Contrary to reports that he was released in 1998, Al-Nuaimi remains in custody.

The public trial of persons arrested for involvement in the February 1996 coup attempt continued. Sheikh Hamad Bin Jassim Bin Hamad Al-Thani, who was named as the prime suspect in the coup bid, was arrested under mysterious circumstances on or about July 23. He remains in custody following his appearance before the trial judge to answer charges of plotting to destabilize the regime and revealing military secrets to foreign powers. Prosecutors have called for the death penalty for all those accused, including Hamad Bin Jassim Bin Hammad. A verdict was expected in early December; however, the arrest of Hamad Bin Jassim Bin Hamad delayed proceedings into 2000.

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; however, 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 three 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 two types of courts: The civil courts, which have jurisdiction in civil and commercial matters, and the Shari'a Court, which has jurisdiction in family and criminal cases. There are no permanent state security courts; however, although there have been no cases before these courts since the Amir assumed power, they have not been abolished formally by law and remain an option. Defendants tried by all courts have the right to appeal. The original case and the appeal in Shari'a Court are no longer heard by the same judge, and procedural loopholes that permitted this practice in the past are to be closed as part of a pending judicial reform package.

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; however, they may file suit in the civil courts. 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 1 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. Suspects are entitled to bail, except in some instances, such as in cases of violent crime. Bail may be provided by citizens or noncitizens. Foreigners who are 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 intrusion 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. Search warrants are issued 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 1996 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. Some journalists reportedly were subjected to pressure by the Government during the year after they published articles critical of it. No instance of explicit criticism of any citizen, whether of their public or private affairs, 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 July radio and television call-in programs addressed the sensitive subject of cash

entitlements paid to members of the ruling Al-Thani family. Citizens expressed disagreement with the system in public forums, with no evidence of subsequent reprisals. However, one person did write a letter of retraction to a local newspaper a few days after her comments.

A Ministry of Education official who wrote a letter critical of the Amir's decision to allow women to vote and run for office in the Municipal Council elections remains in custody (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 service is censored for pornographic content through a proxy server, which blocks those web sites containing certain key words and phrases. A user who believes that a site is censored mistakenly may submit the web address to the Internet service provider to have the site reviewed for suitability. The Government is responsive to these submissions.

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 the conservative Hanbali school of the Sunni branch of Islam, as interpreted by Muhammad Ibn Abd Al-Wahab, an 18th century religious reformer who emphasized the strict observance of religious duties. The Government officially prohibits public worship by non-Muslims; however, it tolerates and protects private services conducted in private with prior notification to the authorities. The Government has indicated, through foreign diplomats and in meetings with Christian leaders, its long-range intention to identify and lease parcels of land to the recognized Catholic, Anglican, and Orthodox communities upon which they would be permitted to erect churches, albeit without bells or the external display of crosses. In the meantime, the Government has indicated its support for the lease of existing villas for use in worship services by such

groups, provided that they obtain the Qatari landlord's approval. The community of the Church of Jesus Christ of Latter-Day Saints (Mormons) now meets in a villa leased for the express purpose of worship. 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 who are 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 are able to 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. The political institutions blend the characteristics of a traditional Bedouin tribal state and a modern bureaucracy. There are no political parties or organized opposition groups. However, in March citizens had the opportunity to choose officials to the Central Municipal Council in free and fair elections.

The Amir exercises most executive and legislative powers, including appointment of cabinet members. On March 8, citizens elected a 29-member Central Municipal Council. For the first time, men and women age 18 and older were permitted both to vote and to

run as candidates. The Council is a nonpartisan body that addresses issues such as street repair, green space, trash collection, and public works projects. Its role is to advise the Minister of Municipalities and Agriculture. The Council cannot change policy on its own.

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

In November 1998, the Amir announced his intention to form a constitutional committee to draft a permanent constitution that would provide for democratic parliamentary elections. The constitutional committee was inaugurated on July 13 and includes a number of government officials, academics, and prominent business leaders. The Amir reiterated in his remarks to the committee members that he expects their efforts to lead to the establishment of an elected parliamentary body.

Women have the right to vote and some ran as candidates for the Central Municipal Council, but none were elected.

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 trial sessions 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. Some foreign domestic servants, especially those from South Asia and the Philippines, have been mistreated by employers. According to Shari'a (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 demonstrated an increased willingness to arrest and punish offenders, whether citizens or foreigners. Offenders who are citizens usually receive lighter punishments than do foreigners. Abused domestic workers usually do not press charges for fear of losing their jobs.

The legal system allows leniency for a man found guilty of committing a "crime of honor," a euphemism that refers to a violent assault against a female by a male relative for alleged sexual misconduct; however, such honor killings are rare. In September a former minister, Ali Saeed Al-Khayareen, killed his two half-sisters for their alleged sexual misconduct. Al-Khayareen was being held at the Al-Rayyan detention center, but reportedly was released late in the year.

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 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 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 his or her child out of the country without permission of the citizen parent. 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 may attend court proceedings but generally are represented by a male relative; however, women may represent themselves.

Women largely are relegated to the roles of mother and homemaker, but some women are now finding jobs in education, medicine, and the news media. Women appear to receive equal pay for equal work; however, they often do not receive equal allowances. These allowances generally cover transportation and housing costs. 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 legally are 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 citizenship 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 Qatari 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.

Very young children, usually of African or South Asian background, have been used as jockeys in camel races. Little information is available on wages and working conditions for these children (see Sections 6.c. and 6.d.).

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 fill many positions in the bureaucracy and are prominent in business. However, they experience discrimination in employment in some sensitive areas, such as security.

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 rarely are 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 foreign 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 foreign employee 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

generally enforces this prohibition effectively; however, some very young children work as jockeys in camel races (see Sections 5 and 6.d.).

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, are used as jockeys in camel races (see Sections 5 and 6.c.) and 6.f.). Little information is available on wages and working conditions for these children. The Government prohibits forced and bonded labor by children and generally 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 also must 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 36-hours-per-week work schedule. Employees who work more than 48 hours per week, or 36 hours per week during the Muslim month of Ramadan, are entitled to overtime pay. 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 per week, more than 12 hours per 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).

f. Trafficking in Persons

The law prohibits trafficking in persons, and there were no confirmed reports that persons

were trafficked in, to, or from the country during the year.

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[Near East and North Africa Index](#) | [Table of Contents](#) | [1999 Report Homepage](#) | [Human Rights Reports Index](#)