



## U.S. DEPARTMENT of STATE

### Qatar

#### Country Reports on Human Rights Practices - 2006

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Qatar is a monarchy ruled by the Al-Thani family, headed by Emir Sheikh Hamad bin Khalifa Al-Thani. The population is approximately 840,000, of whom approximately 200,000 are citizens. The emir exercises full executive power. Shari'a (Islamic law) is a main source of legislation, and the emir legislates by issuing a decree, generally after consultation with leading citizens, an arrangement institutionalized in the appointed 35-member Advisory Council (*Majlis al-Shura*) that assists the emir in formulating policy. The constitution, which came into force in June 2005, provides for continued hereditary rule by the emir's branch of the Al-Thani family. In 2003 citizens elected the 29 members of the advisory central municipal council in elections generally regarded as free and fair, although only 30 percent of eligible voters participated. The civilian authorities generally maintained effective control of the security forces.

While there were improvements in the overall human rights practices, some serious problems remained. Citizens lacked the right to change their government peacefully. There were judicially sanctioned corporal punishments. Civil liberties, such as the freedoms of speech (including the use of the Internet), press, assembly, and association continued to be restricted, and limitations existed on freedom of religion. There were also some restrictions on foreign travel, as well as arbitrary deportation, sometimes after detention for several years. Government corruption was perceived to be a problem along with lack of public access to government information. Trafficking in persons, primarily in the labor and domestic worker sectors, was a problem. Discrimination against women, both legally and culturally based, limited their full participation in society. *Bidoons* (Arabic for "without" meaning "without citizenship"; people with residency ties by not documented nationals) unresolved legal status resulted in discrimination against these noncitizens with residency ties. Worker rights were severely restricted, especially for expatriate laborers and domestic servants.

On February 3, the emir issued orders to begin to reinstate citizenship for as many as 6,000 persons, which the government revoked between October 2004 and June 2005. Each case was reviewed separately, and by year's end approximately 90 percent of those persons had their citizenship restored.

#### RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution and the criminal law prohibit such practices. There was one case reported in 2005 in which a policeman had, according to prosecutors, tortured a suspect; the perpetrator was subsequently charged and convicted of misuse of power and abuse during the year. He was sentenced to two years in prison. During the year there were two complaints of torture reported to the National Human Rights Committee (NHRC). The two complaints were investigated by the Ministry of Interior, and the Ministry concluded that one was without merit, while the other remained under investigation at year's end.

In June the National Health Authority (NHA) ordered all clinics and medical practitioners to report to authorities any cases of torture or maltreatment on patients brought about by domestic violence or physical abuse.

The government administered corporal punishment (lashes) prescribed by its interpretation of Islamic law in cases of alcohol consumption. Amputation was not allowed. Punishments were not administered publicly.

#### Prison and Detention Center Conditions

Prison conditions generally met international standards. In previous years the government permitted visits by independent human rights

observers. During the year, however, authorities prevented the Solidarity Center (a foreign labor nongovernmental organization (NGO) from visiting the Deportation Detention Center during their visit to the country in September. In November the UN Special Rapporteur for Trafficking in Persons and foreign diplomatic representatives visited the Deportation Detention Center (DDC). In addition representatives visited the Capital Police Detention Center (CPDC) in October. Additional requests by diplomatic representatives to visit the Central Prison and the State Security Prison were not approved. The NHRC conducted at least three visits to prisons and detention centers during the year.

The DDC held thousands of detainees without legal justification for extended periods, sometimes more than four years. The CPDC held a large number of detainees in cells without beds; mattresses were placed on the floor. Gulf Cooperation Council (GCC) citizen detainees were held separately from foreigners and under better conditions. At the DDC, at least nine newborn and infant children were detained with their mothers.

The State Security Prison was used to hold prisoners convicted of security crimes, including espionage. The conditions in the State Security Prison were generally better than those at the Central Prison. Some men and women awaiting civil or criminal trial as plaintiffs were held with others waiting deportation at the DDC. Some female defendants awaiting trial were held with convicted female criminals at the Central Prison because of overcrowded conditions at the CPDC.

#### d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention. While the government generally observed these prohibitions, these rights were restricted in practice. Thousands of noncitizens were apprehended and held at the DDC without charges or legal justification awaiting deportation, some for more than four years. Individuals were also arrested and detained at the State Security Prison for indefinite periods under the society protection and antiterrorism laws.

#### Role of the Police and Security Apparatus

The Ministry of the Interior (MOI) controls the police forces, which include the coast guard, border police, fire department, and immigration authorities. They were generally effective. NGOs did not perceive corruption and impunity to be serious problems. The government intelligence service reported directly to the emir and performed internal security investigations, gathered intelligence, and had primary responsibility for sedition and espionage cases.

The MOI investigated alleged cases of police abuse and publicized at least some results.

#### Arrest and Detention

The law requires that persons be apprehended openly with warrants based on sufficient evidence, issued by a duly authorized official, be charged within 24 hours, and be brought before a court. As exceptions the law permits for detention without charges for up to two years (six month periods which can be extended) and allows detention for up to six months without charges for investigation purposes, but could be extended indefinitely by a special court order.

In normal cases the judge may order the suspect released, remanded to custody to await trial, held in pretrial detention pending investigation, or released on bail. Judges may also extend pretrial detention for one month at a time to allow authorities to conduct investigations. The accused was entitled to legal representation throughout the process and prompt access to family members in nonsecurity cases. There were provisions for state-funded legal counsel for indigents in criminal cases. Suspects detained in security cases generally were afforded access to counsel, but access to family members was delayed. Unlike the previous year, there were no reported cases of incommunicado detention by the government.

However, the society protection law provides for official exemption from the prohibition of arbitrary arrest and detention and the Code of Criminal Procedure. Although detainees may have access to counsel, under this law criminal charges are not filed, therefore, there are no charges to refute. Counsel may only petition the prime minister for reconsideration. Decisions taken under this law are not appealable in court. The law empowers the Minister of Interior to detain a defendant for crimes related to national security, honor, or impudence upon the recommendation of the Director General of Public Security. Under this statute the detention period can range from two weeks to six months. Moreover, that period can be extended up to two years at the discretion of MOI officials. The law normally allows for detention for up to six months without charges; but it could also allow for indefinite detention upon order of the court. This provision has not been used. The prime minister adjudicates complaints against these detentions. There was at least one known case of a citizen that had been arrested at year's end, had been detained for more than one year under this statute. According to the NHRC, there are undoubtedly more unreported cases.

In May Amnesty International (AI) alleged that 18 persons had been detained in 2005 under the laws for the "protection of society" and "combating terrorism", although few details were available. There is a report that at least one person remained in custody at year's end under these conditions.

In accordance with custom on the occasion of the Holy Month of Ramadan, the emir granted amnesty to 29 prisoners and another 56 prisoners were granted amnesty on the annual "International Human Rights Day" in November. The cases were recommended for amnesty by the NHRC. No criminals convicted of violent crimes were granted amnesty. An additional 23 prisoners were released by the court after serving at least three-quarters of their sentence.

#### e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, although in practice it is not since all judges held their positions at the ultimate discretion of the emir. Nevertheless, there were no reports of political or governmental interference in the courts. Approximately 25 percent of the judges were foreign nationals dependent on residence permits granted by the civil authorities. The emir appoints all judges based on the recommendation of the Supreme Judiciary Council.

The law provides for a three-tiered court system: the courts of first instance, appeal, and cassation. The court of appeal hears appeals of decisions from the court of first instance. The Court of Cassation hears cases from the appeals court that may have been contradictory to established law or where the law may have been mistakenly interpreted. The Court of Cassation is the court of final appeal. It consists of two wings, civil and criminal, with a five-judge panel chaired by a president or deputy.

There are no provisions in the law for the establishment of security tribunals. The established court system would handle such cases. The constitution provides for the establishment of military tribunals, but their use is restricted except under martial law, and only military crimes committed by staff of the armed forces and the security forces may come before such tribunals. There are provisions for non judicial proceedings for administrative discipline of military and security personnel.

#### Trial Procedures

The law provides for the right to a fair trial, and the judiciary generally enforced this right.

Both Muslim and non-Muslim litigants are tried under the unified (Shari'a and secular justice) court system. Trials are by jury and open to the public, but the presiding judge can close the courtroom to the public if the case is deemed sensitive. Lawyers prepare litigants and speak for them during the hearing. Non-Arabic speakers are provided with interpreters. Defendants are entitled to legal representation throughout the trial and pretrial process. In matters involving religious issues, Shi'a and Sunni judges may apply their interpretations for their respective group. There was an adequate number of both Shi'a and Sunni judges.

Criminal cases normally were tried within five to seven months after suspects were detained. Although infrequently used in practice, suspects are entitled to bail, except in cases of violent crime. Foreigners charged with minor crimes can be released to their citizen sponsor, although they are prohibited from departing the country until the case is resolved. While the law allows for detention without charges, once charges are filed, the case would be tried under existing criminal or civil law. Defendants have the right to be present and the right of appeal. Their attorneys have access to government-held evidence relevant to their cases, once the case has been filed in the court.

Defendants may consult with an attorney in a timely manner. Defendants have the right to confront and question witnesses against them and present witnesses and evidence on their behalf. Defendants are presumed innocent. In practice, however, those charged with a crime continue to carry the burden of the charge against them by state security forces before, during, and after trial, even if found innocent. In either case, for noncitizens, deportation normally follows. Citizens are forbidden from continued service in or acquisition of sensitive positions.

The law pertaining to civil cases restricts the right to appeal, since the appellant must deposit with the court \$5,495 (20,000 riyals) for the appeal if the case has been decided by the court of appeal, and \$1,374 (5,000 riyals) for the appeal if the case has been decided by the court of first instance. An additional \$1374 (5000 riyals) must be paid to the court in each case to proceed. Sums may be seized, in whole or in part, should the competent court decide to reject the right of appeal. The law extends these rights to all residents.

#### Political Prisoners and Detainees

Of the 27 individuals involved and convicted in the 1996 planned counter-coup, 26 remained in prison at year's end. Of the 26 in prison, 19 remain in prison under sentence of death, while eight carry life sentences. One of the eight, a member of the ruling family, has been remanded to house arrest. During the year at least one military member was arrested and accused of communicating with foreign political groups. The outcome of his case was unresolved at year's end.

#### Civil Judicial Procedures and Remedies

The law and judiciary generally permit persons with civil grievances to seek redress in the court system, rather than through traditional personal contact with members of the ruling family. There are civil and criminal remedies available for those seeking damages for, or cessation of, human rights violations. There was one reported case of a lawsuit by a laborer against his sponsor for suppression of the right of freedom of movement. The case is unresolved at year's end.

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

The constitution and the Criminal Procedures Code prohibit such actions, and the government generally respected these prohibitions in practice. Traditional attitudes of respect for the sanctity of the home and the privacy of women provided protection against arbitrary intrusion for both citizens and noncitizens. Judicial authorities must grant warrants before police may search a residence or business, except in cases involving national security or emergencies, of which there were none reported during the year. There were no reports of unauthorized searches of homes during the year. Police and security forces were believed to monitor the telephone calls and e-mails of suspected criminals, of those considered to be security risks, and of selected foreigners (see section 2.a.).

Citizens must obtain government permission to marry foreigners and may apply for residence permits or citizenship for their spouses. Such permission generally was granted for male citizens. Under the law marriage to a female citizen does not entitle the husband to citizenship.

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press but the government limited these rights in practice. Journalists continued to self-censor due to political pressures when reporting on government policies, the ruling family, and relations with neighboring states. There were reports that security authorities threatened both individuals and organizations against publishing undesirable articles.

The law provides for criminal penalties and jail sentences for libel and slander. One non-citizen was sentenced to one year in prison under this law. The individual allegedly slandered a citizen in public. All cases involving the media fall under the jurisdiction of the criminal courts.

Although citizens expressed many of their views freely and in public, they avoided discussing sensitive political and religious issues. The much larger foreign population did not express itself as freely or as publicly. The government did not prosecute anyone for expression of views. During the year the Qatar Foundation continued to support a series of public debates on a website called the "Doha Debates".

While the six daily newspapers are not state-owned, the owners are members of the ruling family or have close ties to government officials. Copies of foreign newspapers and magazines were reviewed and censored for religious, political, and explicit sexual content.

The censorship office in the Qatar Radio and Television Corporation and customs officials screened and censored material deemed hostile to Islam, reports on government policies, the ruling family, and pornography. There were no specific reports of political censorship of foreign broadcast news media or foreign programs. Foreign movies, however, were censored for sexual content, vulgarity, and political views. Officials did not block the personal importation of non-Islamic religious items (see section 2.c.).

State-owned television and radio reflected government views. Doha-based Al-Jazeera Satellite Channel focused on coverage and commentary on international news topics. Al-Jazeera and the government claimed the channel to be independent and free of government influence, but it was government-subsidized and avoided critical commentary of government policies. On domestic issues Al-Jazeera covered local news generally only if there was an international aspect to it. Callers to a popular morning show on the state-owned radio station frequently discussed topics such as government inefficiency and the lack of responsiveness by various ministries to citizens' needs, such as poor schools and roads, failure to deliver adequate water and sewage services, and problems with the health care system.

### Internet Freedom

The government restricted the peaceful expression of views via the Internet and censored the Internet for political, religious, and pornographic content through a proxy server, which monitored and blocked Web sites, e-mail, and chat rooms through the state-owned Internet Service Provider (ISP). For example, the *Arab Times*, an Arab-American online newspaper, which at times published articles critical of the government, was not available to users in the country. A user who believed that a site was censored mistakenly could submit the web address to have the site reviewed for suitability. In some cases the ISP responded by unblocking the site after an internal investigation. Statistics, however, were not available.

### Academic Freedom and Cultural Events

Academic freedom was exercised in accordance with the general legal framework, but instructors at Qatar University noted that they often exercised self-censorship.

There were no reported government restrictions on cultural events.

### b. Freedom of Peaceful Assembly and Association

#### Freedom of Assembly

The law provides for but regulates freedom of assembly which requires a permit for public gatherings. A number of restrictions and conditions must be met in order to acquire a permit, for example, the permission of the director general of public security, whose decision is not subject to appeal. In practice the government generally does not allow political demonstrations. The government permitted at least one during the year: in June there was a peaceful demonstration arranged by the Central Municipal Council to show support for Palestinians in the Israeli-Palestinian conflict.

#### Freedom of Association

The law provides the right to form private societies and professional associations, but the government severely limited this right in practice. The law forbids formation of and membership in political parties (see section 3). The law allows noncitizens to participate in private societies only in cases where their participation is deemed necessary to the work of the society. However, the prime minister must approve their participation, and their number cannot exceed 20 percent of the total membership. The law also imposes strict conditions on the establishment, management, and function of these societies and associations. They are prohibited from engaging in political matters and must get approval from the Ministry of Civil Service Affairs and Housing, which can deny their establishment if deemed a threat to the public interest. Also, in the case of professional societies, they must pay \$13,736 (50,000 riyals) in licensing fees and \$2,747 (10,000 riyals) in annual fees and their permits are valid for only a three-year period, after which they must renew their license and again pay the same fees.

Also, a single application form not applicable to all potential organizations restricts registration. Since this law was enacted, less than 20 requests to form new associations have been submitted to the ministry. Some requests were approved during the year, among them the Fishermen Association, the Authors Association, and the Musicians Association. The remaining applications were either under review or have been sent for cabinet approval. Applications to establish a Journalists Association and a Teachers Association were pending at the end of the year. One human rights organization designed to support persons with disabilities was also pending review.

The regulations prohibit international affiliation of associations.

The government prohibited international professional organizations critical of the government or of any other Arab government. There were no reports that security forces monitored the activities of proposed or established professional or other groups.

### c. Freedom of Religion

The constitution provides for freedom of worship and forbids discrimination based on religion in accordance with the law and the requirements of protecting the public order and morality; however, the government continued to prohibit proselytizing of Muslims by non-Muslims and placed some restrictions on public worship. Among non-Muslims, only Christians have requested and been allowed to rent space for public worship. Adherents of other faiths may privately practice their religion without harassment.

The state religion is Islam, as interpreted by the Wahhabi order of Sunni Islam. Both Sunni and Shi'a Muslims practiced Islam freely. Shi'a Muslims organized traditional Shi'a ceremonies and performed their rites in their own mosques. Shi'a Muslims were permitted to build and decorate Shi'a mosques without restrictions.

The government and the ruling family are linked inextricably to Islamic institutions and practices. The Ministry of Islamic Affairs administers the construction of mosques, clerical affairs, and Islamic education for adults and new converts. The Ministry of Education administers Islamic education in the public schools. The emir participated in public prayers during both Eid holiday periods and personally financed the *Hajj* journeys of poor pilgrims.

Shi'a Muslims were well represented in the bureaucracy and business community.

The government has given legal status to Catholic, Anglican, Orthodox, Coptic, and many Indian Christian denominations; other religious congregations may request recognition, but none are known to have done so. The government does not allow the building of any new places of worship without permission. The government provided congregations with registration numbers that allow them to open bank accounts and sponsor clergy for visas. In January construction began on what is expected to be six Christian churches on a large tract of property leased from the government. No new requests have been reported.

The government regulated the publication, importation, and distribution of non-Islamic religious literature. Individuals were allowed to import Bibles and other religious items for personal use. Government officials only monitored Islamic religious literature and copies of the Koran. Religious materials for use at Christmas and Easter were readily available in local shops. Bibles were not readily available in Arabic.

Islamic instruction was compulsory in public schools. While there were no restrictions on non-Muslims providing private religious instruction for children, most foreign children attended secular private schools. There were no religious private schools.

From April 25 to 27, the Fourth Conference for Religious Dialogue took place in Doha. Christian, Jewish, and Muslim representatives attended.

### Societal Abuses and Discrimination

There was no indigenous Jewish community; the few Jews in the country were expatriates with no restrictions on their traveling to or working in the country. On occasion in response to political events and developments in the region, some of Qatar's privately owned Arabic-language newspapers carried cartoons depicting offensive caricatures of Jews and Jewish symbols, and editorial comparisons of Israeli leaders and Israel to Hitler and the Nazis. These occurred primarily in the daily newspapers, *Al-Watan*, *Al-Sharq*, and *Al-Raya*, and drew no government response. The government does not officially collect or publish statistical data on the religious affiliation of the population.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

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

The constitution provides for these rights, and the government generally respected them in practice, with some notable exceptions. There were no restrictions on internal travel, except around sensitive military and oil and industrial installations. Under a 2003 law for Protection of State Security, the government prevented some citizens from foreign travel. In general, women under the age of 30 required permission from male guardians to travel, whereas women over age 30 did not require permission to travel. Men may prevent females and children under their guardianship from leaving the country by providing their names to immigration officers at ports of departure, but no such cases were reported during the year. The government did not allow noncitizen custodial parents to take their children out of the country without the permission of the citizen parent. Citizens critical of the government could face restrictions on their right to travel abroad, but there were no specific cases reported during the year.

The constitution prohibits forced exile -internal or external- of citizens, and exile was not used in practice.

On February 3, the emir issued orders to begin to reinstate citizenship for as many as 6,000 persons whose citizenship the government revoked between October 2004 and June 2005. Each case was reviewed separately, and by year's end citizenship was restored to approximately 90 percent of those who had lost it. According to the NHRC, those among the remaining 10 percent accused of being involved in the planned 1996 countercoup attempt, whether found guilty or innocent, will not regain citizenship.

The constitution provides that citizens who have left the country have the right to return. Foreigners were subject to restrictions on entry and exit designed principally to control the size of the local labor force (see sections 6.c. and 6.d.). Foreign women who were married to citizens were granted residence permits and could apply for citizenship; however, they were required to relinquish their foreign citizenship.

#### Protection of Refugees

The constitution prohibits the extradition of political refugees; however, the country is not a party to the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has not established a system for providing protection to refugees. Those attempting to enter the country illegally, including persons seeking asylum from nearby countries, were refused entry. Asylum seekers who were able to obtain local sponsorship or employment were allowed to enter and could remain as long as they were sponsored.

The government was not asked to cooperate with the office of the UN High Commissioner for Refugees or other humanitarian organizations in assisting refugees and asylum seekers. The government issued deportation orders for Qatari-born stateless residents and at least one Qatari-born resident of Somali origins to Somalia, a case possibly constituting attempted *refoulement*. These cases remained unresolved at year's end.

Arbitrary deportations were reportedly used to reduce the number of guest workers in nationalities that the government considered to be over-represented. This action was designed to increase the portion of citizens in the workforce (Qatarization). They were also used to expel foreigners who had extended their original period of residence or had been accused of a crime, whether found guilty or not. Deportations are also reported to have occurred to comply with the GCC agreement to limit the residency of foreigners to less than five years.

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

The constitution does not provide citizens the right to change their government peacefully. The constitution provides for hereditary rule by the emir's branch of the Al-Thani family. The constitutional provision for legislative authority vested in an advisory council with 30 elected members and 15 members appointed by the emir has not yet been implemented. The influence of Bedouin tribal traditions was still strong, and the government did not permit political parties or opposition groups to organize.

#### Elections and Political Participation

The emir exercises most executive powers, including appointment of cabinet members. In 2003 citizens elected the 29 members of the Central Municipal Council for four-year terms. The elections were generally regarded as free and fair although only 30 percent of eligible voters participated. The council addresses local issues such as street repair, green space, trash collection, and public works projects. Its role is to advise the Minister of Municipal Affairs and Agriculture. The council does not have the authority to change policy.

Influence of traditional attitudes and roles continued to limit women's participation in politics; however, some women served in public office as: minister for education; president of the Permanent Election Committee; head of the General Authority for Health, vice president of the Supreme Council for Family Affairs with ministerial rank, and president of Qatar University. Also, one woman served on the central municipal council.

Approximately 75 percent of total residents could not participate in elections or hold public office, which is limited to families that were in the country prior to 1930. The total electorate is believed to be less than 50,000. Limits on political participation also exist for persons whose citizenship was withdrawn but subsequently restored. According to Law 38 of 2005, they are denied the right to candidacy or nomination in any legislative body for a period of 10 years from the date of restoration of their citizenship.

#### Government Corruption and Transparency

Government corruption was perceived to be a problem. During the year the Attorney General referred one of his deputies to the judiciary for investigation of fraudulent stock purchases. On February 16 the deputy was dismissed from his post and an additional 64 citizens involved in the same scandal were investigated and convicted. The affair involved fraudulently using identities of dead citizens to buy more shares of Qatar Gas Transport Company than the official allocation permitted.

The law does not provide public access to government information, and little was readily available, particularly financial data. The government publishes its laws in the official gazette; however, it did not facilitate access to certain economic statistics, judicial decisions, or draft legislation being analyzed or considered by the government or advisory council. At their discretion government officials shared draft legislation with selected industry representatives for comment. The Ministry of Economy and Commerce and the Central Bank provided published materials on laws and procedures for the public, but these efforts were not consistent throughout the government. Although there is a mechanism for individuals and private institutions to request this information from the ministries and the planning council, information regarding the budget, government expenditures, and draft laws was generally not available.

The lack of clarity in government procurement, such as the conditions and criteria of the tender and proper notification or explanation concerning bidders' qualifications, remained an issue of concern.

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

No international or domestic NGO or international governmental organizations dealing with human rights operated in the country. Representatives from Oxfam as well as the Solidarity Center and the National Democratic Institute visited the country.

The National Human Rights Committee (NHRC) is a semi-independent organization aligned with and funded by the government. The law provides for the right to form private independent societies and associations; however, since the law was enacted, only one application was submitted to establish an independent human rights organization to support persons with disabilities, and that request was under government review at year's end.

The NHRC was established in 2002 to investigate and improve local human rights conditions, with 12 members, five from government ministries and seven from civil society. Since May votes by government members do not count. The committee released a report highlighting numerous human rights violations identified during 2005. The report was published in all local newspapers and was made available on their Web site (see sections 5, and 6. c., 6.d., and 6.e.). During the year the NHRC visited prisons, the Police Detention Center, and the Deportation Detention Center at least three times to investigate conditions and issued recommendations to the MOI and the ministerial council.

#### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on nationality, race, language, religion, and disability. However, in practice government actions were heavily influenced by local custom and legal, cultural, and institutional discrimination existed based on gender. There were no reports of discrimination based on religious affiliation. Noncitizens were afforded fewer rights under the law. Although there were no reports of discrimination based on sexual orientation, sodomy (whether male or female) is a criminal offense.

##### Women

According to a local quasi-governmental organization dealing with family issues, domestic violence against women was a problem. A total of 197 cases of domestic abuse against women were reported during the first six months of the year. According to the organization, the increase was due to increased awareness among the community, the requirement that all health care facilities report suspected abuse cases, and the use of the established hot line system. There were no arrests or convictions for family domestic violence among citizens publicized in the press, although cases involving noncitizens appeared. The law criminalizes rape, but does not address spousal rape. There were cases of rape publicized between expatriates, but not reported involving citizens.

Many foreign domestic servants were sexually harassed and maltreated. Most domestic servants did not press charges for fear of losing their jobs (see section 6.e.).

While the legal system allows leniency for a man found guilty of committing a "crime of honor" or a violent assault against a woman for perceived immodesty or defiant behavior, no cases were reported during the year. Prostitution is illegal and was considered a problem by the government. Government officials reported 24 cases involving prostitution before the courts. Sexual harassment is also illegal and carries penalties of imprisonment and/or fines. In the eight reported cases of sexual harassment, there were five convictions and three cases were still pending at year's end.

Traditions and the interpretation of Shari'a restricted activities of women. The government adhered to an interpretation of Shari'a that recognizes Muslims have the automatic right to inherit from their Muslim spouses. Non-Muslim spouses (invariably wives, since Muslim women cannot legally marry non-Muslims) do not inherit unless their spouse formally wills them a portion (up to one-third of the total) of their estates. Similarly a Muslim husband does not automatically inherit the property of a non-Muslim wife. Muslim wives have the right to inherit from their husbands. The proportion that women inherit depends upon their relationship to the deceased; however, in the cases of siblings, sisters inherit only one-half as much as their brothers.

In cases of divorce, young children usually remain with the mother, regardless of her religion, unless she is found to be unfit. According to the new Family Status Law, in the case of divorce, the age of children who remain in the custody of the mother has been raised to 13 years for males and to 15 years for females. In certain conditions the court may extend the age of maternal custody to 15 years for males and to the time of marriage for females. As an exception, the mother retains custody of children with disabilities with no age limit stipulated.

Women may attend judicial court proceedings and may represent themselves, but they were generally represented by a male relative. The testimony of two women equals that of one man, but the courts routinely interpreted this requirement on a case-by-case basis. A non-Muslim woman is not required to convert to Islam upon marriage to a Muslim, but many make a personal decision to do so. Children born to a Muslim father are considered to be Muslim.

Women made up 14 percent of the overall workforce and 30 percent of the citizen workforce, serving as university professors, public school teachers, and police. Women served as professionals in government service, education, health, and private business. Women received equal pay for equal work, but often did not receive equal allowances, which generally covered transportation and housing costs.

Although women above age 30 were legally able to travel abroad alone (see section 2.d.), tradition and social pressures caused most women to travel with male escorts.

The Supreme Council for Family Affairs, a government department, seeks to improve the status of women and the family under both civil and

Islamic law. The council contributed to a number of national and international conferences, studies, and reports on the status of women in the country. The council played an integral role in the drafting of legislation affecting women and children. Women were being empowered to tackle issues once considered taboo, such as violence. The council advocated the successful enactment of the new family law.

The Supreme Council established five organizations that deal with women and children issues: the Qatar Foundation for the Protection of Women and Children; the Family Consulting Center; the Motherhood and Childhood Cultural Center; the Orphans Care Center; and the Qatar Society for Senior Citizens Care. The Qatar Foundation for the Protection of Women and Children handled 197 cases involving women and 190 cases involving children during the year. Most of the women's cases concerned custody and alimony issues, while there were five cases of physical abuse. Health authorities informed the center about cases of physical abuse. Children's cases included maltreatment, psychological abuse, and neglect, while two cases involved sexual harassment. Most of the children's cases were referred to the center from schools, hospitals, and the neighborhoods. Approximately 30 percent of the cases handled by the foundation were solved through mediation, and all of the 30 percent were resolved in favor of the women and children. The foundation operated a telephone hot line to receive complaints of family violence; however, the line was normally answered only during the work day and statistics were not kept on its use.

#### Children

The government is committed to the welfare of citizen children. The government provided for a well-funded, free public education system (elementary through university) and a complete medical protection program. Education was compulsory for citizen children through the age of 15 and was free through primary school (the equivalent of ninth grade) for all citizen children and for noncitizen children whose parents worked in the government sector. Based on 2004 figures from the Planning Council, approximately 60 percent of school-age children attended school, and most children completed primary school. Medical coverage for noncitizen children was limited. The lack of primary educational and medical services to noncitizen children caused hardship for a substantial part of the expatriate population living in the country.

There was generally no difference in attendance of girls and boys at the primary, secondary, and post-secondary levels. There was no societal pattern of child labor or abuse of children, apart from the trafficked, juvenile camel jockeys (see section 5).

There was no societal pattern of child labor or abuse of children. There were isolated cases of children used by their families or by organized groups for begging, especially during religious occasions. There were also some cases of children who had suffered from various forms of family violence and physical and sexual abuse.

The Qatar Foundation for the Protection of Women and Children maintained a children's hot line called the "Friendly Line" for use by children and conducted awareness campaigns on the rights of the child. The system allowed both citizen and noncitizen children to call with questions and concerns ranging from school, health, and psychological problems to concerns about sexual harassment. This hot line was operated in conjunction with the family abuse hot line; statistics on use were not available.

#### Trafficking in Persons

There is no specific antitrafficking law. Nonetheless, the law of bans forced or coerced labor and a July 2005 ban on the use of camel jockeys under the age of 18 (see section 6.c.). Those caught breaking the law may receive six months' imprisonment or a fine of approximately \$825 (3,000 riyals). In cases involving the employment of minors, the punishment is three years imprisonment or a fine of approximately \$2,700 (10,000 riyals). No antitrafficking cases against employers or labor recruitment agencies were prosecuted during the year.

In July 2005 a human rights department was established in the MOI to receive and process victims of human rights abuses and trafficking in persons.

The country is a destination for trafficked persons. Men and women were trafficked into situations of coerced labor. Legislation guiding the sponsorship of expatriate laborers has created conditions constituting forced labor or slavery.

Under the law expatriate laborers were not allowed to leave the country without a signed exit sponsorship or change employment without a written release from their sponsor. The dependence of foreign laborers on their employer for residency rights and the inability to change employment or to travel without the sponsor's permission leaves them vulnerable to abuse. Some sponsors have used this power against their workers. They have withheld their consent to force foreign employees to work for longer periods, avoid having to pay salary owed to the worker, and extract money from the laborer. Some workers were detained in the deportation center due to their employers withholding their passports and failing to renew their work visas. There were between 1,100 and 1,500 detainees at the Deportation Center at all times. The workers were apprehended by law enforcement officials because their work visas had expired or because they were deemed to be a "threat to society".

The country also was a destination for some women and girls who traveled to the country to work in hotels, cafes and restaurants but were forced by their employers into prostitution. Most often, rather than prosecuting them for prostitution, the women were arbitrarily issued a deportation order and sent to the Deportation Center. Women and girls also traveled to the country to work as domestic servants, where they were vulnerable to domestic servitude and sexual exploitation and unprotected by labor legislation. Two embassies reported that more than 600 of their nationals had been forced into these conditions.

In July 2005 Law 22, banning the transport, employment, training, and involvement of children under the age of 18 in camel races, came into force. As an alternative robot camel jockeys were introduced. According to the law, violators face three to 10 years imprisonment and a fine ranging between \$13,700 (50,000 riyals) and \$55,000 (200,000 riyals). There were no cases reported during the year.

According to the NHRC, some children camel jockeys have still been retained in the country; however, there were no additional reports of children being used or held for the purpose of camel racing.

In September 2005 the government opened a shelter for trafficking victims to serve the needs of abused domestic workers, other laborers and children. The shelter was under the management of the National Trafficking in Persons Coordinator, and referral by police or other government agencies for access was not required. During the year twenty cases were accommodated at the shelter.

Although the government has identified various agencies to implement antitrafficking reforms, it did not systematically monitor its antitrafficking efforts.

#### Persons with Disabilities

The law requires the allocation of resources for persons with disabilities and prohibits discrimination against such persons. The government acts on complaints from individuals and from the NHRC and enforces compliance. The law requires that 2 percent of all jobs in government agencies and public institutions be set aside for persons with disabilities. Also, private sector businesses employing a minimum of 25 persons were required to hire persons with disabilities. Employees who violated these employment provisions were subject to fines. There were no reported cases during the year.

According to the NHRC, some violations with regard to persons with disabilities occurred in the Ministry of Municipal Affairs and Agriculture in 2005, in which a number of employees were transferred from their jobs because they were categorized as persons with disabilities. Although authorities concerned were notified, no action was taken. The Supreme Council for Family Affairs was charged with ensuring compliance with the rights and provisions mandated under the law.

#### National/Racial/Ethnic Minorities

The government discriminated based on nationality in the areas of employment, education, housing, and health services. Noncitizens did not receive the same benefits as citizens. They were required to pay for residence permits, health care, electricity, water, and education (services that were provided without charge to citizens). Noncitizens generally could not own property; however, the law provided for property ownership in two designated areas. The largest noncitizen groups were Indian, Nepalese, Bangladeshi, Pakistani, and other Arab nationals. In the private sector, Iranians occupied some of the highest positions.

Although born, raised and schooled in the country, noncitizen residents and *Bidoon* are afforded no more rights under the law than temporary migrant laborers. They were discriminated against in medical care, education, employment, and mobility.

The 2005 nationality law allows noncitizen residents to apply for citizenship after residing in the country between five and 20 consecutive years, but only 50 may be granted per year, and none have been granted under this provision. There were reports of summary deportation orders issued against long-term residents and *bidoon*, although all family and economic ties remained in the country.

#### Other Societal Abuses and Discrimination

The law prohibits same-sex relations between both males and females. Penalties for adults range from a maximum of seven to 15 years imprisonment. There were at least two cases that come before the court during the year. One case involved a Qatari male and an Asian expatriate male. The case remained before the court as of year end. The other involved a 41-year old Turkish male who was acquitted in a case involving a 21-year old Turkish male.

There was no discrimination reported against HIV patients if they were citizens or were in the country with a legal residence permit. They were usually reported to the Preventive Health Department to maintain statistical records about the extent of contagious diseases in the country and to receive treatment. Foreigners who contracted the disease were deported if they had not stamped their residence permits yet. In the case of AIDS patients, foreigners were deported to their home country. In case of citizens, they were quarantined and received treatment. Specific statistics on diseases were not available and such information was classified by the government as critical and sensitive.

#### Section 6 Worker Rights

##### a. The Right of Association

The 2004 labor law and subsequent regulations provide for the right of workers' association for citizens over 18 years of age in private enterprises with more than 100 citizen workers. Noncitizens were not eligible to form worker committees. Foreign workers can only be members of joint labor-management committees. Those working in the government sector are prohibited from joining a union. Further, the law and regulations permit only a single national trade union composed various worker committees at individual firms and forbid affiliation with groups outside the country.

##### b. The Right to Organize and Bargain Collectively

No labor unions existed during the year. Under the labor law, workers are granted the right to bargain collectively and to sign joint agreements, i.e., agreements reached between employer and worker regarding a work-related issue. The right was circumscribed by the government's control over the rules and procedures of the bargaining and agreement processes. Collective bargaining was not freely

practiced, and there were no workers under collective bargaining contracts. The law also grants workers the right to strike, but the restrictive conditions imposed by the statute make the likelihood of a strike extremely remote. Nevertheless, expatriate workers staged at least seven strikes during the year to seek redress and improvement in their work situation from employers.

Government employees, domestic servants, and those in the public utility, health, and security services are prohibited from striking. However, legally they can seek permission to hold a public gathering. Private employers set wages unilaterally without government involvement. Local courts handled disputes between workers and employers; however, foreign workers avoided drawing attention to problems with their employers for fear of repatriation. According to resident embassies of expatriate workers and some individual migrant workers, the Labor Department was widely perceived to be objective within its narrow mandate when dealing with the nonpayment of wages. The Labor Department claimed that it resolved 80 percent of worker complaints amicably with a very small percentage referred to the labor courts for judgment.

A new secretariat for labor relations was established during the year charged with collective bargaining and overseeing labor relations. The Labor Inspection Section was restructured and staffed with sufficient numbers of trained inspectors who were provided with the power of law enforcement. A limited number of labor camps were inspected randomly and when found to be below minimum standards, the operators received a warning. Upon second inspections all camp violations were corrected promptly for fear of repercussions under the law. Statistics on the number of inspections are not available, but foreign labor attachés reported that most labor camps in the country remained below minimum standards.

There were no export processing zones.

#### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, foreign workers in some cases were employed under circumstances that constituted forced labor (see section 5). More than three-quarters of the workforce were foreign workers who, entirely dependent on their employer for residency rights, were vulnerable to abuse. For example, employers must give consent before exit permits are issued to any foreign employee seeking to leave the country. Some employers temporarily withheld this consent to force foreign employees to work for longer periods than they wished. Unskilled workers and domestic servants were particularly vulnerable to nonpayment or late payment of wages. During the year compulsory labor by children occurred (see section 6.d.).

#### d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits forced and compulsory labor by children, and the government generally enforced this prohibition with respect to citizen children; however, some child labor occurred. The Labor Law stipulates the minimum age for employment as 16 years.

The labor law provides that minors between the ages of 16 and 18 can be employed with parental or guardian permission, and some children worked in small, family-owned businesses such as small markets or as office clerks. Minors may not work more than six hours a day or more than 36 hours a week. Employers must provide the Labor Department with the names and occupations of their minor employees and obtain permission from the Ministry of Education to hire a minor. The Labor Department may prohibit the employment of minors in jobs that are judged dangerous to the health, safety, or morals of minors.

#### e. Acceptable Conditions of Work

Although the labor law provides the emir with authority to set a minimum wage, he did not do so. The average wage of noncitizen workers did not provide a decent standard of living for a worker and family. The law prescribes a 48-hour workweek with a 24-hour rest period, although most government offices followed a 36-hour workweek. Employees who worked more than 48 hours per week or 36 hours per week during the holy month of Ramadan were entitled to overtime pay. Government offices and major private sector companies adhered to this law; however, it was not observed with respect to unskilled laborers and domestic and personal employees, the majority of whom were foreigners. Many such workers frequently worked seven days per week, and more than 12 hours per day with few or no holidays, no overtime pay, and no effective way to redress grievances.

Some employers mistreated foreign domestic servants, predominantly those from South Asia, Indonesia, and the Philippines. Some foreign embassies provided temporary shelter for 48 hours to their nationals who left their employers as a result of abuse or disputes before transferring the case to local government officials. According to their embassies, the majority of cases were resolved within 48 hours. Those not resolved within 48 hours were transferred to the Criminal Evidence and Investigation Department of the MOI for a maximum of seven days. Cases not resolved within seven days were transferred to the labor court, a special section of the first instance civil court. During the year the embassies of the Philippines, Indonesia, and Sri Lanka received a combined total of more than 3,400 complaints from male and female workers; more than 900 from housemaids alleging mistreatment by their employers. The Nepalese Embassy reported that they received 14 to 20 complaints per day. Complaints included sexual harassment, delayed and nonpayment of salaries, forced labor, contract switching, holding of passports, poor accommodation, nonrepatriation, physical torture or torment, overwork, imprisonment, and maltreatment. Abused domestic servants usually did not press charges for fear of losing their jobs. According to Indonesian officials, 30 to 50 Indonesian housemaids fled from their sponsors each month during the year.

The government has enacted regulations regarding worker safety, but enforcement, which is the responsibility of the Ministry of Energy and Industry, the Ministry of Health, and the Labor Department, was lax due to insufficient training and lack of personnel. Diplomatic representatives visited labor camps and found the majority of unskilled foreign laborers living in cramped, dirty, and hazardous conditions, often without running water or electricity. Inspections by labor inspectors of labor camps became more numerous and public during the year resulting in mandatory compliance of minimum standards by camp managers and owners at a limited number of camps that were either

chosen randomly for inspection or were inspected as a result of complaints of violations. According to foreign labor attachés, most camps remained below minimum standards.

On April 12, two foreign construction workers reportedly died from exposure to toxic gases at a labor camp at Ras Laffan. An estimated 1,000 workers violently protested their deaths, and the organizers were detained and deported. Because the incident was considered a state security matter involving an oil or gas facility, officials from the NHRC were prevented by security authorities from inspecting the camp after the incident to help ensure respect for workers' health and safety. For this reason compliance with standards was not documented.

According to the Nepalese Embassy, 141 of their approximately 179,000 nationals died in the country during the year, 45 percent of whom reportedly died of heart attacks. Another 25 percent died in traffic accidents, while 17 percent died in work-related accidents. Suicide claimed six percent, while the remaining died of other non-specified causes.

The Department of Public Safety oversaw safety training and conditions, and the state-run petroleum company had its own safety standards and procedures. The regulations listed 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. The government provided free medical treatment to workers who suffered work-related sickness or injuries.

Foreign workers may enter the country on a visitor's visa, but a sponsor is needed to convert a visitor's visa to a work visa, and the worker must have a sponsor's permission to depart the country. The government also fined individual sponsors and employers who severely violated residence and sponsorship laws by prohibiting them from importing labor until they rectified the situation. Employers mistreated some foreign domestic servants. Such mistreatment generally involved the nonpayment or late payment of wages; in some cases, it involved rape and physical abuse.

The law does not provide workers the specific right to remove themselves from hazardous work conditions, and workers often hesitated to do so for fear of dismissal. The law provides any worker with the right to seek legal relief from onerous work conditions; however, pursuing such relief risked repatriation, and there were no reports of workers seeking such relief during the year.